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Trust, Communities, and the Standing To Hold Accountable

ABSTRACT. During the 2016 US Presidential campaign and in the aftermath of the election of Donald Trump, many of us have tried to hold friends, family, and acquaintances accountable for their support of a candidate and campaign that we judged to be racist, xenophobic, sexist, transphobic, ableist, and authoritarian. Even when our friends and family avowed, for example, anti-racist norms, our attempts to hold them to those norms were often met with rejections of our standing to do so: What gives you the right to call me out for my vote? In this paper, I argue for the regrettable conclusion that these challenges to our standing to hold are, in at least some cases, justified on the grounds that the targets of our holdings have little evidence that we would allow ourselves to be reciprocally held accountable. As such, recognizing our standing to hold them accountable would be a threat to their agency. I conclude by arguing that we now ought to engage in a project of rebuilding the kinds of communities in which the mutual trust that is foundational to our moral practices can be rebuilt.

INTRODUCTION

Who are you to tell me what I should do? What gives you the right to order me around? How dare you call me a racist! Many of us have heard these refrains over the course of the 2016 US Presidential campaign and since the election of Donald Trump. We try talk to Trump supporters—family, former classmates, hometown friends, and online acquaintances—about the racism, xenophobia, sexism, transphobia, ableism, and authoritarianism that some of us have

judged to be endemic to his campaign and nascent administration. We try to hold them accountable for supporting him, and, almost inevitably, we meet with responses like these.

In this essay, I aim to develop an understanding of these encounters by framing them as attempts to use speech acts to hold others accountable to deontic moral norms that they themselves espouse. I am not concerned with attempts to hold avowed white nationalists to anti-racist moral norms but rather with attempts to hold those who avow anti-racism to those very norms. Even in these cases, we often meet with the above refrains. In this paper, I treat these challenges as attempts to reject our standing felicitously pull off the speech acts in question and so to hold our targets accountable.

My central aim will be to determine whether these challenges to our standing to hold are justified in such cases or whether these refrains are merely ploys to evade accepting responsibility for one's actions. In what follows, I argue that there is good reason to think that these challenges are justified in some cases, even if this is a regrettable result. I examine a variety of ways in which the standing to hold can be undermined, and conclude that in the kinds of one-dimensional, thin relationships in which these sorts of challenges often arise, recognizing the standing of another to hold one to one's antecedent moral obligations presents a significant threat to one's agency. If this is right, then one is justified in rejecting another's standing to hold in these instances.

I begin developing my account of these challenges by presenting a *prima facie* case for differentiation in the standing to hold accountable. I then shift my focus to identifying a species of holding—second-personal speech acts of holding to deontic moral norms—by way of a topography of the terrain of holding responsible. Focusing on this species, I turn to the question of who, if anyone, has the requisite standing to felicitously pull off these speech acts by

examining how these holdings are related to the more familiar act of issuing an order. I argue that, like orders, alethic holdings have agent-relative normative inputs, i.e., the standing to felicitously issue them is indexed to particular individuals by virtue of their position in some social-normative space, but unlike orders, the standing to issue an alethic holding is not a matter of broadly institutional norms but of second-personal recognition. In the final sections, I turn to the work of Linda Radzik to argue that standing to hold can be undermined when recognizing such standing would present a threat to someone's agency. One can justifiably reject the standing of another to hold one accountable when one cannot trust the other to recognize one's reciprocal standing. Recognition of standing in such a case subsumes the target of holding in a hierarchy where one did not previously exist. I conclude by drawing some lessons from this account for our fraught attempts to hold our fellow citizens to account for their support of what many of us perceive to be a racist, xenophobic, sexist, transphobic, ableist, authoritarian administration.

NORMS OF HOLDING RESPONSIBLE

Human beings have hit on a variety of practices for holding ourselves and one another accountable to our own commitments, prudential norms, etiquette, laws, and moral norms. Some of these practices are coercive, others merely suggestive. Some are broadly effective, others only mildly so. The mechanisms of enforcement are varied. Some practices rely on the threat of pain, imprisonment, or death, others on social sanctions such as distancing or banishment. Still others leverage psychological mechanisms such as shame, guilt, and embarrassment. In each case, accompanying the norms to which we are accountable—the norms of prudence, morality, and the like—there are norms that govern the practices of holding others accountable to those first-order norms. These *norms of holding* determine when one has the standing to hold another accountable

as well as the appropriate methods of doing so. It is not my business, for example, if you, dear reader, are ordering a decadent brownie sundae in violation of the norms of prudence, and even if it were my business—say, if you were my partner—it would certainly be out of line for me to enforce the norm by ripping the sundae from your hands and throwing it on the floor. This essay is about these second-order norms as they apply to cases of holding to deontic moral norms.

Beginning with Strawson's influential paper "Freedom and Resentment," there is a rich literature that examines what it is to *take* someone to responsible. Much of this inquiry is endeavored on the way to answering questions about what it is to *be* responsible or as part of some other broader project (Strawson 1962; Korsgaard 1992; Darwall 2006; Wallace 1994; Watson 1996; Oakley 1991; Smith 2007; Maher 2010). More recently, however, greater attention has been paid both to taking someone to be responsible and, importantly for us, to *holding* someone responsible. Examining some of this literature, we can see a prima facie case that the standing to hold is not universal.

G. A. Cohen has examined the challenges posed by hypocrisy and complicity to one's standing to hold another accountable. Focusing on the case of the Israeli–Palestinian conflict, he argues that both parties face a "powerful *tu quoque* challenge" that undermines each side's standing "to point the finger at the other with no comment on his own glass house" (2006, 110–11). Cohen argues that Israel lacks the standing to condemn Palestinian acts of terror without first examining its own role in causing the grievances to which terrorist acts are a response and in creating the conditions under which the terrorist response is the only one available (2006, 114–15). By Cohen's lights, not just anyone has the standing to hold someone else responsible. Hypocrisy and complicity potentially undermine such standing.

R. A. Duff has similarly argued that standing to hold accountable can be undermined if one has previously wronged the person one is trying to blame or if one incited the wrongdoing for which one is leveling blame (2010, 129). Linda Radzik has advanced this line of inquiry proposing three principles that she claims underwrite the norms of standing to hold responsible. She has argued that “the importance of liberty in self-regarding behavior, the moral significance of special interpersonal relationships, and the interests victims have in asserting their own authority” can each give rise to reasons that undermine one’s standing to hold in particular cases (2011, 597).

These authors lend credence to the thought that the standing to hold accountable is differentiated rather than universal. As we’ll see, such standing is the product of its recognition by others, and there are a variety of reasons such recognition might be withheld. Our question is whether the “Who are you to tell me . . . ?” challenges that have been issued by our Trump-supporting friends, family, and acquaintances legitimately undermine our standing to hold. Further on, I’ll develop and extend Radzik’s account to argue that these challenges to standing are legitimate, but first I want to step back and sketch some of the contours of the broader domain of holding accountable. In quickly canvassing the literature on the standing conditions for holding, I haven’t yet provided an account of what it is to hold accountable. Is it merely judging one to be so? Is it having a certain constellation of reactive attitudes with respect to them? Or does it require specific action toward them in the form of rebuke, sanction, or some other speech or physical act? How does holding responsible work? How does the act of holding responsible—whatever it is—function as the act that it is? To begin sketching answers to these questions, we first need a picture of the broad terrain of treating others as responsible. A good place to start is with Colleen Macnamara’s account (2011).

THE TOPOGRAPHY OF HOLDING ACCOUNTABLE

Macnamara offers a picture that aims to capture the ways in which the complex attitudes and activities of taking others to be responsible fit together in what she dubs *the participant stance*, i.e., the orientation we take toward other normatively bound beings.¹ Her picture is one of three concentric circles that together represent the participant stance with all the attitudes and activities that are constitutive of it. In the outermost circle but excluded from the other two are attitudes and activities involved in treating another *as* a person other than those involved in appraising her conduct or holding her responsible. The examples are multitudinous and varied: making pacts with another, telling her secrets, expecting her to avoid emotional pain, regarding her with suspicion, falling head over heels for her. In the middle ring but excluded from the center circle we find attitudes and activities that are not yet appraisals or judgments of conduct but that engage another regarding her actual or potential conduct. Offering advice to another on how she should proceed, consulting with her about her potential actions, asking her for her reasons, and engaging in soul-searching moral inquiry all fall into this space. Finally, the innermost circle contains only those attitudes and activities constitutive of holding others responsible for their conduct. Here we can include both participant reactive attitudes involved in holding oneself and others accountable—shame, disgust, disappointment, etc.—as well as acts of rebuke, condemnation, cajoling, and demanding (Macnamara 2011, 97–98; also see Wanderer

¹ The “participant stance” is Macnamara’s label for a concept that she finds implicit in Strawson’s “Freedom and Resentment.” It is, she says, “the complex mental orientation we take toward another which modulates our patterns of salience, presumptive interpretations, and leaves us susceptible to certain emotions and types of interactions” (2011, 83n1). The “participant stance” is defined in opposition to the “objective stance,” which is the way we comport ourselves toward inanimate objects and those we deem “incapacitated in some or all respects for ordinary interpersonal relationships” (Macnamara 2011, 84, citing Strawson [1962]), as well as in relation to “participant *reactive attitudes*,” which “are those distinct emotional states we are susceptible to when we adopt the participant stance” (2011, 83n1).

2014, 64–65).² These communicative acts often take the form of speech, but we also hold others accountable through things like protest, direct action, boycott, and sanctions. These all would fall within Macnamara’s inner circle, but my focus in this paper is on second-personal speech acts, i.e., attempts to directly address another through speech regarding her actual or potential behavior.³

Within the inner circle of the participant stance, Macnamara identifies “two faces of holding others responsible” (2011, 89). The first of these faces encompasses attitudes and activities of *appraisal*. These are “forms of emotional reaction that mark the moral meaning of others’ morally significant actions” (2011, 89). Such responses are *evaluative*, but not necessarily within the deontic realm. Our emotional reactions to others may but need not necessarily indicate their adherence to or violation of deontic norms but often mark their exhibiting some virtues or vices or causing some pleasures or pains for themselves or others. Activities of the *accountability* face, on the other hand, are always responses to violations of deontic norms. This is the face of holding others to their obligations or, as Macnamara puts it, “of *holding* someone to the oughts that bind them” (2011, 90). There is a second distinction between the two faces that is more important for our inquiry. The accountability face but not the appraisal face *always* involves some kind of *communicative expression*. In order to hold someone to the oughts that bind her, i.e., to enforce the norms that are in place, one must by

² It is disputed whether this inner circle is comprised only of acts of negative judgment and sanction or whether praise also has a place here. For discussion, see (Macnamara 2011, 92–93; cf. Smith 2008, 381).

³ Since my focus is on second-personal speech acts of holding others to deontic moral norms, the arguments of this paper are intended only to identify potential challenges to one’s standing to felicitously pull off such acts. The norms governing other ways of holding accountable will inevitably differ from those identified here. Boycotts and protests enforce moral norms in very different ways than do second-personal speech acts of holding. For instance, they do not necessarily require that their targets recognize the standing of their originators in order to be effective. Furthermore, and as will become clear later in the paper, the standing conditions for what we could call third-personal speech acts, i.e., speech acts *about* the obligations of S that are not directly addressed to S, will differ from those of second-personal address. I thank Mark Lance for helping me to think more clearly about these distinctions.

some means communicatively engage her. A judgment or appraisal that remains unexpressed in word or deed is normatively inert. It necessarily fails to *hold* its target to *anything* at all.⁴

What we see in the two faces are two distinct senses of “holding responsible.” In the appraisal face sense one *takes* one to be responsible. Suppose you happen upon two children. Fatima is crying, while Anika is sitting happily playing with a toy truck. Having just seen Fatima playing with the truck, one surmises that Anika has taken it from Fatima, eliciting her tears. One takes Anika to be responsible for upsetting Fatima. This *taking* to be responsible might involve feeling that Anika has evinced some disregard for Fatima, harboring some resentment toward Anika, and, perhaps, judging that Anika ought not to have taken Fatima’s toy without permission. Being merely a bystander, however, one might feel it is not one’s place to correct Anika or to return the toy to Fatima. In fact, one might go along in one’s business without any sort of behavioral expression of one’s reactive attitudes and judgments regarding Anika. This is holding responsible as merely taking to be responsible. Now contrast Anika’s father, who has also happened upon the scene. Judging Anika to be responsible for Fatima’s tears, her father goes a step further. He reproaches Anika for taking the truck, tells her to apologize, and returns the truck to Fatima. Anika’s father has held her responsible in a sense stronger than merely *taking* her to be responsible. He has enforced a norm by holding her to account for her actions, and he has done so by way of a set of communicative acts. Rather than merely taking her to be responsible, Anika’s father has *held her accountable* for her actions.

The accountability face differs from the appraisal face, then, in that it encompasses only those takings to be responsible that are communicatively expressed with the aim of holding

⁴ Within the accountability face, we can make a further distinction between those holdings that are forward-looking and those that are backward-looking, i.e., between pre-emptively holding and blaming. Holding stands to blaming “as preventative medicine stands to curative medicine” (Wanderer 2014, 66). While this is an important distinction in some settings, I will not differentiate between the two in what follows. The sorts of reasons that undermine one’s standing to hold in the cases that interest me in this paper are also reasons that undermine one’s standing to blame.

others to deontic norms. Jeremy Wanderer has pointed out that the requirement of communicative expression makes the accountability face “voluntary” (2014, 65). His idea seems to be that while we cannot control our reactive attitudes, we are in control when we communicatively express those attitudes “with the intent of rebuking” (2014, 65). In forming the intention to rebuke another, we judge that the communicative act will at least potentially be effective, that it “is a worthwhile undertaking” (2014, 65). A nice result of this would be that the case for norms of holding would be bolstered by the idea that we are voluntarily responsive to such norms, but I want to caution against moving too quickly in this direction. My reason for hesitation is some reticence over the role of intention in the communicative act. Consider a variant on the foregoing example. Anika’s father happens upon the scene described above and immediately and without intending to rebuke, takes the toy from Anika and returns it to Fatima. This act communicates something to Anika, all the same. She has been corrected. Given the context, she comes to understand that she ought not have taken the toy from Fatima even if it is not her father’s intention to communicate this. It is not clear to me that this differs in any significant way from our earlier case in which Anika’s father did intend to rebuke her. In fact, I think that much of our behavior around holding others to deontic norms takes this form: our reactive attitudes *seep out* whether or not we intend to express them. This doesn’t make their expression any less communicative, for, as I see things, it is not the intent but the pragmatic structure of the act that defines it. Even when “unintentional,” communicative acts seek certain kinds of uptake from their targets and function *as communicative acts* when they achieve such uptake, regardless of intention.

Communicative acts have “a distinct internal aim, mode of achieving it, and success conditions” (Macnamara 2011, 90). Sanctioning behaviors like rebukes, for example, have as

their aim what Macnamara calls “first-personal practical uptake of the ought-violation” by the individuals toward whom they are directed. They aim “to get the wrongdoer to acknowledge her wrongdoing [as a violation of the relevant norm], feel remorse, apologize, make amends, and commit to doing right in the future” (Macnamara 2011, 90). This is achieved through the imposition of burdens on the one being rebuked. The burdens, in this case, are emotional. She feels “the sting of reproof” (Macnamara 2011, 90). Finally, the rebuke is successful when “it is met with full first-personal practical uptake of the ought-violation” (Macnamara 2011, 90). It is this constellation of internal aim, mode, and success conditions that makes a communicative act of rebuke the act that it is. It matters not whether the person doing the rebuking does so with intention or merely as a result of reactive attitudes that have seeped out in behavior. It does matter, though, whether expression is given to the attitudes at all. If it is not, no rebuke has occurred.

This result does not undermine the case for standing conditions for holding accountable. I have argued that holdings need not be intentional, but this does not place them beyond one’s control. So long as it is possible for one to suppress an unintentional seeping out of reactive attitudes it seems reasonable to think there may be norms governing when one ought to do that. Compare, for example, the ability to suppress or contain unintentional outbursts of joy or anger.

Following Macnamara and Wanderer, I have rendered a picture of the terrain of holding others accountable, and I can now more clearly identify the target of my inquiry. I am interested in the innermost circle of the participant stance: those attitudes and activities that serve to hold others responsible. Of those attitudes and activities, I am particularly concerned with the activities of holding others accountable rather than merely taking them to be responsible. Acts of holding others accountable are communicative acts. Of these communicative acts, I am

concerned with speech acts addressed second-personally to those whose obligations or commitments are under consideration. It is the standing conditions of such acts that I take up in what follows. To know whether my Trump-supporting friends and family are justified in their challenges to my standing I need to answer a pair of questions. Who, if anyone, has the requisite standing to felicitously carry out acts of holding, and what, if anything, can undercut such standing?

WHO HAS THE STANDING TO HOLD?

Who, if anyone, has the standing to hold another to deontic moral norms? There are clear-cut cases of standing conditions for other kinds of holdings, but the deontic moral case seems at least a little more complicated. Consider a prudential case. It would, we can assume, be better for you to skip dessert. All things considered, eating dessert amounts to the consumption of calories you don't need that would be stored as fat and, in the long run, be a detriment to your health. Yes, you'd enjoy dessert, but the long-term ill effects are a high price to pay for that small pleasure. Suppose this is your own assessment, and, given your interests, it is a correct assessment. You *really* ought not to eat dessert. Even so, it would be out of line for me, a stranger sitting at the next table, to lean over and whisper "You shouldn't have dessert tonight," when the waiter comes offering. Even if I'm a mind reader and somehow know with full certainty your interests and what they dictate, I would be terribly out of line if I chastised you as you considered the dessert menu. It's just not my place. Someone else—your best friend, for example—might be able to hold you to your prudential obligation to refrain from dessert, but a stranger at the next table simply lacks the standing to do so.

The judgment that it's not my place could originate from my own laziness or the fear that my own judgment about the situation is mistaken. It might be that I worry that interjecting will require me to follow through in ways for which I am not prepared. Sometimes, though, the judgment that it's none of my business, that I ought to refrain from holding you to account, is a judgment "that it would be *wrong* to" do so (Radzik 2011, 582). In the previous case, it seems a matter of respect for privacy that I refrain from interfering in your dessert choices. It would needlessly complicate our lives to have strangers assuming they know our preferences and reminding us of how we ought to fulfill them. It would foster anxiety and interfere with all sorts of everyday social interactions. This seems a good reason to maintain that it's not the case that just anyone has the standing to hold you to prudential oughts.

Still, one might think that the moral case and the prudential case differ quite dramatically. Darwall seems to defend the universal standing to hold in arguing that "the moral perspective [is] an impartially disciplined version of the second-person standpoint" (2006, 102). His idea is that when we take up the mantle of morality, we speak not as a particular individual but "as an equal participant in the first-person plural ("we") of the moral community" (2006, 102). We address another as an equal member of this community and on its behalf. In doing so, we are not claiming any special authority for ourselves, we are merely claiming standing as part of the "we" (Radzik 2011, 584–88). I think, however, that this argument follows from a confusion between the standing to issue moral judgments and the standing to hold. To make this case, I want to examine a parallel between deontic holdings and another speech act with a similar pragmatic structure.

Orders come with clear-cut standing conditions. As your professor, I can order you to stow your laptop away during class, but should a passerby in the hall poke her head in the door

and token the very same utterance, her speech act will be infelicitous. She lacks the standing—the authority—requisite for carrying out this speech act. Similarly, to use a well-trod example, if I am walking by a parade ground and overhear the drill instructor's order to her cadets to drop and give her twenty, I am under no obligation to begin doing pushups. She has the authority to order her cadets to do so, but I, as a civilian, am beyond the reach of that authority.

In these cases, there is a defined structure of authority—a hierarchy—that is known and recognized by the relevant parties and that is the product of broadly institutional relationships between them. This structure defines the standing conditions for issuing the speech acts in question. As a professor, I have the standing to issue an order regarding the use of laptops in class, but this authority does not extend to orders about your time spent on Snapchat outside of class. These examples differ from the cases under investigation in at least two key respects. First, in the case of holding to deontic norms there is not, in general, a well-defined, institutional, and widely recognized structure of authority. There may be such a structure in special cases such as a parent issuing a holding to a child, a teacher to a student, or clergy to a parishioner, but, in general, our cases are messier and, often, negotiable. One dear friend might have the standing to hold me to quitting smoking, for example, while I may count it as an insult if another reminds me of my commitment when she sees me at the corner store. Second, orders are what Kukla and Lance call *constative holdings* (2009, 111–12). These speech acts create new normative statuses rather than call attention to and enforce already existing ones. Before the drill instructor gives the order to do push-ups, there is no sense in which the cadets were already obligated to do them. The status of *one required to do push-ups* is newly created in the act of ordering. Deontic moral holdings do not, by their very nature, create new normative statuses but rather have as their aim enforcing already existing commitments. They are *alethic holdings*. I ought to quit smoking, and

my friend telling me so only aims to enforce this *true* prescription (Kukla and Lance 2009, chap. 5; Wanderer 2014).⁵

Though alethic holdings are grounded in already existing commitments, while constative holdings create new ones, they still share important structural features. Following Kukla and Lance, we can think of speech acts as functions on normative statuses. They take normative statuses as inputs, and their outputs are alterations of normative statuses. These statuses can be either agent-relative or agent-neutral. The former are indexed to individuals on the basis of their position in some social-normative space. The latter are, in principle, universal (2009, chap. 1). Both have agent-relative normative inputs. For both orders and alethic holdings it's not the case that just anyone has the requisite authority, i.e., normative status or standing, to successfully pull off the speech act. Contrast this to declarative speech acts. Declaratives—run of the mill fact-stating speech acts—have agent neutral inputs. In principle, anyone can become entitled to utter a declarative. There are epistemic constraints on such entitlement, but there are no institutional barriers that make it the case that one particular person or class of people is entitled to a declarative while another is not.

Standing To Hold vs. Standing To Assert

Darwall's universal standing position follows in part from a conflation of standing to hold and standing to issue a moral assertion. The assertion, (1) "Tom ought not to belittle his partner" is one to which, in principle, anyone could be entitled. It is, of course, true that I ought

⁵ There's an interesting and important question about how exactly alethic holdings function to normatively hold their targets to already existing commitments. Kukla and Lance (2009) and Wanderer (2014) each offer accounts of how they achieve their function. In general, we can say that alethic holdings both elicit first-personal practical uptake of the relevant norm and render that norm more salient by making it the case that the target of the holding is beholden not just to the norm but also to the originator of the holding. If I light up even after hearing my dear friend's reminder I have violated a norm, but I have also, in some sense, violated her and our relationship.

not to belittle my partner, and anyone who can produce the reasons why secures entitlement to this utterance. Such reasons as she may have, however, do not necessarily entitle her to tell *me* (2) “Tom! Don’t belittle Kate!”

(1) is a speech act that Kukla and Lance call a *prescriptive*. Prescriptives have agent-neutral entitlement conditions and agent-relative outputs. That is, they are speech acts to which, in principle, anyone can become entitled and which have as their constitutive aim uptake by one (or a few) specific individual(s) for whom first-personal uptake of the utterance has particular practical significance. When Ryan hears, “Tom ought not to belittle his partner,” his uptake of this speech act involves becoming himself entitled to the assertion, barring its defeat by other claims to which he is committed. My uptake of that same speech act, however, involves my recognition that it is *me* who is committed to not belittling *my* partner. My uptake involves recognition of the practical significance of the normative status ascribed to *me* by the assertion. It is the recognition that *I* am obligated to act accordingly.

Speech act (2), however, is not a prescriptive, but an imperative. It has agent-relative inputs as well as agent-relative outputs. Like constative holdings, this imperative cannot be uttered felicitously by just anyone *even though* just anyone could be entitled to (1), the prescriptive that underwrites it. Entitlement to (1) is necessary but not sufficient for entitlement to (2). We saw this already in the case of counsels of prudence discussed above. In that case, though it is clear that any observer, in principle, could have justifiably made the judgment and asserted the prescriptive “S should not order the cake,” it would still be infelicitous to issue a second-personal holding directed at S. The reason, I claimed, has to do with a presumption of privacy. It would be treacherous to navigate a world in which just anyone would be entitled to render second-personal just any prudential obligation that one might have. Why, one might

wonder, should my own interests be twisted in such a way that I now owe it to a stranger to ensure their fulfillment? It is only those to whom we've entrusted our interests or with whose interests our own are intertwined who might hold us to fulfilling them. Of course, unlike the case of orders within well-defined, institutionalized structures of authority, exactly who has this standing is always negotiable, but one can see one's way to the sorts of reasons that might be relevant to such negotiation. I see no reasons for thinking that the moral case should be treated differently than this prudential case. The standing to assert a moral prescriptive is, in principle, universally available, but the standing to issue an alethic holding to a deontic moral norm accrues to particular agents on the basis of their positions in normative space.

AGENCY AND CLAIMS AGAINST STANDING TO HOLD

The challenge now is to see our way to the sorts of reasons that might legitimately undermine one's standing to hold in the moral case as privacy does in the prudential case. Linda Radzik's work on differentiating the standing to sanction provides a promising point of departure. Following Darwall, Radzik begins from the assumption that the standing to hold to deontic moral norms is universal but then argues that this entitlement is defeasible by other moral reasons so that the target of an attempted holding might have a justifiable claim against one exercising her standing to hold (2011, 592). If this is right, then one might find oneself with "an obligation to refrain from sanctioning a particular kind of wrong" even when one is entitled to the concomitant moral prescriptive (2011, 590). A target of holding might have a justifiable, second-personal claim *against* the prospective sanctioner that undermines her standing to hold. Our question, then, is whether such reasons might be available to our Trump-supporting friends and family who reject our standing to hold them to anti-racist, anti-xenophobic, anti-sexist, anti-

ableist moral norms. Could the case be made that they have a second-personal claim against us that undermines our standing to hold? To show that they might, I begin with an examination of three cases that Radzik develops in which one's standing to hold accountable is defeated by considerations having to do with respect for agency (2011, 592–93).

Radzik's first case is self-regarding behavior. She argues that holding a person with respect to her purely self-regarding behavior interferes with "the agent's ability to develop trust in her own judgment," which has the effect of undermining her agency (2011, 593). Agents need space to develop their decision-making capacities and shape their identities. Introducing too much noise in the form of external voices aiming to guide behavior threatens to derail the process and, as such, is an affront to agency itself. If this is right, then the agent has a claim against the would-be holder or sanctioner that she refrain from holding or sanctioning. Such a claim is defeasible, of course, as there may be reasons that do, in some cases, justify a degree of paternalism, but the presumption is against such interference.

A second case Radzik explores is that of wrongs within what she calls "special relationships." Within the bounds of romantic relationships, friendships, family, and activist groups, for example, outsiders lack standing to hold or sanction insiders with regard to behavior internal to the relationship. Such relationships are central to our self-conceptions and vital for our well-being, but they function well only when they are afforded "degrees of privacy, intimacy, and trust" (2011, 593). Outside interference can undermine their constitutive bonds. As such, the parties to such relationships have a claim against would be interveners that they refrain from holding or sanctioning with respect their behavior vis-à-vis one another. As with the previous case, such a claim is defeasible. Intervention might be justified in the protection of the physical well-being of the parties or in cases that involve children, for example (2011, 594).

Finally, Radzik's third case is that in which bystander sanction interferes with "the victim's ability to find vindication in the aftermath of wrongdoing" (2011, 597). Here again we find a reason that has to do with respect for agency, but in this case it's that of the victim rather than the target of the holding. Were a third-party to come to the rescue, the victim may find herself further marginalized. She is interpellated as one who cannot stand up for herself. Her standing as a moral agent is weakened, and the likelihood that the pattern of wrongdoing will be replicated is heightened because of her diminished standing.

Radzik's cases demonstrate that a variety of moral reasons might undermine one's standing to hold. What unifies these reasons is that in each case recognition of someone's standing to hold would in some way threaten the agency of some relevant party. Since the protection of agency is a central moral concern, these seem the right sorts of reasons for challenging the standing to hold in moral cases just as privacy is in prudential cases. Can this model be extended to fit other cases where one's standing might be challenged? It seems difficult to see how hypocrisy, for example, threatens someone's agency or how an attempt to hold her to her own avowed anti-racist commitments threatens the agency of your Trump-voting aunt. One response to such cases would be to dismiss these as cases in which standing to hold is not really undermined. One might argue that the common reaction to hypocrisy cannot be grounded in a principled challenge to another's standing to hold and that your aunt's attempt to reject your standing is merely a ploy to evade being held responsible. I think such a retreat uncalled-for. Instead, I argue that we can extend Radzik's account. Challenges of hypocrisy and "Who are you to tell me . . . ?" can be justified insofar as they threaten the agency of the target of the holding. The way in which they threaten her agency has to do with a particular kind of trust.

TRUST AND THE STANDING TO HOLD

When one party tries to blame another for a violation of deontic moral norms of which the first party herself is also guilty we hear challenges like “look who’s talking” or “that’s the pot calling the kettle black” (Cohen 2006, 108). “Judge not, that ye be not judged,” we are reminded in scripture. It is argued sometimes that the root of this *tu quoque* challenge is that in practicing hypocrisy, one is making an exception for oneself. Moral rules apply equally to all, but if I am guilty of a moral wrong and then blame you for a wrong of the same kind, I have tried to claim for myself some elevated status, to carve out an exception such that my action was acceptable while yours was condemnable. This challenges a deep Kantian commitment that the same rules must apply universally.

This explanation misses the mark. After all, one need not be a moral saint to hold others accountable. We can begin to see our way both to how it misses the mark and to how hypocrisy undermines standing by way of an example. Damon and Ella are out for a stroll. As they walk, Ella picks up a stone. Damon can see that she’s about to send it sailing at a squirrel. “Ella, stop!” he yells, in an attempt to hold her to her already existing obligation to refrain from doing unnecessary harm to other living creatures. Ella looks at him and asks, “Who are you to tell me to stop? Just last week I saw you clock a squirrel with a stone.” Damon’s past misdeed, according to Ella, undermines his standing to hold her to the same norm that he previously violated. On what grounds could she claim this?

Damon made an exception for himself. But how does this differ from the case in which Damon commits the act but does not try to hold Ella to the norm? It seems all he has done in the present case is make evident the exception he has already granted himself. The act of holding is not the site of his violation, it is merely a reminder of it. But why should this past violation

undermine his standing to hold now that it has been brought to our attention? His standing would not be undermined, after all, if we were to recall that he has a penchant for shoplifting rather than for harming small critters. So it is not merely that he has excepted himself from moral norms in the past that undermines his standing to hold.

To see how hypocrisy undermines standing to hold, we need to recognize that Damon has also claimed authority over Ella in taking himself to be in a position to hold her to account. If, in response to Ella's charge of hypocrisy, Damon fails to recognize his past wrongdoing, then he fails to reciprocally grant this authority to Ella. He does not recognize her standing to hold him to account. It is in this point that we begin to see how hypocrisy can undermine the standing to hold. Ella can justifiably reject Damon's claim to authority, I urge, because it grants him influence over her behavior that she does not have, reciprocally, over his. In Ella's recognition of Damon's authority, a hierarchy is instituted where none previously existed. With her recognition, Damon assumes a position not unlike that of the drill instructor or the parent whose hierarchical role is institutionally defined. This puts Ella in a precarious position in their relationship, as Damon now wields some control over her behavior.

Ella has reason to reject Damon's claimed authority. Accepting a hierarchical relationship with Damon by recognizing authority that he does not grant to her in return opens Ella up to potential manipulation in a way that significantly threatens her agency. Recognizing the standing to hold where it is not reciprocally recognized, would also undermine Ella's ability to challenge Damon's attempts to hold her. Successfully challenging Damon's moral judgment requires his recognition of her standing to hold him to epistemic norms. His refusal to recognize her standing to hold him accountable, however, means that in recognizing his standing, Ella grants Damon fairly broad authority in judging and shaping her behavior. She cannot now claim for herself the

standing to challenge Damon's attempts at holding her when she finds them to be inappropriate. Unless Damon will recognize that she has the standing to hold him to the same norms to which he is attempting to hold her, Ella ought not recognize Damon's standing to hold.

To put this another way, hypocrisy undermines trust. I will not recognize your authority to hold me if I have no reason to trust that you will recognize my authority to hold you to your commitments or to challenge your attempts to hold me. I am justified in withholding my recognition of standing insofar as recognizing your standing would undermine my agency. Your refusal to allow me to hold you accountable for your past violation is evidence that you do not recognize my standing to hold. As such, I have reason not to trust that you will recognize my standing to hold you accountable to any norms at all.

I claimed earlier that hypocrisy *sometimes* undermines the standing to hold, and I can say now why it does not do so universally. Hypocrisy does not always undermine trust. I'll note two kinds of cases in which it does not. First, trust may be restored when, in response to the charge of hypocrisy, one takes responsibility for the wrong one has done and tries to make amends. In recognizing that one has committed a wrong and attempting, if possible, to correct for that wrong, one demonstrates to one's interlocutor that one will allow oneself to be held to account by them. This is a step in restoring a trusting relationship with members of one's moral community. They come to see that you take yourself to be beholden to moral oughts and that you recognize their standing to hold you to them. This is, to be sure, no guarantee that attempts to hold you to your moral commitments will be successful, but it is a reassurance that you will recognize their standing to hold. With this reassurance, recognizing your standing to hold them accountable no longer threatens their agency, as they can hold you in return.

The second kind of case in which trust and standing can be maintained even in the face of hypocrisy comes into view when we consider what I will call deep or layered relationships. Philosophers feed too often on a diet of under-described, impoverished examples, but real-life cases in which individuals attempt to hold others to moral obligations are rarely so one-dimensional. These acts are usually embedded in deep and long-tenured relationships between individuals as well as within communities that are bound together in varied and complex ways. We are not merely strangers passing in the night or even *merely* classmates or colleagues. In our communities, we may be related to some one individual as colleague, cycling partner, bowling buddy, and fellow Rotarian. Our relationships, that is to say, are usually multi-dimensional and normatively saturated. We engage across diverse normative environments that present many opportunities for normative holding in different settings. I might, for example, hold my cycling partner to account for slacking on his training and my fellow Rotarian to account for failing to pay dues. Trust is built in these varied, low-stakes incidences of holding, and this trust is called on when one claims the standing to hold in the moral context. This means that when Damon tries to hold Ella to her commitment not to harm other living creatures, his single past misdeed may not be sufficient to undermine his standing to hold. If their relationship is normatively rich in the ways just described then Ella has many reasons to trust that Damon will be responsive to her attempts to hold and so has reason to recognize his standing to hold her to deontic moral norms.

TRUST AND OUR DIVIDED COMMUNITIES

Now let's return to the sorts of cases with which we began. During the campaign and since the election, many of us have thought about how to reach out to those who voted for Donald Trump. We tried, before the election, to hold prospective Trump voters to their own

avowed anti-racist, anti-xenophobic, anti-sexist, anti-ableist, etc., moral commitments, and since the election, many of us have tried to hold to account those who did vote for him for enabling and emboldening his deeply troubling agenda. Such attempts have often been met with challenges to our standing to hold these folks accountable, even when they are old friends or family. We are often met with refrains of “Who are you to tell me . . . ?” or “What gives you the right . . . ?”

The response we receive is often predicated on a disagreement about *whether* the action in question was racist, xenophobic, etc. This is no different from most cases of successfully holding or blaming someone. In the standard successful case, the person one is trying to hold to her commitments or blame for her wrongdoing does not, at first, agree with one’s assessment of the situation. Holding has an epistemic dimension. The target needs to be brought around to one’s own way of seeing things morally through a conversation. When an attempt to hold is met with a challenge to one’s standing, however, it is just this sort of conversation that is preempted. Such a challenge is an attempt to end the discussion by denying one the authority to hold or blame *even if* the reasons one could give would be good ones. One could be entitled to the attendant prescriptive yet not be entitled to issue the holding.

Are such challenges to standing justified? I argue that, at least in some cases, they are on grounds that recognizing the holder’s standing undermines the agency of the target by granting the holder authority that is not reciprocal, i.e., by subsuming her in a hierarchy. Of course, these might not be the grounds that the target herself would give for rejecting standing. My aim, though, is to give a rational reconstruction of this sort of rejection that tries to understand it as a legitimate rejection of standing rather than merely a defense mechanism with no normative import.

In the “Who are you to tell me . . . ?” sort of case, the target is being held or blamed by someone who is nominally part of her community. She is a fellow citizen. She accepts many of the same moral principles that the target accepts and aims to live by. In the cases we’ve imagined, she is also more intimately related to the target. The holder may be a family member, an old friend, a college roommate, or a co-worker. Many of these relationships, though, are rather thin or one-dimensional. In my own experiences, I have met such responses when trying to talk to family and friends who I only see a few times a year or interact with only on social media. These are relationships that were once more robust, but as I’ve moved from my rural hometown to a metropolitan area, and visits have become fewer and farther between, these relationships have become much less normatively rich than they once were. These are not deep, trusting relationships, as we lack the varied interactions that present numerous low-stakes opportunities to hold one another accountable or to witness one another acting out our moral commitments. These are precisely the sorts of cases where I think “Who are you to tell me . . . ?” challenges to standing are most plausibly justified.

Consider the case of a family member. Here you may think of someone in your extended family with whom you have only minimal common interests and projects, if any. If you were to try to hold some such family member to a jointly espoused moral norm, you may find yourself met with a rejection of your standing to do so. Such a rejection, I claim, is warranted on the grounds that, in such thin, one-dimensional relationships, the target of the holding has little reason to trust that you would recognize her standing to hold you to your commitments, including the commitment to take seriously the moral reasons she presents in response to your moral judgments. Her claim against you that you not hold her to account is justified on the grounds of a lack of trust like that in the case of hypocrisy. In this case, however, the target has

not been given evidence that you are likely to reject attempts to hold you to moral oughts. Instead, she lacks evidence to the contrary. The lack of a layered or multi-dimensional relationship between you and the target of your holding means that a fabric of trust has not been built up between you. She has little or no experience of holding you to account in low-stakes settings, so she has little or no evidence that you will recognize her standing to do so. She has no reason to trust you. In this situation, she would rightfully be concerned that if she were to grant you such authority over her, it would not be reciprocal and would undermine her agency. Her recognition of your standing would subsume her in a kind of hierarchical relationship where you are granted undue authority to enforce her existing moral obligations as you see fit, while she would lack the standing to do so reciprocally or to challenge your attempts to do so. If this is right, then I think that the case has been made that, in at least some instances, one's standing to hold can be justifiably challenged by one's Trump-voting friends and family. This seems a regrettable but unavoidable conclusion.

One might accept that lack of reason to trust undermines standing in cases in which the parties are moral equals, but object that this is not one of those cases. There are many instances of legitimate asymmetric holding relationships: child/parent, teacher/student, expert/novice. By continuing to support Trump in the face of all that he has said and done, one might think our friends and family have shown themselves to lack moral expertise. Perhaps one would be aiding the development of their agency by holding them to their moral commitments, even though it would clearly be a mistake for one to recognize their standing in return. This would be a kind of training relationship in which one helps them to see how their moral commitments ought to manifest in their actions. This objection cannot be lightly dismissed, though it seems to me that the evidence that someone is a moral neophyte would have to be substantial before it could

override the presumption that we ought to treat other adult human beings as fellow, full-fledged moral agents. It could not be enough that we disagree only on the candidate they ought to have supported. It would not even be enough if we disagreed on a wide variety of moral judgments so long as they manage to make reasonable judgments and live out their moral commitments in much of their conduct, i.e., they warranted our taking up the participant stance toward them. What is important to see is that mutual recognition of the standing to hold is not predicated on agreement. We can morally disagree on a great many particular cases yet still recognize one another's standing to push each other to defend or reconsider our judgments and correct each other when we've gone astray. Mutual recognition is where moral debate begins, not its culmination.⁶

CONCLUSION

Two things follow from this analysis. The first is that communities in which varied, multi-dimensional relationships exist and are cultivated are central to our moral practices. Such communities institute the conditions under which recognizing another's standing to hold is reasonable. In these communities, patterns of holding accountable are built up in organic ways in lower-stake situations. Interacting in these contexts, members of the community develop the mutual trust that is the foundation on which reciprocal authority to hold can reasonably be recognized. A thick, multi-dimensional relationship in which such trust is developed is precisely what is lacking when we try to hold mere acquaintances, old friends, and distant family members to the anti-racist, anti-xenophobic, anti-sexist, anti-transphobic, anti-ableist oughts that bind them.

The second thing that follows is more hopeful. The analysis I have given provides the outlines of a recipe for building the trust that has gone missing. We are isolated to a high degree

⁶ I thank an anonymous reviewer for encouraging me to consider this objection.

both in our physical and virtual communities. The recent election provided stark examples of just how much this is the case ranging from online phenomena like Blue Feed, Red Feed to election maps that displayed the concentration of Clinton voters in urban centers separated by vast seas of red. As our communities have become ever more politically homogeneous, the opportunities for building deep, multi-dimensional relationships with those with whom we politically disagree have become ever more rare. But it is just these sorts of relationships that we need to build should we want to hold those with whom we disagree to shared moral standards. This necessitates joining organizations, clubs, and leagues in which we have the opportunity to interact, in low-stakes environments, with those on the opposite side of the political spectrum. It involves re-engaging in our physical communities, for such multi-faceted relationships cannot evolve if we retreat into our well-curated virtual ones. It requires that we go back out into the world and rebuild those organizations that once anchored our communities.

In entering into our communities and developing deep, multi-dimensional relationships with others, we are also making ourselves vulnerable, of course. The trust that develops as multi-dimensional relationships evolve must be mutual and the standing to hold that is granted on the foundation of that trust cuts both ways. As such, what will result is not a clear imposition of one's own preferred interpretation of moral norms but a *conversation* in which those norms and their interpretation is contested in the space of reasons. But isn't this what we want in the end: a functioning moral dialogue across political divides?

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