No-Fault Responsibility

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> Theories about responsibility may become confused, but in practice no one is stupid enough to try to change the past.[1]

With this essay, I enter a conversation well-begun by Barbara Houston, Dwight Boyd, Heesoon Bai, and Barbara Applebaum. Their essays in the *Philosophy of Education Yearbook* in 2002 and 2005 raise important questions about responsibility, especially with regard to social justice issues and social justice education. By extension, they raise important questions about agency and morality as well.

Barbara Houston started this particular conversation in her Philosophy of Education Society Presidential Address "Taking Responsibility."[2] She asks about the personal obstacles to bearing responsibility for large social problems and suggests, paradoxically, that the very concept of responsibility employed to hold us accountable may be primary among these obstacles. I think Houston is quite right about this and I extend her thinking in what follows. I will argue that responsibility is a socially conceived and socially developed ability, that it is the nature of morality to be concerned with the development of the *ability to respond* to any human circumstance in a fitting way, and that blame is only justified insofar as it has a positive effect on the development of responsibility.

Boyd and Bai provided formal responses to Houston's address. In "Snakes vs. Groupals: Who is the Responsible Subject?," Boyd warns of the "glass snake" of liberal individual subjectivity, suggests the replacement of "groupal" for individual in the calculus of responsibility, and then asks whether a relationalized self-in-action will alter the "maze of responsibility contours."[3] In "Taking One's Place in a Moral Universe," Bai also decries the tendency to put self-identity ahead of relationship in an "atomistic account" of the self and responsibility. She outlines an understanding of mutuality grounded largely in a worldview that may be characterized as non-Western, formulated with reference to Buddhist and Taoist thought. For Bai, "the self, the other, and their relationship all arise together, making it impossible to separate categorically and linearly." In her view, "the purpose of blaming is to motivate the person to do better in the future."[4]

Barbara Applebaum took up the Houston/Boyd strain of the conversation in 2005. She makes use of the debate between Judith Butler and Seyla Benhabib to navigate between the transcendental subject and social determinism. She comes to no conclusion except to suggest that "a conception of moral agency that continually critiques the sense of choice that requires a transcendental subject is urgently needed." [5]

Houston and her interlocutors invite us to take up the following questions: Can there be responsibility without blame? Can there be agency without responsibility? And can there be morality without agency? I shall consider just the first of these

questions here, though, as will become clear, these questions are interlocked in any understanding of moral function and moral theory.

RESPONSIBILITY WITHOUT BLAME?

Can there be responsibility without blame? This is, in large measure, Houston's question. And though she speaks "In Praise of Blame"[6] in another setting, her address to the Philosophy of Education Society outlines a prospective view of responsibility that consciously prescinds from blame in order to counter the "moral lethargy of decent people" when it comes to large-scale problems of social injustice. She sidesteps blame in the interests of present action to alleviate racism and other social systems of discrimination and oppression.

Here I tackle blame head on. Why do we blame? What would be lost if we gave up blame — and the related notions of culpability, accountability and complicity — entirely? Would there be anything left of responsibility? I believe that answers to these questions can propel us to a consideration of the link between responsibility and agency, and ultimately between agency and morality.

So what is going on when the "language game" of blaming is invoked? I suggest three possible motivations for blaming: (1) to justify punishment, (2) to delineate — and defend — one's self, and (3) to express a sense of "me" or "us," with the intent inviting others into (or excluding them from) intentional development in relationship and community.

Note that I do not list "expressing disapproval" as a separate motive for blaming. In all cases, blame expresses disapproval. However, blame also always incorporates an element of further action. The critical element in understanding the blame game is the nature of that further action. The intentions listed above illuminate the kinds of judgment that can go into assigning blame, and thus reveal the three faces of blame: a systemic punitive face, an individualistic competitive face, and a socio-developmental face. Only the last makes sense in moral terms.

The first face of blame is rooted in a juridic, punitive social system. This means simply that there is a system of expectation, judgment, and punishment in place that outlines violations, provides procedures for investigating and judging violators, and specifies consequences for violations. The system in question can be the U.S. legal system, the system of school accountability known as No Child Left Behind, a classroom management system, or any other social institution designed to control conduct from the outside.

Such systems are often couched in negative terms. That is, persons are cited, judged, and punished for violations of norms. The behaviors specified are behaviors to be avoided. In some cases, levels of achievement or behavioral ideals are specified. Failure to achieve expected levels or enact specified ideals is cause for blame.

As Houston and Bai both acknowledge, there is an underlying calculus in this kind of system, a sense of "balancing the books," of insuring that one gets what one deserves. Good deeds might be rewarded; bad deeds will assuredly be punished. To

merit blame is to be culpable, to be at fault, or to be guilty. The guilty may *justifiably* be punished. Morality becomes a target to be met to avoid punishment. "Do this and you will be free from blame and punishment; do that and you will be liable for blame and punishment." Fear is the factor that animates the system. Judgment is truncated. Causal statements, such as "you did that," typically accusatory in tone, are confused with moral statements, such as "faced with similar circumstances in the future, I will do X."

In *Human Nature and Conduct*, John Dewey distinguishes the nature of the causal judgment implicated in the blame game from the nature of moral judgment: "Judgment in which the emphasis falls upon blame and approbation has more heat than light. It is more emotional than intellectual. It is guided by custom, personal convenience and resentment rather than by insight into causes and consequences." Moral judgment requires "insight into causes and consequences," that is, a careful look at the past in order to ground future action (*HN,* 220).

Houston also highlights the fact that causal statements and moral judgments are conflated in the default concept of responsibility; that is, in a systemic, punitive view. She notes that a punitive system cannot be justified without an assumption of free will on the part of the agent, an assumption she finds untenable with respect to the socio-political arena.[7] For Dewey, reliance on the concept of free will is generally untenable in all moral matters because it "tends to prevent recognition of social partnership" in producing any anti-social behavior (*HN*, 18). This short-circuits the purpose of looking back, as well as the quality of the prospective understanding of responsibility Houston recommends.

The juridic understanding is, for most, closest to our everyday understanding of responsibility as it figures in morality. For Dewey and for Houston, it has value in the sense that it encourages us to look back; it fails because our looking back has the wrong purpose. To only look back is to miss the essence of the moral — "acts still within our control, acts still to be performed" (*HN*, 18).

The second face of blame is not systemic but individualistic. Blame is used as a preemptive strike by persons who worry that they themselves may be subject to judgment that leads to punishment. They see and seek reasons to blame another in order to exonerate themselves. This is not about what one deserves; it is about self-preservation and the lack of faith that puts the welfare of the self in doubt.

In other words, the individualistic face of responsibility is generally employed in conditions of uncertainty, discomfort, or fear about the worthiness of one's self, or of loss of control. Control — of oneself, one's reputation, or of a situation — is a primary value as the one blaming seeks to "fix" the public perception of self by differentiating self from other. This process of "fixing blame" also fixes or *secures* character, taking it out of the realm of development and attempting to settle it once and for all.

This settling tendency limits the value of the individualistic face of responsibility, but that is not its only limitation. Dewey speaks directly to the problems implicit in the practice of blaming:

> Fault-finding creates resentment in the one blamed…rather than a habit of scrutinizing conduct objectively. It puts those who are sensitive to the judgments of others in a standing defensive attitude, creating an apologetic, self-accusing and self-exculpating habit of mind when what is needed is an impersonal impartial habit of observation. "Moral" persons get so occupied with defending their conduct from real and imagined criticism that they have little time left to see what their acts really amount to, and the habit of self-blame inevitably extends to include others since it is a habit. (*HN*, 220)

There are two significant insights here. First, blaming is a habit (as is the self-exculpating tendency that accompanies it). Second, blaming prevents us from "seeing what…acts really amount to." It impedes the habit of "scrutinizing conduct objectively." If blaming is a habit, then it *can* be changed. If it is a habit that prevents understanding and limits the value of moral judgment, then it *should* be changed.

Like the punitive, systemic version, the individualistic face of blaming is prompted by fear. It results in a defensive stance that generates resistance and apologetics. It is explicable, but not desirable because it halts both reflective thinking and forward thinking.

There is one face of blaming that does not stem from fear, the face I am calling a socio-developmental view. I use the term *socio-developmental* to capture a sense of situated persons becoming selves in intentional community. The perspective is forward-looking and hopeful; the motivation is what may be called love (in the sense of *agape*, of the early Christian festivals of mutual benevolence) rather than fear, defensiveness, anger, or outrage.

Houston and Bai seem to support a socio-developmental view, one in which we blame, not to punish or to shame, but to shape future response in the context of community. Bai goes further than Houston when she argues for "mutual causality" and says that, if one takes mutual causality seriously, it is "impossible to give the usual kind of moral accounting." In a useful turn of phrase, she encourages us to "act subjunctively," an exhortation that seems to me richer than Houston's recommendation to act prospectively. Like Boyd and Applebaum, Bai is concerned that we understand agency differently, very differently. In this case, what we call "blame" is simply the mechanism by which we shed light on past conduct that has broken down community. Blame merely point to aspects of conduct that *can* be altered in future action. Dewey explains the mechanism at work here.

> We are disapproved, and disapproval is not an inner state of mind but a most definite act. Others say to us by their deeds we do not care a fig whether you did this deliberately or not. We intend that you shall deliberate before you do it again, and that if possible your deliberation shall prevent a repetition of this act we object to. (*HN*, 220)

Thus, blame remains an unfavorable judgment, but one rendered with a prospective intention, as one moment in a process of the moral judgment that grounds defensible or warranted social action. It is at this point that Dewey makes the statement with which I began this essay. He questions why we bother to blame or punish when we know we cannot change the past. He then makes the case that consequences are built-in and need not be imposed from the outside.

> The individual is held accountable for what he has done in order that he may be responsive in what he is going to do. Gradually persons learn by dramatic imitation to hold themselves

accountable, and liability becomes a voluntary deliberate acknowledgment that deeds are our own, that their consequences come from us. (*HN*, 217)

A socio-developmental stance goes further than a purely utilitarian view that praise and blame will result in "better" behavior; that is, it involves both recognition and acceptance. One recognizes what Bai calls "mutual causality," and accepts its impact.

It is important to realize that the alteration of conduct is not merely a function of an individual person's will but also dependent on the reconfiguration of the community of which the individual is an integral part. To change any person's behavior is not simply a matter of his or her doing better next time, but the community's creating the conditions in which doing better is possible. That is not within the control of an individual, but resides in the interaction of the community. Dewey offers his own version of mutual causality.

> We need to discriminate between the physical and the moral question. The former concerns what has happened, and how it happened. To consider this question is indispensable to morals. Without an answer to it we cannot tell what forces are at work nor how to direct our actions so as to improve conditions. Until we know the conditions which have helped form the characters we approve and disapprove, our efforts to create the one and do away with the other will be blind and halting….The moral problem is that of modifying the factors which now influence future results. (*HN*, 18)

Dewey, like Bai, does see a constructive role for the version of blame that communicates the social value of one's conduct.

> Now it is a wholesome thing for any one to be made aware that thoughtless, self-centered action on his part exposes him to the indignation and dislike of others. There is no one who can be safely trusted to be exempt from immediate reactions of criticism, and there are few who do not need to be braced by occasional expressions of approval. (*HN,* 220)

And he admits that it is our habit to "first or 'instinctively' thinks of acts as moral or non-moral in the degree in which they are exposed to condemnation or approval" (*HN*, 220). But Dewey also sees the danger in blame. He says that the value of blame is "immensely overdone in comparison with the assistance that might be given by the influence of social judgments which operate without accompaniments of praise and blame; which enable an individual to see for himself what he is doing, and which put him in command of a method of analyzing the obscure and usually unavowed forces which move him to act" (*HN*, 220).

I confess I am less sanguine than Dewey that we can use the mechanism of blame and maintain the prospective, constructive mindset that moral judgment requires. The punitive sense of blame *is* the prototype sense; ingrained habits are hard to break. And though we have begun to experiment with "no fault" features within our social and legal systems (for example, the no fault auto insurance provisions) that resolve property claims without reference to who is to blame, we are far from thinking about responsibility in "no fault" terms. For that reason, it is always important to underscore the sense of blame — as developmental, as critical, or as punitive — that is being invoked, and for what purpose.

Blame's relationship to responsibility and thus to morality is not clear cut. If the goal of morality is to punish the offender (a classic Old Testament image), then

responsibility requires blame to justify punishment. If the goal of morality is to justify the atomistic self, then responsibility requires blame to differentiate worthy self from unworthy others. If the goal of morality is to encourage the development of self-in-community that honest communication fosters, then responsibility can make use of blame (in its weak form of disapproval) as part of a pattern of communication. Praise and blame communicate images of possibility and enact mutuality. Judith Butler's socially-constituted (but not determined) agent emerges from this discourse. Punishment is irrelevant.

RESPONSIBILITY AS ABILITY

Bai begins her response to Houston by calling responsibility "our ability to take appropriate and effective moral actions.…"[8] Here I want to highlight her notion that responsibility is best understood as an *ability*.

Responsibility is not only — and not primarily — liability or accountability. It represents the existential reality that persons do not act *ex nihilo*. Every action is socially situated; every agent is socially constituted. We are called to *respond* — by the circumstances of our interactions, by the reality of our intersubjectivity, and, by the nature of our being in the world.

Responsibility also represents *responsiveness*. Responsiveness goes beyond the fact of our answer to the "fitting" character of that response. It is not enough to act; the act must fit the need. The need can only be rightly understood when the Other is seen clearly and fully, attended to, and appreciated in the context of his or her lived reality.

And yes, responsibility does represent accountability. I am accountable for the actions that mutually constitute me and my communities of action precisely because those actions constitute me and my community. I will live out the consequences I create through my actions. That will be "punishment" enough. The point of accountability is not what I have done in the past and for which I should be praised or punished. It is, as Houston argues, prospective. It is, as Bai responds, mutually constitutive. Responsibility finds no focus in fear.

Responsibility that is prospective involves potentiality. Responsibility conceived in love, rather than fear, confers the capacity to recognize and be responsive to the Other. Responsibility understood in terms of mutual causality is socio-developmental; persons in interaction grow together. Each of these elements implies ability, that is, ability enacted in the Deweyan understanding of moral judgment.

THE RESPONSIBLE SELF

H. Richard Niebuhr, Christian ethicist, contemporary of John Dewey and brother of Reinhold Niebuhr, has written a slim, simple volume called *The Responsible Self* that outlines a theory of responsibility that is neither juridical nor individualistic.[9] I cannot defend Niebuhr's scheme in this space, but I offer it as further evidence that such theories are available and defensible. I also highlight one significant shift that a socio-developmental perspective brings with it.

Niebuhr begins by contrasting the central synecdochic device on which he builds his view with the synecdoches utilized by Aristotelian teleological theories

and Kantian deontological theories. Where Aristotle and Kant rely respectively on a structure that can be characterized as means/end and discover/obey, Niebuhr roots moral deliberation and moral action as moments in a seamless structure of interpret/ respond. He claims that, while teleological thinking (consequentialism) and deontological thinking (principled moral decision-making) *do* figure in the pursuit of moral action, neither adequately captures the human experience of morality by itself. Each is partial. That is, each figures in what is for Niebuhr a more inclusive process of on-going and contextualized interpretation and response.

For Niebuhr, four moments can be distinguished for purposes of analysis. First, some prior action calls for an answer. The felt need for an answer initiates an interpretive stance. The interpretive stance yields hypotheses for action, prompting an evaluation of each possibility based on an anticipation of consequences. And this issues in action in what Niebuhr refers to as a continuing community of agents.

Niebuhr claims, with justification, that persons do not act *ex nihilo*, however it might seem. We always act in response. The quality of our response (not whether it is good or bad, but whether it is fitting) will always be determined by the quality of our interpretation (not whether it is good or bad, but whether it is expansive).

It is in the interpretive moment that (Kantian) moral principles enter deliberation. They function not as guidelines for action, but as statements of regularities that enable a person to understand as well as predict the actions and reactions of others. They are just one source of data about what is going on here. Other sources include sense data of various kinds, relevant relationships, knowledge of and about persons, historical understanding, social, political, and economic context. The situation must be seen and understood, and both seeing and understanding admit of error. Sometimes we fail to see and our understanding is limited; other times we see but cannot make sense of the data. In either case, our "choices" for action are delimited by the quality of interpretation.

It is in the anticipatory moment that (Aristotelian) consequentialist concerns figure significantly. Interpretation yields at least two options for conduct (inaction or various acts), each of which must be evaluated. A person evaluates options by comparing likely consequences with strongly held values. Consequences in themselves are not enough to determine action. Judgment is only possible when consequences and values are brought together.

When persons act, they do so within one or more communities of agents that exist in time and place. This means two things. First, the continuity of community contributes to the social construction of value. One's value system (both ultimate value and contingent values) is bound up in the communities in which persons exist. Second, a person's action will prompt response on the part of others in the community.

Niebuhr's response model has no need for blame as justification for punishment, nor any need for blame as self-defense. To the extent that blame is useful at all, it is a communicative device pointing to conduct (that is, prior response) that is deemed not fitting. Action (itself a response) provokes "blame." This communica-

tion of disapproval prompts interpretation, anticipation and further action — all communal activities.

Note the shift, for purposes of moral understanding and evaluation, away from judgment of resultant action *back* toward expansion of contributory seeing and interpreting. The stance is prospective, but we dare not look too far ahead. The critical juncture in the response model occurs at that moment when discourse shapes vision, and vision is interpreted. Neither the will of the agent nor the consequences of the act outstrip that moment when options come into view. I see in this the barest hint of a moral theory that might both illuminate and be aided by Butler's notion, conveyed by Applebaum, of the discursive constitution of the self. For Butler, the doing constitutes the "doer." We resist Butler's formulation because we do not see how to hold on to a vital sense of agency without a prediscursive agent. We hold on to the notion of a "doer," that is, an identifiable, differentiable agent of an individualistic kind, simply because the punitive face of blame is our central, if unwitting, concern. Let go of that face of blame and we open the door to a variety of understandings of agency, including Butler's.

May it be the case that responsibility, and thus, morality, is not primarily in choices (the Kantian will) nor in "doings" (the utilitarian consequence) but in "seeings"?[10] Responsibility, as an ability, relies on what is seen and understood. The failure to *see* with respect to racism, sexism, and classism *is* cause (in the sense of impetus) for judgment — evaluating the past and present for purposes of future action — but it is not cause for punishment. The failure to have acted in the past is data for an evaluation of future possibility. The failure to act now and in the future similarly becomes data for an evaluation of future possibility, that is, for moral judgment. The power is in interpretive possibility because the interpretation that yields possibilities for action constitutes the response in a very real and concrete way.

Conclusion

How does all this illuminate Houston's original problematic with regard to moral lethargy, with regard to taking responsibility for large-scale problems of social injustice?

It strengthens Houston's contention that a prospective view of responsibility is more useful that the dominant retrospective view. It also expands Houston's view. While she calls us to become adept at "shifting" our perspective on responsibility when moving from micro- to macro-moral issues and back again, I maintain that the prospective view matters as much for the moral quality of everyday interaction as it does for large-scale problems of social injustice.

In focusing on the question of whether there can be responsibility without blame, a "no-fault" responsibility, I embrace Bai's notion of mutual causality. I suggest that blame in its punitive and critical forms be abandoned. I say, with Thich Nhat Hanh, that "blaming never helps."[11] Nonetheless, I agree with Dewey that blame — in what I have called a socio-development face — can be reconstituted as an explicit look back for constructive, prospective purposes of understanding and shaping present and future action.

Interestingly, focusing on blame and responsibility still pushes us to consider the issues raised by Boyd and Applebaum regarding the nature of the agent, the structure of agency, and the quality of morality. If we back away from blame, does agency dissolve? Certainly, the "liberal individual" that Boyd and Applebaum worry about comes apart at the seams. There is no more need holding that straw man together. In the view I have articulated here, the moral is that which contributes to the ability to respond in a fitting way. Blame, to the extent that it inhibits rather than contributes to this ability, is itself "immoral." Will some other conceptualization emerge to capture the *personal*, though not necessarily individual, experience of moral judgment and decision-making? H. Richard Niebuhr points us in a fruitful direction. Nonetheless, I believe that giving up the "modern" concept of responsibility will require more than conceptual analysis; it will require probing the depth and boundaries of the fears that give life to the blame game.

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1. John Dewey, *Human Nature and Conduct* (1922), in *John Dewey: The Middle Works*, vol. 14, ed. Jo Ann Boydston (Carbondale: Southern Illinois University Press, 1976), 18. This work will be cited as *HN* in the text for all subsequent references.

2. Barbara Houston, "Taking Responsibility," in *Philosophy of Education Yearbook 2002,* ed. Scott Fletcher (Urbana, Ill.: Philosophy of Education Society, 2003), 1–13.

3. Dwight Boyd, "Glass Snakes vs. Groupals: Who Is the Responsible Subject?" in *Philosophy of Education,* ed. Fletcher, 14–18.

4. Heesoon Bai, "Taking One's Place in a Moral Universe," in *Philosophy of Education,* ed. Fletcher, 19–22.

5. Barbara Applebaum, "On 'Glass Snakes,' White Moral Responsibility and Agency under Complicity," in *Philosophy of Education Yearbook 2005,* ed. Kenneth R. Howe (Urbana, Ill.: Philosophy of Education Society, 2005).

6. Barbara Houston, "In Praise of Blame," *Hypatia* 7, no. 4 (1992).

7. Houston, "Taking Responsibility," 4.

8. Bai, "Taking One's Place," 19.

9. H. Richard Niebuhr, *The Responsible Self* (New York: Harper & Row, 1963.)

10. This is a point made by Maxine Greene in much of her thinking about the educational imagination. See, for example, Maxine Greene, *Releasing the Imagination: Essays on Education, the Arts and Social Change* (San Francisco: Jossey-Bass, 1995), 123.

11. Thich Nhat Hanh, *Peace Is Every Step: The Path of Mindfulness in Everyday Life* (New York: Bantam Press, 1992), 78.