

Article

# Moral Necessity and the Implementation of Modernity

**Abstract:** Analytical and continental philosophy follow research programs with respect to moral responsibility that are sometimes perceived to be incommensurable. An analytical philosopher, P.F. Strawson, presents a view of moral responsibility that underlines how essential ordinary moral reactive attitudes are to a meaningful human existence that is not threatened to collapse into a dystopian objectivity. This view challenges the mainstream discourse in analytical philosophy where reactive attitudes are sometimes seen to be derivative of more abstract metaphysical theories, such as determinism. This paper articulates a criticism of Strawson's argument from thinkers who are clearly in the continental milieu, but who use for their account of moral responsibility concepts more usually traded in analytical philosophy. Moral responsibility, in their view, is constitutively linked to accounts of rationality and an assessment of the agent's epistemological possibilities. They (my primary representatives of this view are Kafka and Foucault) fit into the category of Strawson's pessimists, but for reasons that significantly extend the debate and demonstrate how fruitful it can be to view moral philosophy in an exchange of ideas between analytical and continental philosophy.

**Keywords:** Franz Kafka; Michel Foucault; P.F. Strawson; freedom and resentment; reactive attitudes; free will; determinism; modernity; moral responsibility; contingency

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## 1. Introduction

On the one hand, it is difficult to deny that what it means to be a modern human person, subject to the specific history of modernity and its technological and scientific progress, has implications for a plausible account of moral responsibility. On the other hand, some of our moral intuitions pressure us to attribute elements of universality, necessity, or metaphysical substance to morality. In this paper, I am interested in a narrow slice of this tension. I hope to show that analytical and continental philosophy have intersection points at which the tension can be more meaningfully explained.

To delimit my narrow slice, consider the case of ethical intuitionism. Its core doctrine is that some of our ethical knowledge is non-inferential (see Väyrynen, 2008, 489). There is no need for justification by a process of reasoning. Moreover, if a chain of logical reasoning undermines an ethical proposition that is intuitively held to be self-evidently true, the worse for the chain of logical reasoning: it is more vulnerable to defeaters than the knowledge at which the knower has arrived by intuition. G.E.

Moore illustrated this claim of intuitionism (metaphysical intuitionism in this case, but not unrelated to ethical intuitionism, of which Moore is a major proponent) by holding up his two hands (literally) as proof of an external world, exclaiming, “here is one hand,” and adding, as he made a certain gesture with the left, “and here is another” (Moore, 1939, 166).

In current analytical philosophy, ethical intuitionism has become a respectable and much-discussed position, largely because Robert Audi has skillfully separated it from heavy-handed philosophical positions requiring a dedicated faculty of ethical intuition, infallibility of certain beliefs based on ethical intuition, or a non-naturalist metaphysics of ethical facts and properties (see, for example, Audi, 2004). All ethical intuitionists agree that it is self-evidently true that people are morally responsible for some of their actions. There is an element of necessity in moral responsibility—not an *a priori* metaphysical necessity, but the type of necessity which a meaningful interaction between a human person and the outside world demands, akin to the necessity that our senses and our introspective powers do not massively and systematically deceive us.

The intersection point with continental philosophy is in several respects ironic. The first line of irony is that continental thinkers such as Franz Kafka and Michel Foucault undermine ethical intuitionism by just the kind of argument that G.E. Moore presents, by holding up their hands (figuratively) and providing an account of the modern world that is immediately intuitive to a sensible modern person and yet inconsistent with the claim that there is any necessity inherent in moral responsibility. In their emphasis on description, there is no metaphysical mysticism in Kafka and Foucault on this issue, the kind of mysticism or obscurantism of which continental philosophy is sometimes accused.

A second line of irony consists in the fact that analytical and continental philosophy mixes in interesting ways at this juncture: ethical intuitionists and an analytical philosopher such as P.F. Strawson defend moral positions more readily associated with continental philosophy; while Kafka and Foucault criticize their position aligning themselves with a more analytical viewpoint in the following way.

There are two competing views on moral responsibility. One view gives priority to ‘conscience,’ an essentially (or existentially) human feature calling individuals to define themselves and perform actions in keeping with a particular way in which human beings understand themselves apart from or in addition to what it means to be human in scientific or rational ways. It is tempting to attribute this view more broadly to continental philosophy, but in my paper it will be primarily analytical philosophers who defend it.

Another view embeds moral responsibility in the way in which we more generally view decision-making and motivating behaviour. Moral agents have distinctly moral ends (such as happiness for sentient beings or human flourishing) to which the performance of morally motivated acts is the means. Metaphysical questions as to what is or what is not moral often retreat into the background for these accounts of moral responsibility, whereas questions of rationality are

83 foregrounded. A moral agent must to some extent be epistemologically empowered  
84 in the sense that her internal deliberations, intentions, choices, actions, and the  
85 resulting outcomes are suitably aligned.

86 Even though it is tempting to attribute this view more broadly to analytical  
87 philosophy (see, for example, the prominence of utilitarian ethics in analytical  
88 philosophy), my view is that there is a strong contingent in continental philosophy  
89 taking up this viewpoint as well. Its approach, however, is often critical of the  
90 possibility that human nature or the human condition is meaningfully consistent  
91 with the requirements of morality. Some continental thinkers follow the mainstream  
92 of analytical philosophy that “reactive attitudes remain within the bounds of reason”  
93 (Russell, 1992, 302), but add the element that human beings are not equipped to meet  
94 standard rationality requirements.

95 Some continental thinkers have thought through the implications of what it  
96 means that on the one hand humans consider themselves morally responsible and  
97 on the other hand scientific and technological progress has put them in an  
98 unprecedented situation of epistemological malaise with respect to understanding  
99 themselves. I have selected Kafka and Foucault as representatives of this view;  
100 neither of them analytical philosophers (one of them not a philosopher at all), but it  
101 is my intention to show how their position can be rendered intelligible in the terms  
102 of analytical moral philosophy and what the consequences are for moral philosophy  
103 in general.

## 104 2. Necessity of Moral Responsibility

105 In his article “Freedom and Resentment,” Strawson embarks on a mission that  
106 in many respects resembles the project of ethical intuitionists. For the rest of this  
107 paper, I will focus on Strawson (also adducing Heidegger’s perspective as a  
108 continental counterweight), but it is important to see that what happens in the field  
109 of tension between Strawson/Heidegger and Kafka/Foucault is more generally  
110 applicable to the favour currently enjoyed by ethical intuitionists in analytical  
111 philosophy. They are my true target, but I can be more specific and less abstract in  
112 explaining the line of attack by using Strawson’s argument. Just like the intuitionists,  
113 Strawson wants to show that certain inferential metaphysical theories are impotent  
114 in their power to weaken or annul moral responsibility.

115 Strawson’s mission in moral philosophy runs parallel to Jürgen Habermas’s idea  
116 of detranscendentalizing in the philosophy of rationality. Immanuel Kant had given  
117 both the philosophy of rationality and the philosophy of morality strongly  
118 transcendental credentials, and both Strawson and Habermas are committed to  
119 saving the enlightenment project from what Strawson calls ‘over-intellectualizing.’

120 Strawson’s argument proceeds as follows. There are optimists and pessimists  
121 about the role of determinism for moral responsibility. The optimists  
122 (compatibilists) do not consider pronouncements of whether the world is or is not  
123 deterministic a threat to moral responsibility. If anything, determinism supports the

efficacy of making moral distinctions because it helps to make concepts such as deliberation, intention, and planning intelligible.

The problem, as the pessimists (libertarians, skeptics) point out, is that moral distinctions would then fail to be merit-based, as effective as they may be. Morality would devolve into “intellectual understanding, management, treatment, and control” (Strawson, 2008, 18). For the pessimists, this devolution constitutes a failure to give a coherent account of what is meant by morality. Kafka and Foucault, who are Strawsonian pessimists of sorts, consider this devolution to be representative for the implementation of modernity, but more about this in a moment. Strawson’s solution to the pessimist’s challenge is to detranscendentalize morality. The pessimists have to give up on their stilted metaphysics; the optimists have to give up on the moral picture “painted in a style appropriate to a situation envisaged as wholly dominated by objectivity of attitude. The only operative notions invoked in this picture are such as those of policy, treatment, control” (Strawson, 2008, 22).

It is central to Strawson’s account of moral responsibility that moral judgments are not primarily objective but rather participant attitudes. Humans have a natural commitment to ordinary interpersonal attitudes. “This commitment is part of the general framework of human life, not something that can come up for review” (Strawson, 2008, 14). According to Strawson, we cannot take seriously the thought that a high-level theoretical question such as whether or not determinism is true would lead to the decay of the personal reactive attitudes. Jonathan Bennett summarizes,

if we try to imagine our lives without reactive feelings we find ourselves ... confronted by bleak desolation. We cannot be obliged to give up something whose loss would gravely worsen the human condition, and so reactive feelings cannot be made impermissible by any facts. (Bennett, 1980, 29)

In keeping with a cultural trend in the philosophy of the mid-20th century, Strawson’s account of moral responsibility is anti-metaphysical (consider, for example, the skepticism towards metaphysical questions in and around the Vienna Circle). Moral responsibility can be preserved from the threat of an invasive scientific anthropology: at the expense of metaphysics and in favour of, as Habermas calls it, a situated view of humanity. For Habermas, transcendental rationality gives way to a rationality implemented in communicative action that aspires towards an ideal speech situation. For Strawson, the cold-blooded scientific approach of the optimist and the metaphysical exuberance of the pessimist give way to a realistic and embodied assessment of human psychology.

Antithetical to this assessment is the idea that moral agents can fully emancipate themselves from their participant attitudes and hold objective attitudes instead. Strawson goes into some detail about the dystopian consequences of a moral account whose transactions are exclusively determined by objective attitudes (examples may be the Kantian moral agent whose moral sense is derivative of transcendental

rationality; or the utilitarian who performs a calculus to identify the optimal means to achieving her moral aims).

A sustained objectivity of inter-personal attitude, and the human isolation which that would entail, does not seem to be something of which human beings would be capable, even if some general truth were a theoretical ground for it. (Strawson, 2008, 12)

Strawson goes on to describe the ‘abnormal egocentricity’ required to maintain that a metaphysical theory (such as determinism) can lead to the collapse of moral structure in human behaviour and motivation. Both human communities and individual personhood are based on participant attitudes, therefore circumstances in which everyone is morally incapacitated as a matter of metaphysical theory would lead to a breakdown both on an individual and a social level.

My claim is that there is a sense in which Kafka and Foucault take up this challenge and show in which ways it is not only possible that Strawson’s dystopia is implemented but that modernity has already largely progressed to a state where both individuals and collectives no longer meaningfully identify as moral agents.

Strawson has confident pronouncements about what is and what is not essential to human nature. One might claim that there will never be an end to poverty, tribalism, jealousy, sexual harassment in the workplace, or violence. Claims of this sort appeal to human nature. For Kafka and Foucault, the problem is primarily not that some human traits are genetically fixed or metaphysically ordained, but that if anything the tendency is to underestimate the ability of a human being to alienate and detach herself from what a moment ago she may have considered her ‘nature.’ Both Kafka and Foucault are to some degree epigones of Sigmund Freud in this instance, who was not chiefly interested in pathological *expression* of natural sentiments such as jealousy and violence, but in their pathological *suppression* and the ability of persons to substitute, triangulate within themselves, and consider themselves (often deceptively) from a third-person perspective. In *De la Grammatologie* (1967), Jacques Derrida has suggestively and in a manner quite foreign to analytical philosophy portrayed this phenomenon as ‘supplement of the origin.’ For Kafka and Foucault, along similar lines, the alienation of modern humans from their attachment to moral responsibility becomes an issue and a (grim) possibility.

The logical progression of this paper is served best if I first provide an account and a characterization of the way in which moral responsibility is necessary for an analytical philosopher like P.F. Strawson; I will provide a contrasting account of this necessity in the continental philosophy of Martin Heidegger. These accounts of necessity provide a foil against which the rejection of necessity by Kafka and Foucault becomes more clearly visible. Foucault’s philosophy on this question derives from Hume via Nietzschean “genealogy.” Hume, ironically, used genealogy to answer the question how a sentimentalist account of moral responsibility can salvage the necessity of moral responsibility. Nietzsche (to some degree) and Foucault (in full measure) replace the core of necessity in the Humean genealogy by

a core of contingency, Kafka following suit by narratively operationalizing a modern concept of moral responsibility that is almost exclusively viewed within a framework of contingency and confusion about causal dependencies.

The tug of war between these conflicting accounts pits the necessity of reactive attitudes in a world that must make sense to human interpretation and provide some meaning to human life against a confrontation with the historical contingencies of modernity. There is some agreement between the opposing sides: Strawson and Foucault both resist Kantian (rationalist) and Heideggerian (existentialist) metaphysics. A proper description of moral responsibility takes into account how it is grounded in de-transcendentalized and embodied “facts on the ground.” Once these commonalities are established and Strawson’s account of moral necessity is explicated, the bulk of the paper traces how Foucault and Kafka undermine this necessity in philosophical and literary terms.

### 3. Modernity and Moral Responsibility

In his book *Being and Time*, Heidegger argues that the distance created by the existence of a self-conscious being and the fact that this existence is an issue of concern for that being becomes the foundation for a specific type of existence. This existence has a different ontological structure than the existence of galaxies, chairs, or unicorns. Moral responsibility is thus immediately divorced from mere facts about external reality, especially, in view of what I will discuss further below, from contingent historical facts. In §58, Heidegger characterizes moral responsibility in terms of conscience, a call by the self to the self towards the possibilities of existence.

What Strawson and Heidegger have in common is the necessity of de-intellectualized morality for human life. For Strawson this is a simple fact of human nature, one that may within the constraint that it is not up for metaphysical review be open to scientific inquiry. For Heidegger, it is a more fundamental condition for existence as such. Guilt is primarily an intransitive ontological condition rather than a transitive consequence of the distinction between good and evil — one finds echoes of this view in Kafka’s work. Transitivity is the grammatical feature of requiring an object, in this case an object of guilt, the violation or transgression of a rule.

For Strawson, the theory of determinism (or indeterminism) is the relevant metaphysical issue circumscribing the derivative nature of moral responsibility in modern analytical philosophy (for ethical intuitionists, the issue is more commonly one of moral epistemology). Strawson, and again there is agreement here between Strawson and the opposition (which he calls the “pessimists”), paints a bleak picture of what would follow if as a consequence of this derivative nature all sense of moral responsibility collapses. Strawson seeks to forestall this possibility by invoking necessity for moral responsibility, not on a metaphysical level where Strawson knows it cannot be defended; but on an embodied, de-transcendentalized, de-intellectualized level.

The collapse of transcendental, metaphysical moral responsibility becomes in Foucault and Kafka an occasion for a descriptive project—philosophical in

Foucault's case, literary in Kafka's case. Neither of them claim that there is now impossibility of moral judgment. Yet economic, historical, and psychological contingencies have placed possibilities of moral judgment out of reach for the modern person. As a referee for this paper aptly put it, "Foucault is in the business of meticulously tracing the historical coming to be of concepts, institutions, practices, and forms of agency which seem to us inevitable (and thus universal)."

Modernity is superimposed on mental constructs of necessity. Both Foucault and Kafka are keenly interested in describing the consequence of this superimposition. Strawson seeks to rectify the relation of metaphysical to moral theory, largely agreeing with those he calls "optimists" that a metaphysically attuned moral theory (in Strawson's case this implies that the moral theory is suitably detached from transcendental encumbrance) is compatible with the modern world. Foucault and Kafka describe the failure of the modern world to accommodate moral responsibility and the failure of moral theory to accommodate the modern world.

In post-Strawsonian and more recent analytical discourse on ethical theory the tendency has been to work out what modern progress will contribute to morality. Some see traditional moral claims undermined by cognitive science or evolutionary theory. Patricia Churchland, for example, states matter-of-factly that confronted with scientific insight about the brain, "the traditional field of ethics must itself undergo recalibration" (Churchland, 2006, 3). E.O. Wilson, a renowned evolutionary biologist, has invited his readers to consider "the possibility that the time has come for ethics to be removed temporarily from the hand of the philosophers and biologicized" (Wilson, 2000, 562). Philosophers have taken up this challenge in addressing 'debunking arguments' from evolutionary theory towards ethics and morality (see Wilkins, 2010; Brosnan, 2010; Kahane, 2011).

What Kafka and Foucault in their more descriptive approach make poignant is the degree to which modern moral responsibility depends on the economic, historical, and psychological structures of the modern world, many of which remain subterranean in the discourse of analytical philosophy. Bernard Williams has given voice to this type of skepticism about the ongoing analytical discourse in moral theory in *Ethics and the Limits of Philosophy* (1985), where he traces "distinctive features of morality [to] closely related processes of modernization" (8).

Williams is critical of Alasdair MacIntyre and the latter's project of returning to a more Aristotelian view of ethics in analytical philosophy, for example in *The Task of Philosophy* (2006, a collection of earlier papers). Williams derides MacIntyre's approach as an attempt to rewind the clock to premodern times. Williams' brief assessment is supported by the much more wide-ranging literary and philosophical analysis in Kafka and Foucault; and it can be equally applied to Strawson's argument for the necessity of moral responsibility. These, in a nutshell, are two core claims of my paper.

#### 4. Implementation of Modernity

In the following, I will discuss pushback against the insistence on necessity for moral responsibility. The insistence is undermined in particular by specific features of modernity. They withdraw from normative beliefs essential supports in facts that were previously assumed in a quasi-axiomatic fashion, thus lending both the facts and the normativity based on them a flavour of naturalness. These essential supports include such items as hierarchical organization, integrity of the self, possibilities for self-knowledge, the supremacy of reason over the will, and the assumption that the establishment of norms and values is primarily an exercise in metaphysics. That these essential supports for normative beliefs can no longer be relied on is a narrow selection of phenomena that we call modern; I have chosen them because they find an echo in Kafka's literature and they are tributaries to if not the collapse then certainly a problematization of moral responsibility in expressions of modern culture.

Foucault describes in his work, whether it is about the hermeneutics of the subject, the penal system, schools, hospitals, prisons, or the history of sexuality, that there is nothing necessary about the particular forms that moral explanations take. They are rooted in contingencies and are in the final analysis a downstream consequence of the implementation of modernity (for Foucault, especially the economic, institutional, and bio-political changes that modernity brings about). What is of interest to me in this section is how the specific features of modernity listed above have prepared the way for both the dystopian picture of normativity and ethics in Kafka and the gradual move from the kind of empiricist naturalism that Hume espouses, which defends and upholds the necessity of morality (a modern-day and less-than-subtle proponent of this view is Sam Harris, for example in *The Moral Landscape: How Science Can Determine Human Values*, 2010; see also Moritz Schlick, *Problems of Ethics*) to Foucault's vision. Foucault, in the tradition of a Kantian critique, subjugates the necessity of moral prescription to the contingency of historical description and thereby perhaps mortally compromises it, although Foucault himself is famously restrained about the normative consequences of his findings.

Since literary criticism and locating an analytical philosophical position in Kafka's work come together in this paper, I want to use a particular story by Kafka, "The Great Wall of China" (written in 1917; the translation that I will use is by Ian Johnston), to illustrate the factors of what I consider the modern problematization of moral agency in Kafka. It is important to note that modern problematization does not imply a lack of desire on part of modern persons to avail themselves of moral evaluation or that it attenuates the salience of moral agency in the discourse of modernity (Foucault has given a compelling description of how practices, desires, and discourse can become decoupled in *The History of Sexuality, Volume 1*). Nietzsche writes,

It goes without saying that I do not deny—unless I am a fool—that many actions called immoral ought to be avoided and resisted, or that many called moral ought to be done and



encouraged, but I think the one should be encouraged and the other avoided for other reasons than hitherto. (*Daybreak*, section 103)

There is a sense of collapse for moral agency in cultural expressions of modernity—it is not only Kafka’s literature that speaks loudly to this effect. Kafka is always among the first to point out, however, that the collapse reveals a yearning: the message that the courier is supposed to carry in “The Great Wall of China” from the emperor to “you, the individual, that miserable subject” is hopelessly tangled up in the vastness of the imperial court, the capital city, and the country itself. However, while the courier’s mission is futile, you “sit at the window and dream of that message when evening comes.”

With this caveat in mind, I want to trace the problematization of moral responsibility and specify its contributing factors:

1. **Hierarchy.** Normativity as traditionally conceived (i.e. in premodern ways in a Western European context) emanates from a centre. W.B. Yeats has prominently placed the collapse of the centre in his description of Twentieth Century modernity in the poem *The Second Coming*: “Things fall apart; the centre cannot hold.” Kafka describes it more in terms of accessibility of the imperial centre in “The Great Wall of China.” In the next section on Kafka’s account of moral responsibility I will detail the connection between epistemological access and moral agency; the short story “The Great Wall of China” plays on precisely the difference between metaphysical inference and epistemological access. No one in the story denies the existence of the emperor; yet for all practical purposes access to knowledge about the intentions of the emperor is denied. The traditional organizational flowchart of accountability is replaced by a multilayered construction, both in terms of history and vastness of territory, where intentionality, determinate location, and source are permanently obscured.
2. **Integrity of the Self.** Nietzsche formulates a sustained attack on the Cartesian integrity of the self and draws from it his well-known consequences for a “revaluation of values.” In Kafka, the vulnerability of this integrity is primarily represented by oneiric literary elements, in which he provides dreamlike sequences that show the protagonists in eerily changing circumstances, where the circumstances may very well include mental states, such as knowledge, beliefs, and desires so that the character has trouble recognizing himself or herself as a self with integrity. Examples for this oneiric element can be found in “A Country Doctor,” written also in 1917; and in “The Metamorphosis,” where it is less the dreamlike sequences but the reliability of selfhood that is at issue.

3. **Self-Knowledge.** It is again Nietzsche who vigorously denies possibilities for self-knowledge and draws pessimistic conclusions for his theory of modern morality. Kafka describes in “The Great Wall of China” how the self is managed in terms of its motivations by a project that is at its foundation hostile to a fulfilled life and how the deception in the service of a production machine (there are clearly Marx-inspired elements in Kafka’s story) creeps into “mental confusion”: “The deeper one descends ... the more the doubts about [their] own knowledge disappear, and a superficial education surges up as high as a mountain around a few precepts drilled into them for centuries, sayings which, in fact, have lost nothing of their eternal truth, but which remain also eternally unrecognized in the mist and fog.” Note here again the explicit distinction between metaphysics (the eternal truth) and epistemology (mist and fog).
4. **Supremacy of Reason over the Will.** Strawsonian optimists rely on the specifically human ability to put their reasoning capacities above their instinctual drives in some meaningful way. Pessimists such as Nietzsche, Kafka, or Foucault claim that this view of humans as rational animals is ultimately incoherent. For Nietzsche, reason is merely the practice of a particular instinctual drive, which is sometimes in opposition to another drive; the human tendency to describe this opposition as a tug of war between the flesh and the spirit, as the Apostle Paul did, or as *akrasia*, as Aristotle did, or as any other kind of opposition between intellect and bodily desire, is according to Nietzsche epiphenomenal (for a more detailed and more precise analysis of epiphenomenality in Nietzsche see Leiter, 1998; and Katsafanas, 2013). Kafka’s characters are full of rationalizations, especially in his novels (Joseph K. in *The Trial*, Karl in *Amerika*, and K. in *The Castle*). It is part of their dramatic flow that the rationalizations seldom match the evolution of the plot.
5. **Metaphysics and Normativity.** In a Western European culture that is fundamentally marked by religious experience, there is a deep-seated connection between normativity and metaphysics. Beliefs about modes and states of existence are intimately linked to moral responsibility. The short story “The Great Wall of China” is a prominent example where Kafka seeks to disentangle metaphysics and normativity. Whereas there is “great insecurity” about who the emperor is and which dynasty is currently ruling (I am reading these as metaphors for metaphysical entities such as ‘God’ and the ‘Law’),

... the consequence ... is a life which is to some extent free and uncontrolled. Not in any way immoral—purity of morals like those in my homeland I have hardly

ever come across in my travels, nonetheless a life that stands under no present laws.

This hopeful turn in Kafka is infrequent but clearly placed at strategic points to underline that moral responsibility in modern times cannot be a matter of metaphysical (or even de-transcendentalized) necessity; instead it follows from an alien sense of freedom after the observation of futility in the rational management of one's affairs. Another passage that highlights this position is at the end of chapter 8 in *The Castle*, where

... holding his wandering gaze for a little, it seemed to K. as if at last those people had broken off all relations with him, and as if now in reality he were freer than he had ever been, and at liberty to wait here in this place usually forbidden to him as long as he desired, and had won a freedom such as hardly anybody else had ever succeeded in winning, and as if nobody could dare to touch him or drive him away, or even speak to him. But—this conviction was at least equally strong—as if at the same time there was nothing more senseless, nothing more hopeless, than this freedom, this waiting, this inviolability. And he tore himself free and went back into the house ...

## 5. Kafka's Account of Moral Responsibility

We now have a set of strong contrasts. The optimists versus the pessimists of Strawson's argument; Strawson's psychological assumptions about human nature versus Heidegger's existential assumptions about the human condition; and finally, accounts of moral responsibility that consider its most fundamental expressions to be necessary to human life versus accounts which attribute to moral responsibility ineradicable contingency.

In an obscure French essay about Kafka, Claude-Edmonde Magny makes a compelling observation:

One can find in Kafka's work a theory of responsibility, views on causality, finally a comprehensive interpretation of human destiny, all three sufficiently coherent and independent enough of their novelistic form to bear being transposed into purely intellectual terms.<sup>1</sup>

This paper, which is committed to the view that there is philosophical insight in both the analytical and the continental tradition, has more specifically two aims: to shed a critical light (i) on Strawson's account of moral responsibility, especially its claims about necessities of human nature; and (ii) on Kafka's ability to address in literature philosophical claims that can be rendered analytically intelligible.

There is a view that Kafka's work is elusive with respect to interpretation. Various schools of interpretive approaches to Kafka have formed: Marxist, existentialist, psychoanalytic, and others. Most commentators, however, claim some

<sup>1</sup> The translation of the quote is from Blanchot, 1995, 2; the original quote is "on peut trouver dans l'oeuvre de Kafka une théorie de la responsabilité, des vues sur la causalités, enfin une interprétation d'ensemble de la destinée humaine, suffisamment cohérentes toutes trois et assez indépendantes de leur forme romanesque pour supporter d'être transposées en termes purement intellectuels" (see Magny, 1945).

place on the sidelines of the controversy between these schools and underline how open Kafka's texts are to all sorts of interpretation. W.H. Auden, for example, states in the first sentence of his essay on Kafka "The I Without a Self" that Kafka is the master of a literary genre "about which a critic can say very little worth saying" (Auden, 1962, 159). For this view, it is the fluidity of Kafka's texts by which they effortlessly move from being viewed from one perspective to being viewed from an entirely different perspective that constitutes Kafka's genius.

My claim, by contrast, is that there are themes that run through Kafka's literary output which can be captured by interpretation, translated into the terms of analytical philosophy (no doubt there will be losses in this translation, losses nonetheless worth the rewards), and used to manifest a definitive position that Kafka takes with reference to topics such as moral responsibility, epistemological access to causation, the status of metaphysical beliefs, and the meaning of happiness.

There is an aporia in human life: we hold people morally accountable for their actions and choices, yet we are also aware that human decision-making proceeds in a complex field of causal influences that is to some degree epistemologically inaccessible. Moral blame attenuates as a superficial investigation yields to a deeper one. In the *Nicomachean Ethics*, Aristotle carefully distinguishes between different types of ignorance, especially ignorance about one's true interests on the one hand and ignorance about particular circumstances on the other hand. The former ignorance characterizes vice, whereas the latter may annul it. A writer like Kafka revels in the description of moral narratives that lead these kinds of distinctions ad absurdum.

In all three novels (*The Trial*, *Amerika*, and *The Castle*) the protagonists are frequently confronted with moral and prudential dilemmas whose relevant features are revealed long after decisions about them have left a moral stain or a critical disadvantage for the agent. Importantly, the constant shifting and interpenetration of epistemological and moral layers never alleviates the sense of guilt on part of the unwitting and confused decision-maker. Especially in *Amerika*, there is a fair amount of interior 'pep talk' where the protagonist assures himself of his autonomy and his ability to reason in informed and logical ways; yet this innocent optimism is systematically subject to sabotage by the unfolding narrative.

Kafka is not only a Strawsonian pessimist in the sense that the metaphysics of modernity results in the devolution of moral coherence; he is also an epistemological pessimist. He is not a skeptic in the sense that nobody knows anything. Rather, the moral agents in Kafka's work know and are deceived about a wide variety of things of great importance to them, and as they investigate them (more often than not in good faith), it becomes apparent that their experience of epistemological failure in the past rules out any epistemological confidence in the future.

While moral agents may know things, they can never be sure of things or trust their sensitivities. Knowing things does not translate into knowing that you know them. This view is incompatible with knowledge internalism, where  $K(X)$ , knowing  $X$ , implies  $K(K(X))$ , knowing that one knows  $X$ . The moral agent hardly ever has

conscious access to the causal mechanisms that inform morally responsible decision-making. What was yet grotesque to Aristotle, that an agent should be ignorant of swaths of relevant circumstances, particularly his or her own identity ("now no one, unless mad, could be ignorant of all these circumstances together; nor yet, obviously, of the agent—for a man must know who he is himself," *Nicomachean Ethics*, 1111a.1), turns into the cultural malady of an epoch.

Everything of which we become conscious is arranged, simplified, schematized, interpreted through and through—the actual process of inner 'perception,' the causal connection between thoughts, feelings, desires, between subject and object, are absolutely hidden from us. (Nietzsche in *The Will to Power*, section 477)

I will use Nietzsche's and Foucault's idea of genealogy to show that it is constitutive of considering oneself a moral agent that the origins of moral agency remain masked for the moral agent, illustrating Kafka's epistemological pessimism. An unmasking of a genealogical concept such as moral agency or responsibility results in its collapse. In the context of Hume's account of justice, genealogy denotes the kind of explanation pointing to the origins of a social practice of which it is essential that they themselves are not used as reasons to follow the practice. The core of the practice is somehow constituted by a certain forgetfulness toward its history. The forgetfulness is at the root of lending the practice intrinsic rather than instrumental value. The intrinsic value becomes detached from the original usefulness of the practice. It is a value which experiences a threat to its reflective stability, and possibly a breakdown, when its historical origins are uncovered.

Hume considers the emergence of justice from this genealogical process to be a necessary and positive development—Nietzsche and Foucault, by contrast, develop a critical theory of genealogy and strip it of all elements of necessity. They give genealogical accounts of morality and truth (Nietzsche), knowledge and sex/gender (Foucault), meaning to undermine the intrinsic power of these concepts to motivate behaviour.

Deception is then not parasitic on epistemological clarity but the other way around: there is at first a deception needed to get moral responsibility off the ground, namely that the diffuse and contingent origins of moral agency are concealed from the moral agent; only then can the moral agent come to some clarity of what her alternatives are and how these may play out in the future. The agent then makes a moral choice (such as Kafka's K. leaving Frieda to spend time with the family of Barnabas in *The Castle*), which is then vitiated by future contingencies and future diffusions.

At the end, there is the existential guilt that Martin Buber has identified in Kafka's texts (see Buber, 1960): a guilt which is purely formal and lacks all content, for while humans live under the burden of moral culpability, they cannot legitimately be made responsible for anything in particular. Kafka expresses this repeatedly in the *Letter to His Father* when he identifies a "boundless sense of guilt"

(Kafka, 1966, 68) while insisting that both he and his father are “entirely blameless” (loc. cit., 4) and declaring the “guiltlessness of us both” (loc. cit., 100).

Adam Smith, Charles Darwin, and Karl Marx consider an invisible hand at work in history. Despite its diffusion (which, more positively, can be cast as its essentially democratic core) and its lack of conscious intention on the part of an author or creator it contributes towards progress: in capitalism, the invisible hand creates welfare; in evolutionary theory, it creates and multiplies life; and in Marxism, it will not fail to bring about revolution and the victory of the proletariat.

Nietzsche, Freud, and Foucault provide a more pessimistic picture of the invisible hand. Foucault, for example, describes an intricate network of micro-dominations which concatenate to produce technologies of power that victimize without perpetrator. Sigmund Freud’s invisible hand operates during an individual’s ontogenesis (rather than Darwin’s phylogenesis) in early childhood, where the origins and explanations for these operations are wiped out by amnesia, which makes the history of human agents inaccessible to them. The invisibility of this hand is everything but benign, leading to widespread psychological pathology.

Nietzsche produces an account of concepts—concepts which to most of us sound metaphysically and eternally established—that locates their origins in the contingencies of human history: concepts such as morality, love, justice, knowledge, and truth. Bernard Williams describes Nietzsche’s idea of genealogy as follows:

A genealogy is a narrative that tries to explain a cultural phenomenon by describing a way in which it came about ... our ethical ideas are a complex deposit of many different traditions and social forces, and they have themselves been shaped by self-conscious representations of that history. However, the impact of these historical processes is to some extent concealed by the ways in which their product thinks of itself. (Williams, 2004, 28)

Foucault takes Nietzsche’s ideas further and explains:

However, if the genealogist refuses to extend his faith in metaphysics, if he listens to history, he finds that there is ‘something altogether different’ behind things: not a timeless and essential secret, but the secrets that they have no essence or that their essence was fabricated in a piecemeal fashion from alien forms. (Foucault, 1977, 142)

Kafka anticipates many of Foucault’s conclusions in his literature. The enlightenment project of characterizing human life as guided by reason and by the transparency of self and nature to the third-person gaze of a human mind has failed. In his texts, Kafka carries on a tradition that is discernible already in Fyodor Dostoyevsky’s *Notes from the Underground* (Dostoyevsky is an author that Kafka enthusiastically read and discussed with his friends, see the *Index* of Reiner Stach’s multi-volume Kafka biography):

Before your eyes the object vanishes, the reasons evaporate, the culprit is not to be found, the offence becomes not an offence but a *fatum*, something like a toothache, for which no one is to blame ... you haven't found the primary cause. (Dostoyevsky, 2004, 18)<sup>2</sup>

Transitivity gives way to intransitivity. Objects vanish, as in Martin Heidegger's fundamental ontology hermeneutics becomes operative on 'being' without a text to serve as an object for the hermeneutics. Kafka expresses this idea in literature by recording no particular work to do for the officials in *The Castle* and no object for Joseph K.'s guilt in *The Trial*. There is also no sovereign chooser of moral value as there is in existentialism. Perpetrator-subjects vanish in favour of bureaucratic concealment, as in Foucault's modern penal system. Again, Kafka reflects this in *The Castle* and *The Trial*. Finally, moral responsibility is problematized because there is for it no epistemological access to what the relevant causal relationships are: "no one is to blame ... you haven't found the primary cause."

In Kafka's *Metamorphosis*, Gregor "suffers in person from [the] evil consequences [of his employment], which he can no longer trace back to the original causes" (Kafka, 1995, 83). In *The Castle*, K., "in order to obtain pardon, first had to establish guilt, and that's precisely what they denied him at the offices" (Kafka, 1998, 214). In the short story "On the Tram," Kafka gives expression to the epistemological crisis that precipitates a moral crisis:

I stand on the end platform of the tram and am completely unsure of my footing in this world, in this town, in my family. Not even casually could I indicate any claims that I might rightly advance in any direction. I have not even any defence to offer for standing on this platform, holding on to this strap, letting myself be carried along by this tram, nor for the people who give way to the tram or walk quietly along or stand gazing into shop windows. Nobody asks me to put up a defence, indeed, but that is irrelevant.

In another short story called "Resolutions," Kafka concludes:

So perhaps the best resource is to meet everything passively, to make yourself an inert mass, and, if you feel that you are being carried away, not to let yourself be lured into taking a single unnecessary step, to stare at others with the eyes of an animal, to feel no compunction, in short, with your own hand to throttle down whatever ghostly life remains in you, that is, to enlarge the final peace of the graveyard and let nothing survive save that.

## 6. Conclusion

Moral decisions that human beings make in relationship with each other are comparable to the decisions a driver has to make when steering a fast vehicle without brakes in the fog. Kafka is not a nihilist—decisions matter. The driver in the fog makes consequential decisions, but the driver does not have enough information to make these decisions so that they become appropriate objects of moral evaluation.

<sup>2</sup> Compare also Émile Zola's character La Maheude in *Germinal* exclaiming, "Mais on réfléchit, n'est-ce pas? On s'aperçoit qu'au bout du compte ce n'est la faute de personne ... non, non, ce n'est pas ta faute, c'est la faute de tout le monde," page 497; and Martin Heidegger's dictum in *Sein und Zeit*, "In der Alltäglichkeit des Daseins wird das meiste durch das, von dem wir sagen müssen, keiner war es," section 27. Both of these quotes unfold their meaning specifically in the context of modernity.

Kafka had particular philosophical ideas which he used to give shape to the literature that he created. He was skeptical about accounts of moral responsibility produced by the enlightenment, such as Kant's critique of practical reason or J.S. Mill's utilitarianism, because these moral theories make epistemological assumptions that are not borne out in human life. They fail by the standards of descriptive moral theory, which for both Kafka and Foucault is importantly primary to prescriptive moral theory. Descriptive moral theory is interested in the ways in which our behaviour is morally motivated and how these motivations interact with institutions, interests of power, the economy, contingencies of culture, and the management of bodies.

For Strawson, one way in which philosophers (both optimists and pessimists) have erred is that they have subordinated prescriptive moral theory to a particular type of description, the metaphysical theory of determinism. Ethical intuitionists express their frustration to which degree technocratic "formal" epistemology has invaded moral epistemology which ought to be autonomous. On the one hand, if these voices are correct and it is in principle not possible to undermine fundamental moral commitments by high-level descriptions, then Kafka's and Foucault's project has failed. On the other hand, if Kafka and Foucault succeed in providing a persuasive account (the one a literary account, the other a philosophical account) describing just the kind of human isolation and moral alienation that Strawson and the ethical intuitionists considers inconceivable, then a weakness in their argument is revealed.

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