



The Richmond Journal of **Philosophy**

Issue Ten Summer 2005

In this
issue...

Paul Sperring
on eternal truths

Christopher Cowley
on euthanasia

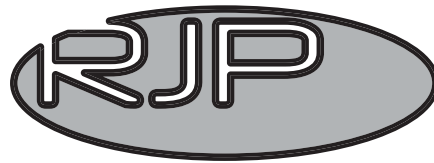
D J Sheppard
on democracy

Niall Connolly
non-existence

Elisabeth Schellekens
on judgement



Richmond upon Thames College



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Editorial Board

Stephen Grant

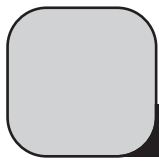
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[Editorial]

Welcome to the tenth issue of the Richmond Journal of Philosophy. In our first paper Paul Sperring considers a puzzle arising from Descartes' claim that God could have made eternal and necessary truths such as those of mathematics other than they actually are. If divine omnipotence means that it could be the case that '2+2=5', then how can we say that there are really eternal or necessary truths at all? For, they are possibly not the case. Next, Christopher Cowley examines the relationship between the law and voluntary euthanasia (physician-assisted suicide). He presents an argument in favour of a 'fudge', whereby the law officially condemns euthanasia while the practice is privately tolerated. In our third article D.J. Sheppard turns our attention to the critique of democracy presented by Plato in *The Republic*. Noting that the criticism of democracy appears alienating to a modern readership broadly convinced of the grounds for democracy, the discussion considers the coherence of Plato's attack and the points at which it continues to resonate with our contemporary concerns. From Plato we next turn to Hume. Elisabeth Schellekens assesses the Humean understanding of the relationship between emotional experience and the formation of value judgements, suggesting problems faced by the view that the former determines the latter. Our final paper is about things which do not exist. Niall Connolly makes the case for the

thesis that non-existents such as Sherlock Holmes and the winged horse, Pegasus, can be said in some sense to exist.

Purpose of the Journal

The motivation for and ambition of the journal is to provide serious philosophy for students who are at an early stage in their philosophical studies. The style and content of the papers will be accessible to students who have yet to become hardened to the more technical and specialised journals of professional philosophy

What do we mean by 'serious' philosophy? First, the content of the journal is not constrained by a remit to appeal to or reach the interested general public. Whilst the papers must speak to the needs of students who are relatively inexperienced in philosophy, they presuppose that their audience is actively engaged in philosophy. Second, the content is serious in its focus on the central areas of philosophy. One must beware of the dangers of trying to impose more precision on a subject than its nature will allow. Therefore, some degree of caution is called for in talking of the central areas of philosophy. Nonetheless, the big or traditional questions of metaphysics, epistemology, and ethics will provide the journal's centre of gravity. The third way in which the philosophy is serious is through the scope, variety

and depth of analysis that can be achieved by the accumulation of papers over time. Moreover, each paper is not simply an introduction to one of the main topics on A-level, IB or degree courses. Such papers will indeed have a role in the journal, but they will not be the only kind. Our contributors will be offering original papers based on their own research. The journal will be a forum for the kind of critical engagement and debate that characterise the practice of philosophy. The fourth way in which the philosophy is serious is in the contributors themselves. The vast bulk of the papers will be written by professional philosophers engaged in both research and teaching.

About the [Editorial] Board

Stephen Grant is a full-time lecturer in philosophy at Richmond upon Thames College. He has also taught at King's College London where he is completing his doctorate on the emotions. His main interests are in the emotions, ethics and political philosophy. He has published on the ontological argument.

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Paul Sperring is head of the philosophy department at Richmond upon Thames College and an A-level examiner in philosophy. He completed his undergraduate and masters studies at The University of Warwick, studying both analytic and continental philosophy. He is currently working towards his PhD at Birkbeck College. His research interests are metaphysics and the philosophy of mind.

[Editorial]

Paul Sperring

Descartes, God and the

[Eternal Truths]

Descartes is thought to have held that the eternal truths,¹ such as the truths of mathematics or Euclidean geometry, no less than anything else, were freely created by an act of the divine will. Many have puzzled over quite how Descartes' claims on this issue are to be understood. However, on the face of things, if Descartes did take the eternal truths to be created by God, then it seems to cast doubt on their status as eternal.

In short, if God willed the truths to be then they might not have been (since God might not have willed them), and if that's the case then it seems that they can't really be eternally true. Or to put it another way: if God *freely* chose to make it the case that all triangles were 3-sided, he might easily have decided to have made it not the case that all triangles were 3-sided. That is, he might have made it the case that some were 4-sided, or maybe that all of them were 4-sided (which is not to say that he turned them all into squares, but that he made 4-sided *triangles*).

So, firstly we have:

(1) If God freely created the eternal truths (that is to say, necessary truths), then they are possibly not the case (e.g. God might have chosen not to create them).

But then it seems we have:

(2) If the eternal truths are possibly not the case then they are not necessary (so no eternal truths).

The Problem

So, accepting (1) and (2), we should say that there *couldn't* be eternal truths if there is a God who creates them freely.

Solutions

(i) Bite the bullet and accept that there are no necessary truths (and explain away what we take to be necessary truths);

(ii) Deny the antecedent² of (1) (i.e., that God creates the eternal truths);

(iii) Show that the consequent of (1) is not entailed by its antecedent;

(iv) Show that despite the fact that we can accept (1) it does not thereby entail (2).

On the face of it it appears that Descartes' only option is to go for something like (iv), since the denial that there are necessary truths prevents the a priori proofs of God's existence from getting off the ground (since they depend on necessary truths) and his whole project goes up in smoke.³ Also, the denial that God was free to do whatever he wanted with respect to these truths seems to be flatly at odds with many of the claims that Descartes made on the matter, as we will see, so he had better not accept (ii) or (iii) at least for the sake of consistency.

Different authors have plumped for different 'solutions' in their attempts to understand Descartes' explicit statements, and implicit commitments, with respect to these matters. Frankfurt (1977) argues for a full-blown denial of the necessity interpretation – but thinks that there is plausibility in the view that such a position is ultimately incoherent.⁴ Curley (1984) offers something like (iv) in arguing that although the truths are possibly not necessary it does not follow that they are, therefore, not necessary – this depends on the 'iterated modality' claim, that while certain truths are necessarily true they are not necessarily necessarily true. McFetridge (1990) offers an interesting solution, which doesn't quite fit straightforwardly into the options I have set out above. He denies (in line with (iii)) that the necessary truths are possibly not the case in one sense of possible, and also that were they thought to be possible in another sense then it would not follow that they are not necessary (*à la* (iv)).

I do not intend here to discuss the relative merits and demerits of each individual solution to the problem (as I have set it out). I want, rather, to focus on one element discussed by many of the commentators, which appears to me to be the place where some of the confusion lies, and from where a satisfactory solution might spring were the confusion there avoided. The element in question is

the relationship between God facts and other facts – that's to say, between necessary truths pertaining to the nature and existence of God and the necessary truths ordained by God.



God Facts

In a letter to Mersenne (6 May 1630) Descartes says:

One must not say, then, that *if God did not exist, nevertheless those truths would still be true*, for the existence of God is the first and most eternal of all the truths which can be, and the only one from which all the others proceed.

Why does Descartes make such a claim? Well if he thinks that nothing is independent of God's will then the eternal truths, and anything else for that matter, must arise somehow from God's freely chosen actions. Not that they depend on God simply as a matter of fact, whereby there could be some other source for them, but that of necessity nothing would be immutable or eternal unless there existed the immutable and eternal God who willed it to be so. Of course, all of this needs to be unpacked somewhat, since appeals are made here to things contingent and necessary.

A collection of empty rounded rectangular boxes arranged in a grid-like pattern, intended for handwritten answers or notes.

[Eternal Truths]

What modal⁵ claims is it appropriate to make about God? Descartes says that God has necessary existence.⁶ Since everything else depends on God's free choices then everything else must, in some sense, be contingent.⁷ So if the truths of mathematics, geometry and logic are necessary then this must be in virtue of some contingent fact – i.e., that God made a decision to bring it about that such and such truths would be immutably and eternally true. This seems to support Curley's views of the necessary truths as not necessarily true (i.e., that they are not necessarily necessary).⁸ But, to come back to the initial question – what about the modal status of God facts? Are they necessarily necessary?

For Descartes God facts, such as the fact that God exists, that God is immutable, that God's will and intellect are one, and so on, are necessary insofar as it is not possible that any of them failed to obtain. Now, it seems that the root of their necessity cannot be some contingent fact, such as: God decided freely to instantiate this or that feature of his essence. This must be so, since to deny it is to assert that it might not have been the case that God had this or that particular perfection – and that would be the undoing of the Ontological proof, among other undesirable consequences for Descartes.

So is part of what Descartes meant, in the quotation taken from the letter to Mersenne, that the 'most eternal of all the truths', truths about God,⁹ are of a higher order of necessity than those eternal truths ordained by God? This seems a plausible reading. If so, is it any clearer from this how the latter depend on the former? By no means. For that one would have to dig a little deeper.

Creating the Eternal Truths

Descartes has it that there can be no limits to God's creative powers¹⁰ – that is to say, nothing binds God to bring about this or that state of affairs, or make some or other proposition true.

So, in a letter to Arnauld (29 July 1648) Descartes says:

...I do not think that we should ever say of anything that it cannot be brought about by God. For since everything involved in truth and goodness depends on His omnipotence, I would not dare to say that God cannot make a mountain without a valley, or that one and two should not be three.¹¹

And this, from the *Sixth Replies*:

To one who pays attention to God's immensity, it is clear that nothing at all can exist which does not depend on Him. This is true not only of everything that subsists, but of all order, of every law, and of every reason of truth and goodness; for otherwise God...would have not been wholly indifferent to the creation of what He has created. For if any reason for what is good had preceded His preordination, it would have determined Him toward that which it was best to bring about; but on the contrary because He determined Himself towards those things which ought to be accomplished, for that reason...*they are very good*; that is to say, the reason for their goodness is the fact that He wished to create them so.

So from this it seems clear that God is free ('indifferent') with respect to all things other than himself. Nothing

independent of God imposes itself on God of necessity. Now if the eternal truths were thought to be eternal insofar as they existed, in a manner of speaking, prior to God's decrees then God would not have been free to bring it about that such and such be the case (since that which already is needs no creation), and it seems also that God would not have been free to bring it about that such and such were not the case (since eternally true). In order, therefore, for it to be the case that God is not bound by anything independent of himself it cannot be that anything is so independently of himself (eternal truths included).

...Descartes would *not* acknowledge any exceptions to the doctrine that God created the eternal truths because according to his more general doctrine of divine creation God has created literally everything. There are no substances, there are no essences, there are no truths possible or necessary about anything whatsoever that are independent of God, for God *created* them all. (La Croix (1991) p. 38)

La Croix suggests that this is so since Descartes is committed both to the doctrine of the independence of God and to the doctrine of God's simplicity. Subsequently Descartes cannot claim anything but that everything arises from the divine decrees.

So there is at least some obvious sense in which God creates the eternal truths – since he creates whatever is. However, it isn't yet completely clear from this how we are to understand the creative act, with respect to the eternal truths, and the seeming implication (from various of Descartes' writings, already quoted) that God could have arranged matters differently – perhaps making the law

of contradiction not apply everywhere (or, indeed, anywhere).

There are different ways to understand the claim that God was free to do what he would with respect to the eternal truths. La Croix identifies three:

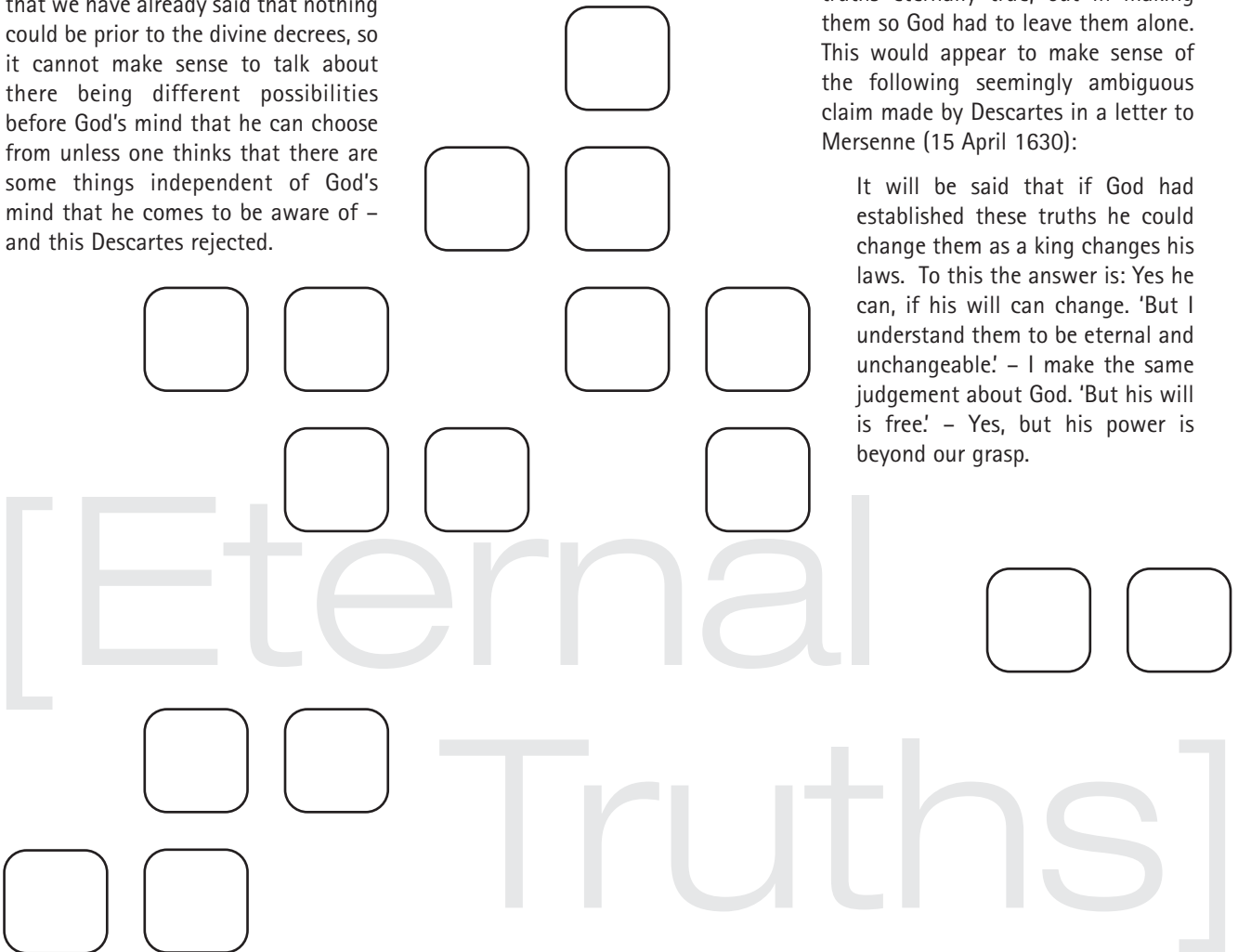
1. That God could have chosen to actualise different laws than those that he did.
2. That God could repeal the laws that he has decreed.
3. That God could bring about some state of affairs that is contrary to the laws that he had decreed.

The first is rejected on the grounds that we have already said that nothing could be prior to the divine decrees, so it cannot make sense to talk about there being different possibilities before God's mind that he can choose from unless one thinks that there are some things independent of God's mind that he comes to be aware of – and this Descartes rejected.

The second and third options depend on us understanding God's powers in such a way as to think that he can change those things that he has decreed. But this seems to be at odds with what Descartes actually thought – since God willed that the truths be eternal it cannot be the case that these things are changeable, even by some subsequent divine act. To understand this we perhaps have to qualify what is meant by 'God's power' in such a way that our understanding of God as free with respect to certain of his creative acts and un-free with respect to 'possible' others remains coherent.

If we distinguish between God's absolute power and God's ordained power then we can make sense of the claim that God cannot repeal the laws that he has decreed, while nonetheless remaining perfect. God is absolutely free 'prior to' his creative acts, nothing at all constrains him, his decisions depend on nothing other than his understanding and his will. However, in bringing about, for instance, the law of non-contradiction, and making such a law immutable and eternal, God becomes bound by such a law, and cannot change it – no matter what was true of God's absolute power. And we are by no means bound to say that God had to make such truths eternally true, but in making them so God had to leave them alone. This would appear to make sense of the following seemingly ambiguous claim made by Descartes in a letter to Mersenne (15 April 1630):

It will be said that if God had established these truths he could change them as a king changes his laws. To this the answer is: Yes he can, if his will can change. 'But I understand them to be eternal and unchangeable.' – I make the same judgement about God. 'But his will is free.' – Yes, but his power is beyond our grasp.



In understanding God's will as free we would not thereby have to understand this as entailing that he can freely will just anything – the implication appears to be that God couldn't freely will to bring about a change in those things that he has willed (nonetheless freely). This would then secure the eternity (necessity) of the truths made eternal by God's creative act, since God would not be free to undo those things he has willed to be unchangeably so. It would also make clear the way in which God was not necessitated to bring about just the things that he did bring about (even the eternal truths).

As La Croix puts it, just because Descartes is committed to the claim that 'God was not *antecedently* determined or limited in his creation of the eternal truths or the law of contradiction' it does not follow that 'God is not *subsequently* determined or limited by them in the creation of what he creates.' (p. 42).

Conclusion

And so are we, at last, able to say something about the relationship between God facts and other facts? All the necessary truths *about* God are eternally true, in an absolute sense – that this is so is so because, necessarily, God is eternally and immutably so. All the other necessary truths arise out of God's understanding and will, and thus are eternally and immutably true in virtue of God's decrees, and hence not in an absolute sense. That God made them so is not something that we can say had to be so. But in making them so, God has made them necessarily so. Further, to come back to an earlier question, it looks on this reading that Descartes *is* attributing to the God facts a 'higher' modal status than other facts.



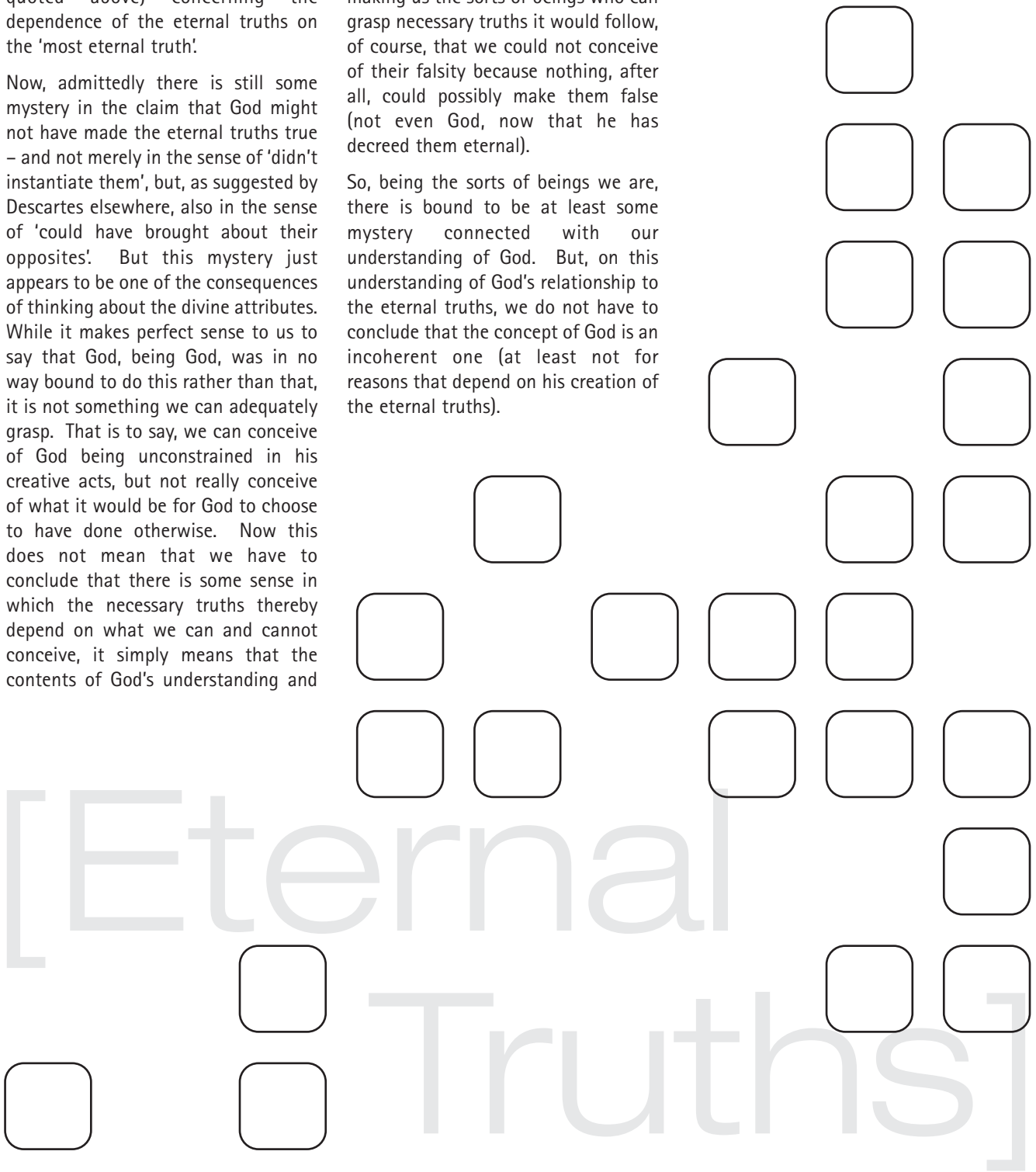
And this, I think, is what makes sense of the claim made by Descartes in the letter to Mersenne (6 May 1630, quoted above) concerning the dependence of the eternal truths on the 'most eternal truth'.

Now, admittedly there is still some mystery in the claim that God might not have made the eternal truths true – and not merely in the sense of 'didn't instantiate them', but, as suggested by Descartes elsewhere, also in the sense of 'could have brought about their opposites'. But this mystery just appears to be one of the consequences of thinking about the divine attributes. While it makes perfect sense to us to say that God, being God, was in no way bound to do this rather than that, it is not something we can adequately grasp. That is to say, we can conceive of God being unconstrained in his creative acts, but not really conceive of what it would be for God to choose to have done otherwise. Now this does not mean that we have to conclude that there is some sense in which the necessary truths thereby depend on what we can and cannot conceive, it simply means that the contents of God's understanding and

the limitlessness of his will are things, in detail, unknowable to our minds (being finite creatures). Further, in making us the sorts of beings who can grasp necessary truths it would follow, of course, that we could not conceive of their falsity because nothing, after all, could possibly make them false (not even God, now that he has decreed them eternal).

So, being the sorts of beings we are, there is bound to be at least some mystery connected with our understanding of God. But, on this understanding of God's relationship to the eternal truths, we do not have to conclude that the concept of God is an incoherent one (at least not for reasons that depend on his creation of the eternal truths).

[Eternal Truths]



Notes

- 1 In what follows I will use the phrase 'eternal truths' to signify what modern authors more usually refer to as necessary truths, since this seems to be exactly what Descartes had in mind.
- 2 The antecedent of a conditional claim (an 'if...then...' claim) is the part that follows the if and from which the consequent (the 'then...' part) is derived. So the antecedent is 'if God created the eternal truths' and the consequent 'then they are possibly not the case'.
- 3 Since Descartes requires God as a guarantor for his clear and distinct ideas.
- 4 I take it that those authors (e.g. Wilson (1978), Bennett (1979), and Ishiguro (1986)) who argue that Descartes' account of modality amounts to an account of the limits of human reason (what Bennett calls the 'conceptualist' account) are also, in some sense, denying the existence of necessary truths – although not all of them would agree with me on this point (Bennett robustly denies such a charge, see esp. pp170–2 (*op. cit.*)).
- 5 Modal claims are claims concerning necessity, possibility and impossibility. Roughly, something is necessarily the case if it couldn't not be the case, possibly the case if it might be the case, and impossible if it couldn't be the case. Talk of contingent things is talk of things that are possibly not the case (i.e. things that might not have come to pass).
- 6 Does anything else exist necessarily? Well, in Meditation V, tying up the Ontological proof, Descartes says that he 'cannot conceive of anything other than

God alone, to whose essence existence belongs of necessity.' I take it that, for Descartes, this is not simply a claim about the limits of his understanding, but a claim about what there is.

- 7 So the answer to the question, 'could God bring it about that something other than God had existence as part of its essence of necessity?' would seemingly have to be 'no'. More of this sort of issue later.
- 8 McFetridge (1990, pp 179–80) argues that Curley's iterated modality claim actually commits him to the Frankfurt 'no necessity' view.
- 9 Descartes in the quotation is talking about God's *existence* as the 'most eternal' truth, but I am assuming here that all the property facts are bound up with the existence fact (God being simple).
- 10 I leave to one side the question of whether this is the same thing as God's being omnipotent.
- 11 Supposing, of course, that the 'anything' refers to 'anything dependent on God' rather than 'anything at all, including those things true of God, that he exists, and so on'.

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Christopher Cowley

In praise of Fudge:

[Euthanasia]

and the law

The debate surrounding voluntary euthanasia (physician-assisted suicide) is usually couched in very personal terms: what are the individual's rights? How can we best respect his autonomy? Is he rationally competent to decide such a serious matter? Non-voluntary euthanasia (of, say, a comatose patient) is equally focused on the individual, using the language of 'best interests'. The thought is that if we can work out what we owe the individual, then everything else ought to follow; above all, the law can be modified to protect or enforce that obligation to the individual. After all, it is widely accepted that the law's function is purely to mediate and regulate relations between individuals.

I want to suggest that this is a simplistic understanding of the law's function, at least in the euthanasia debate. The law also has an important *symbolic* function, namely to express a society's deepest-held values, in this case the absolute sanctity of human life. Such a categorical symbol, however, is compatible with a certain inconsistency and non-transparency in the application of the law: in short, a deliberate fudge. The result is that euthanasia is officially condemned but, in limited cases, privately tolerated. I will be defending this arrangement.¹

The euthanasia debate

I will assume that the main points on either side of the debate are well known by now, and I will only recapitulate them briefly.² On the one hand are the stock of arguments that flow essentially from John Stuart Mill's Harm Principle, the basis for so much of liberal thought. Everybody can do exactly what they like, so long as they do not *harm* anybody else in the process: only then can the state justifiably intervene. Famously, this allows an individual to harm himself. This is not the end of the matter, of course, for 'harm' is sometimes difficult to define.

This basic liberal right has given rise to other individual rights, which were famously cited by Diane Pretty in her request for assistance in suicide. Pretty was suffering from a slow degenerative disease, and reached a stage where she was physically incapable of killing herself except by the prolonged and painful process of starving herself to death. She therefore asked that her husband Brian be granted immunity from prosecution if he helped her commit suicide. According to the Suicide Act 1961, committing suicide is not a crime in England, but assisting someone else's suicide is. Pretty argued that, according to the European Convention of Human Rights (now enforceable against public authorities in the United Kingdom³),

she had three rights that were presently denied to her by the Suicide Act: (i) the 'right to life' entailed a right to die at a time and in a manner of her own choosing; (ii) the right to be free from 'degrading treatment' entailed a right to rid herself from the disease that was causing such treatment; (iii) the right to 'respect for private and family life' suggested that Pretty's decision to commit suicide was a private one. Pretty appealed the judgement several times, and was ultimately rejected by the European Court of Human Rights in Strasbourg.⁴

On the other side of the debate are two principal arguments, the first individual-focused. Any acceptance by the state of a conscious individual's decision must be based on that individual's competence. That means that the individual must be able to understand the situation he is in, understand the options available to him, and be sufficiently able to weigh the options and make a decision between them, without undue coercion or enticement by third parties. This principle grounds the doctrine of informed consent in all legal transactions, from buying a pair of socks to accepting or refusing any kind of medical treatment.

As such, a competent patient can refuse all medical treatment, knowing that he will die as a result. This is perfectly legal and, in the strict legal sense, is not euthanasia.⁵ What is prohibited by law is sometimes called



'active' euthanasia, where a drug is administered in order to shorten life. But even if treatment-refusal is legal, doubts can be raised about whether *anyone* can be competent enough to truly understand what it means to die: the sheer irreversibility of it, the bleak fact of being denied any further choices beyond this one. In addition, any competent decision has to be free of 'undue coercion or enticement'. The worry is that if the law explicitly permitted euthanasia in carefully-defined cases, this would increase the risk of family members – especially those standing to inherit – 'leaning' on the patient and thereby influencing his decision, at the very least inducing a guilt that he is a 'burden'. This is already possible under the present system, but would be made worse if the law were liberalised further. While not a conclusive argument against euthanasia, it does at least suggest that *extensive* discussion with the patient will be required to ascertain their wishes.

With regard to clearly incompetent patients, especially those in a coma, or permanent vegetative state (PVS), the landmark legal case in England was that of Tony Bland in 1993.⁶ Bland had been in a coma for four years, and there was no grounds for hoping in a recovery. The case was important in three respects. (i) It was agreed that it was not in a PVS patient's best interests to continue life in this state. (ii) Bland was breathing normally, and so no ventilator could be switched off. However, he obviously required food and water to be administered artificially. These were now to be designated 'medical treatment', and therefore could be withdrawn on the grounds of medical futility. The controversial result was that Bland was effectively starved to death.⁷ (iii) This judgement explicitly declared that this act was not to be considered one of 'euthanasia'.

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[Euthanasia]

The more familiar argument against euthanasia is the so-called 'slippery slope'. Instead of an individual-focused argument, this one is society-focused. Under the present system, killing another human being is very serious, and this is reflected in the severe punishment for murder and manslaughter. Legally permitting certain types of physician-assisted suicide would gradually come to undermine the widespread social reluctance to kill, thus leading to further relaxation of the law in future. Such future relaxations would have unpredictable consequences, but the slippery slope proponents worry that they could result in eventually permitting acts which we would not even consider now, e.g. killing people with slight mental or physical disabilities. One only has to look at attitudes to abortion since the Abortion Act in 1967 to see how societal attitudes there have changed, and many people feel great unease about the present policy of abortion 'on demand'.⁸

Finally, the slippery slope will also undermine two other important elements in medicine: it will corrupt doctors themselves, and it will corrupt society's view of doctors. After all, doctors are meant to be – and are meant to be seen to be – in the business of curing and healing with all the skill, tools and knowledge at their disposal. At the very least they can slow the progress of inevitable disease. The slippery slope argument warns against a future where doctors would come to consider – and again, would come to be seen to consider – killing as a viable option a little too soon.

The nature of the fudge

I do not want to develop or defend any of the above arguments for or against euthanasia. But what I say will be related to the societal attitudes which the slippery slope was meant to endanger.

As I said, active euthanasia is illegal; on the other hand withholding treatment, even when this is certain to result in the patient's death, will be legal when the patient competently requests it, and may be legal when the patient is incompetent. But the situation surrounding the word 'active' is not so clear. If I inject a patient with potassium chloride, this has no known therapeutic benefit and my intention can only be one of deliberately causing death.⁹ However, many analgesics, while relieving pain, also have the well-known side-effect of injuring an already fragile body and thus hastening death. When treating a terminally ill patient in great pain with diamorphine, am I *primarily* relieving

the pain, or am I accelerating death? This is called the 'double effect' – two effects are known to result from a single procedure, but only one of them is directly intended. If I administer the diamorphine, knowing that death will be accelerated, the principle of double effect says that I can defend myself against the accusation of murder or manslaughter by describing my principal intention as being that of relieving pain – if I could have achieved pain-relief without death, I would 'of course' have chosen it.

There are some obvious problems with the principle. First of all, it requires some sort of clear understanding of the *severity* of the pain, such that nothing else can be used except a drug with such lethal side-effects. Second, it is open to obvious misuse: I can eliminate a business rival by pushing him under a passing lorry, and then claim that my (quite innocent, your lordship!) intention was merely to remove him from the market. Third, if both effects of an action are *known*,

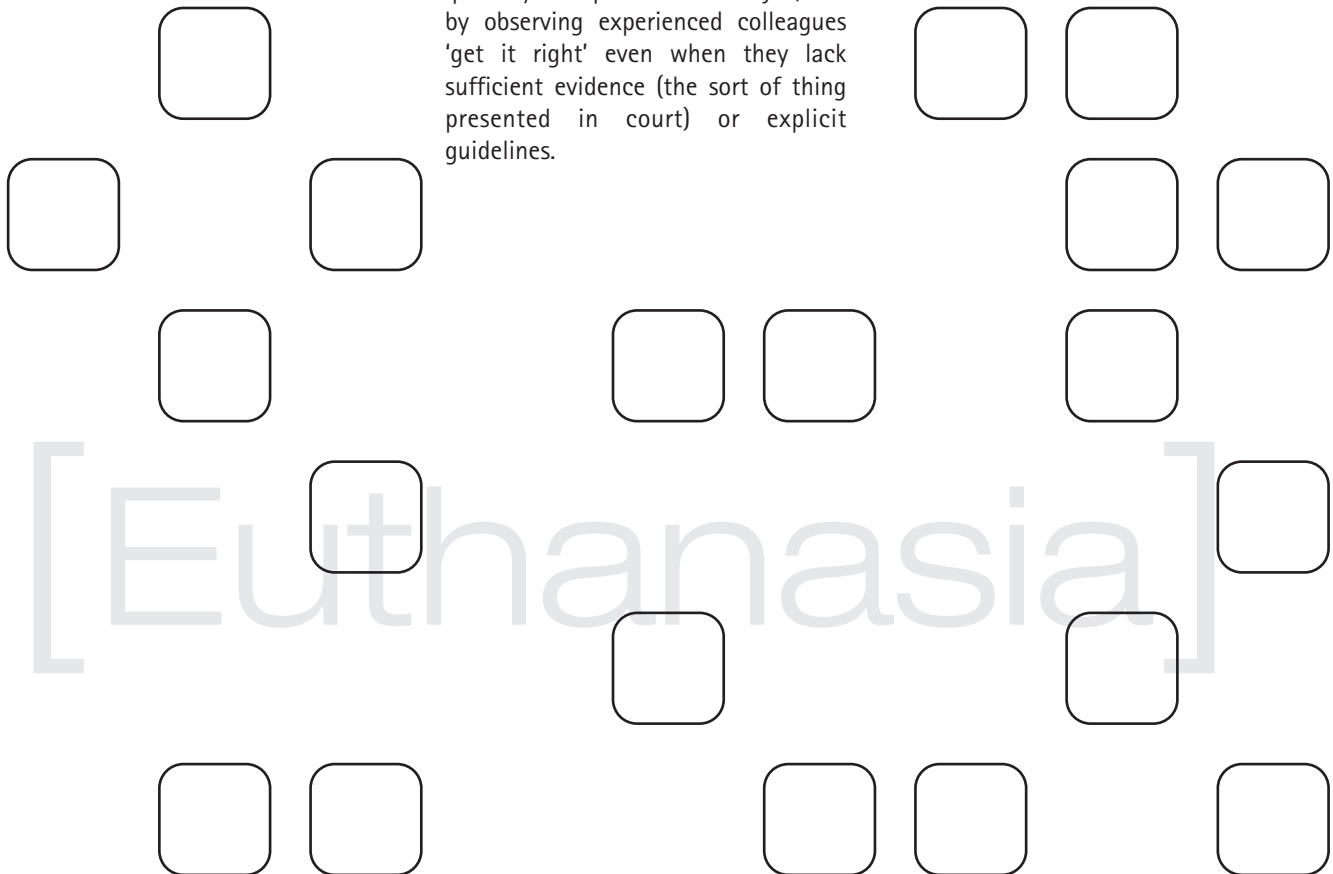


then there is a real sense in which I can be said to have *intended* both effects: they were a package deal, it was both or nothing, and I knowingly chose both. So the principle of double effect is hardly a very robust defence against a full-blown accusation of manslaughter. Nevertheless, it is enough for the legal fudge to work.

The fudge I'm talking about is the known gap between theory and practice. Officially euthanasia is prohibited, and this prohibition would also override any attempted defence on the grounds of double effect. In practice, however, the law regularly turns a blind eye to the occasional dose (or slightly higher than usual dose) of analgesic.

We need to understand the difference between a fudge and discretion. Discretion is where the law *cannot* by nature be any more precise. A policeman on the beat is given certain powers, e.g. to stop and search, and in his training he will receive *general* guidance on the sort of circumstances that would legally justify a stop and search. But it is impossible to specify every possible circumstance, to specify one set of circumstances down to the tiniest detail, and to expect the policeman to compare the situation before him to that in the rulebook so precisely. So the policeman has to use his discretion, sometimes called his judgement. The quality of his judgement will also depend on the judgement he is forced to exercise in ordinary non-professional situations, but above all he will be helped by the quantity of experience on the job, and by observing experienced colleagues 'get it right' even when they lack sufficient evidence (the sort of thing presented in court) or explicit guidelines.

Back to the fudge surrounding euthanasia. The reason this is not a question of judgement or discretion is that the law *could* be made much more precise, and *could* be enforced much more effectively. But the thought behind the fudge is that it is somehow better if it remains vague and general. Interestingly, the current fudge can be criticised by both opponents and proponents of euthanasia: opponents claim that a vague law allows too much euthanasia, proponents that it does not allow enough of the right kind. Surely *any* law, both sides argue, if there is to be any point to it, has to be made as precise as possible and enforced as much as possible, otherwise it would just be a bit of paper.



In addition, the spectre of Harold Shipman now haunts the euthanasia debate. For wasn't he able to get away with the two hundred or so murders precisely because of an irresponsible lack of supervision within the medical profession and the law? Opponents of euthanasia will call for much tighter and more explicit legislation to prevent future Shipmans. For the perverse possibility exists that Shipman might even have thought that he was acting in his victims' best interests. Indeed, he might even have believed that he had obtained their explicit consent to that end. The answer, conclude the opponents, is more precise guidelines, tighter supervision, accountability and record-keeping.

Proponents of euthanasia, such as the Voluntary Euthanasia Society, will agree to tightening up the net to prevent future Shipmans, but will argue for explicit criteria that patients would have to meet in order to be granted their wish to die. In other words, euthanasia should be bound by the principles of the ideal contract: each side is free and informed about the present situation, about the available options and their consequences, and no undue enticement or coercion is involved. The purpose of the law is to regulate the contractual intercourse, enforce it if necessary, and prevent the violation of its terms, and all of this should be open and explicit.

In defence of fudge

The problem with this criticism is that the law is often *more* than an instrument for regulation and enforcement; it is also a powerful symbol of the most important values in a society. Think about the intricacies surrounding immigration and

citizenship law, for example. And so it is the case with euthanasia.

On the one hand, the present law expresses an unequivocal message about the value of life – of *any* human life, even the most handicapped or the most comatose – and about the seriousness of harming or taking it. Normally, the only plausible defence for killing another is in self-defence, or in deferred self-defence as part of a defending army. And even though some see a tenuous link between abortion and self-defence (the mother defending herself from the 'parasite' foetus), this is not plausible at all in the case of euthanasia.

On the other hand, the law *implicitly* acknowledges that some situations can truly be so awful for a patient that it does make sense to say that they would be 'better off dead.' Cases of great suffering during a terminal illness, reinforced by direct entreaties by the patient, would seem the most likely case. But this acknowledgement has to be implicit, because the whole point of the principle of sanctity of life would be lost if it were thought of as subject to explicit qualification in this way.

However, this fudge goes against the dominant tradition of moral philosophy in the modern West, a tradition that is often called 'realist' – in the sense that there is a real truth of the matter of what ought to be done in this situation, and we (doctor, patient, legislator) just have to discover that truth and act accordingly. Praise and blame then follow for performing or neglecting the morally correct action. There are two implications of this moral realism. (i) The truth is in principle universally *transparent*: we can *all* search for it and discuss it – and are accountable to it – without regard for our respective

positions in society. (ii) The law, beyond its role of regulating society in arbitrary ways (e.g. driving on the left), is also designed to reflect mainstream moral norms and provide an instrument for enforcing compliance.

Moral realism is certainly plausible as a framework for understanding most of the moral business of society. But it contains a certain oversimplification of the modalities of prohibition, permission and obligation that can become problematic. It is possible and very familiar, for example, to be obliged and yet not obliged to do an unpleasant family duty. The practice of gift-giving and forgiveness is not entirely subject to precisely codifiable rules of obligation, nor is it always clear what praise or blame is appropriate. The normally laudable demand for consistency and transparency can be out of place in the clutter and confusion of human affairs. This is not because the clutter and confusion *prevents* the achievement of the transparency ideal in the same way that, say, human selfishness might prevent the creation of the socialist utopia, for it can still make sense to strive for a utopia. Instead, I am suggesting that some aspects of human affairs are *essentially* resistant to the transparency ideal. As soon as one lays down rules for gift-giving (as one does with children, for example), then what is being given is no longer a gift in the full sense of the term.

And so it is that the law can declare euthanasia to be an unequivocal wrong, and yet implicitly acknowledge that it is sometimes for the best. Such matters on the fringes of life are essentially opaque. One way to see this intuitively would be to consider the responses of praise and blame. According to the realist model, praise and blame is logically connected

unproblematically to the performance or neglect of the morally correct action, a crude sort of reflex-reaction, if you will. However, even if it were best that this patient should die, it would surely be perverse to *praise* the doctor for carrying it out. The act of euthanasia is a loss for everyone involved, an occasion for sadness even if not always for grief, a time to curse the gods for their inscrutable cruelty. Such desolation is not alleviated by talk of patients' rights or by smug back-patting.

The intimacy of the final hours

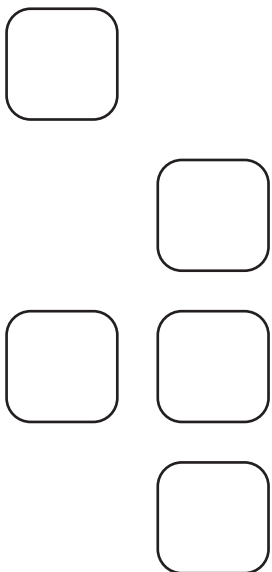
What the present system does mean is that we have to trust doctors. Trust is a tricky notion. At the core it means going beyond the available evidence and giving the other the benefit of the doubt. But there is a distinction between reasonable and unreasonable trust; I trust my doctor to diagnose my kidney infection because I lack the relevant expertise by which to formulate a specific and serious doubt. As long as I believe that he has been properly trained and accredited, then I take the pills he prescribes me.

It is very easy to point at Shipman and say the we need more institutional safeguards, but this will then force us to trust the safeguards and those who designed them. At some point there has to be trust, or else no institution would work at all, and I would never get out of my bed in the morning out of sheer paranoia.

There is more to trust than this, however. I trust my GP to prescribe me the right pill, but in so doing I am trusting, as it were, the profession rather than Dr. Jones. As traditionally conceived, however, the GP gets to *know* his patients over the longer term. This knowledge is more than expert knowledge of the human body and its mechanical defects; it is also a

knowledge about life, about people, and especially about *this* person, his patient. There is a lot the GP will come to know about the patient which he can't even articulate beyond saying 'that's not what Mrs. Smith would want.' Those demanding greater transparency and consistency, more detailed medical notes and clear application of rules will be disappointed by this process, and will be afraid of its potential for abuse. But I think it's safe to say this arrangement is not being abused. Those individuals who choose to become GPs have to already have an interest in and concern for ordinary people, otherwise they would not be attracted to the job or endure it.

What I am building up to is the scenario where a GP is alone with a terminally ill patient. There is no more that medical technology can do except ease the pain. These moments are extremely intimate precisely because of the proximity of death; there is no reason for the patient to hide anything. And it is this intimacy, this utter privacy, that grounds the trust and the knowledge required for the GP to make a decision about euthanasia, far removed from the glare of the parliamentary legislative committee. It is not an accident that many GPs say they feel 'privileged' to have shared such final hours with their patients.



[Euthanasia]



Notes

- 1 Alexander McCall Smith also supports the current fudge, although for slightly different reasons. See his 'Euthanasia: the strengths of the middle ground' in: *Medical Law Review*, vol. 7, Summer 1999. A much more extensive defence of the status quo, including a comparison with the experience in the Netherlands and Australia, is provided by John Keown, *Euthanasia, Ethics and Public Policy: An Argument Against Legislation*, CUP 2002.
- 2 The literature on euthanasia is vast. For a concise, straightforward and balanced account of these points, see Stoffell B. 'Voluntary euthanasia, suicide and physician-assisted suicide' in: Kuhse H. and Singer P., *A Companion to Bioethics*, Blackwell 1998. The British Medical Association's view is available from: <http://www.bma.org.uk/ap.nsf/Content/Physician+assisted+suicide:+The+law>
- 3 According to the Human Rights Act (HRA) 1998. It should be noted that the UK was always a party to the European Convention. What the HRA changes is the local enforceability.
- 4 A good discussion of the Pretty case is available in Brazier M., *Medicine, Patients and the Law*, 3rd ed. Penguin 2003, p. 445-447. The ruling is available on-line at: <http://www.echr.coe.int/Eng/Press/2002/apr/Prettyjudepress.htm>
- 5 At the same time as the Pretty case, there was a woman named Ms B., who was being kept alive on a ventilator. She asked for the ventilator to be switched off, knowing full well that she would die as a result, and was judged to be competent in her request. Peter Singer famously argued that there is no ethically relevant distinction between competently refusing life-saving treatment and competently demanding a lethal injection. See his 'Ms B and Diane Pretty: a commentary,' *The Journal of Medical Ethics*, 28 (2002)
- 6 See Brazier, *op. cit.* p. 449-453
- 7 This ruling is now being challenged by Lesley Burke. Burke is suffering from a degenerative brain condition which will eventually put him into a PVS. He wishes not to be starved to death once in the PVS. See the following BBC news item: <http://news.bbc.co.uk/1/hi/health/4544799.stm>
- 8 Strictly speaking, the 1967 Abortion Act states that any abortion prior to 24 weeks' gestation requires the consent of two practising doctors. In practice, however, it is easy to find two doctors to consent without asking many questions. This is another example of a fudge in the law, but one that needs correcting, I would argue.
- 9 I am referring to the case of Nigel Cox, who in 1992 administered a lethal dose of potassium chloride to a dying patient, for which he was convicted. For further details, see Keown, *op. cit.* p. 11 ff.



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[Euthanasia]

D J Sheppard

'A bit deaf and short-sighted':
Plato's [Critique]
of Democracy

*Non est consilium in vulgo, non ratio. Cicero*¹

Who, today, will dispute the principle of democracy? In western political discourse at least, its victory is all but complete; the democratic ideal is constitutive of our socio-political ethos. That said it is of the nature of democracy that it remains a contested concept. Debate continues over which model of democracy best embodies the ideal – liberal, participatory, social or deliberative – and, related to these theoretical discussions, more immediate controversies abound: in the UK, a post-election debate about the credibility of the 'first past the post' system for elections to Westminster; in the European Union a debate over the 'democratic deficit' that threatens to undermine the legitimacy of EU institutions; internationally, a debate about the ethics of imposing democratic values on those nations that do not possess them – should undemocratic regimes be removed by force? Should economic aid be tied to democratic reforms? And so on. But the principle that the authority to govern is only legitimately conferred by the governed is the focus of a rare consensus. The state that would be just is the state that would be democratic; to suggest otherwise, whether from the Left or from the Right, is to consign oneself to the fringes of political discourse; to invite, as Socrates understands, being 'drowned in contempt' (473c).²

Against such a backdrop, the unstinting critique of democracy contained in Plato's *Republic* retains

the power to shock.³ Indeed, read alongside the authoritarian alternative to democracy proposed in the dialogue, it has the potential to estrange the reader from Plato like nothing else in his thought. On the assumption that the philosophical and the political are inextricably linked in the vision of the ideal state, Plato's critique can colour the reader's view of the dialogue as a whole. It might even prompt the question why the study of a text manifestly alien to our democratic traditions is deemed so central to a philosophical education.⁴

The aim of what follows is not to diminish that potential estrangement, as some commentators are inclined to do,⁵ but to insist upon it, and emphasise Plato's attack on democracy in all its (vain) glory. In what, precisely, does Plato's critique consist? Is it coherent? What challenge, if any, does it present to us? To consider these matters I shall examine the portrayals of Athenian democracy in the similes of the ship (488a–489a) and of the beast – or 'large and powerful animal' (493a–c) – and the explicit confrontation with democracy and the democratic character in Books VIII–IX. As we shall see, Plato asks a number of searching questions about democracy and highlights many of its weaknesses. The sum effect of Plato's critique, I shall suggest, is twofold. On the one hand it clarifies precisely why we hold the principle of democracy so dear. On the other hand it presents us with a

challenge, perhaps the most significant challenge faced by democratic politics in the twenty-first century. One of Plato's principal complaints about democracy is that its horizons are restricted to the present moment. What Plato challenges us to construct, I shall argue, is a democratic polity that understands its responsibility to the future.⁶

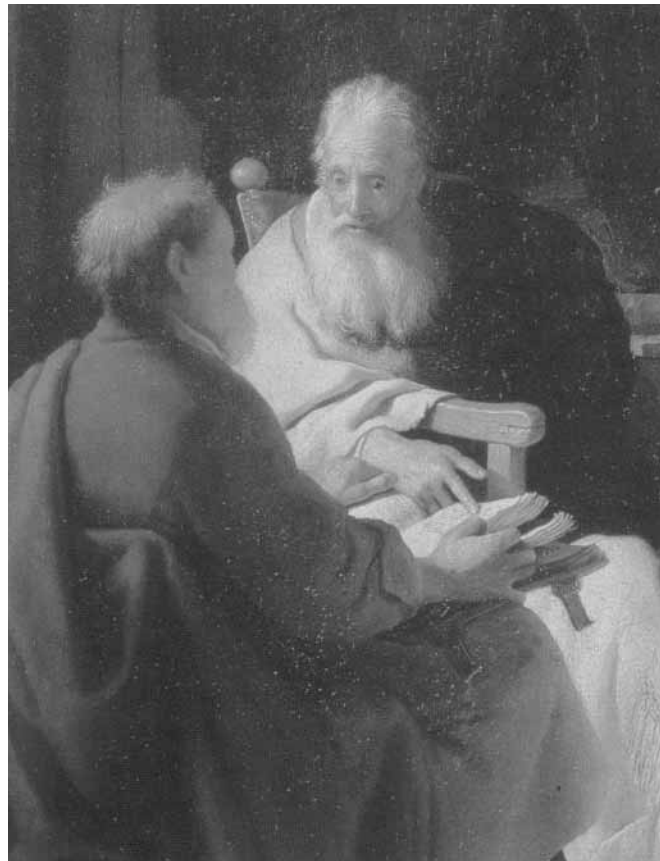
One does not have to have read as far as the simile of the ship in Book VI to appreciate that the *Republic* is not an argument for democratic pluralism. The description of the just state, as it emerges in Books II–V, makes this abundantly clear. It is a distinctly authoritarian state that Socrates outlines in which political decision-making is the preserve of a ruling elite whose legitimacy is based not on the consent of the citizenry but on their fitness to rule.⁷ However, it is only with the question of how the ideal state is realised that the dispute with democracy, as descriptive of the status quo in Plato's Athens, is made explicit. Socrates declares that the ideal state can only be brought about once philosophers become rulers (473c–e). Adeimantus is extremely sceptical: of the philosophers he knows, most of them become rogues; 'while even those who look the best of them are reduced by this study you praise so highly to complete uselessness as members of society' (487c–d). How is

it possible that such figures are the saviours of the state?

The context is important if only to note that Socrates' purpose in the simile of the ship is not, as such, to expose the failings of Athenian democracy. Rather it is to account for why the philosopher is marginalized in contemporary society. Concerned in the first instance with the purported 'uselessness' of the philosopher, Socrates asks Adeimantus to imagine the state or *polis* as a ship, and the citizenry as the captain, 'larger and stronger than any of the crew, but a bit deaf and short-sighted, and similarly limited in seamanship' (488a-b). The politicians are the ship's crew, 'all quarrelling with each other about how to navigate the ship, each thinking he ought to be at the helm' (488b).⁸ Socrates describes a democratic arrangement in which the citizen electorate is sovereign, but only in theory, since in practice it is not fit to exercise its authority and depends on a political class to advise it. However, there is no consensus as to what the advice ought to be. The ultimate source of the problem is quickly identified: none of the squabbling crew possesses the true *techne* or art of navigation needed to guide the ship, indeed no one believes that such a *techne* exists (488e). Their arguments are conducted in the name not of truth but of power, though their motivation for seeking power is unclear until we learn that their ultimate purpose is to 'lay out the

honest captain [...], take control of the ship, help themselves to what's on board, and turn the voyage into a sort of drunken pleasure-cruise you would expect' (488c). In short, their motivation for entering politics is the opportunity it affords for self-aggrandisement and the satisfaction of material desires.

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[Democracy]

The result is a radically unstable situation in which democratic conflict is forever threatening to descend into internecine violence: 'If one faction is more successful than another, their rivals may kill them', Socrates observes (488c). The implication is that democratic politics is little more than verbal civil war. In such a system the esteemed figure is the arch-manipulator, 'the man who knows how to lend a hand in controlling the captain by force or fraud' (488d). The true navigator, on the other hand, who 'must study the seasons of the year, the sky, the winds, and all the other subjects appropriate to his profession if he is to be really fit to control the ship' (488d-e) – and who represents the philosopher – is ignored. Significantly, the philosopher-navigator does not simply *appear* useless to the likes of Adeimantus, he *is* useless. This is because on the democratic ship of state the natural order is inverted: 'it is not natural'. Socrates maintains it is inappropriate 'for the master to request the crew to be ruled by him... [It is] not for him to beg them to accept direction' (489b-c). By right they ought to be asking him, as the only one who possesses the knowledge and qualities required to rule in the name of the good. But in a democracy the philosopher finds no place, or at least, he does not find his natural place.

There is much that we might recognise here: an ill-informed electorate every bit as 'deaf and short-sighted' as Plato's, and dissembling politicians whose priority is the pursuit not of truth but of office. We might also recognise the factional and adversarial nature of British political debate in the quarrelling of the crew, and in the 'man who knows how to lend a hand' see the 'spin-doctor' and the special advisor. On the other hand, it might be

said that in drawing such parallels we are allowing ourselves to be seduced by Plato's cynicism. It might be argued that in Western liberal democracies the electorate as a whole is better educated and has access to more information now than at any time, and often shows itself capable of acting independently of the advice given by its political masters. (As I write, it has been announced that, following the French 'no' vote, the Dutch electorate has rejected the proposed European Constitution, despite the support for it from all the mainstream political parties). The political scramble for power witnessed during election campaigns may seem undignified, but, one might counter, to suggest that politicians' sole motivation is the lust for power and that they seek only to serve their own personal interests is unjustified; generally, politicians believe in the truth of what they say and consider themselves to be pursuing something like the common good. Moreover, it is inaccurate to describe the liberal democracies of the West as forever teetering on the brink of civil war and tyranny. One must never be complacent about such matters, but the separation of executive, legislative, and judicial powers in constitutional democracies does much to reduce the risk of democracy collapsing into tyranny. Least recognisable of all, perhaps, is Plato's insistence that democracy is a perversion of the natural order; we hold with equal certainty the contrary view that individual liberty is a natural right. As Isaiah Berlin expressed it, 'to be free to choose, and not to be chosen for, is an inalienable ingredient in what makes human beings human.'⁹

Further to the last point, the democrat might also call attention to the basic premise of the simile itself.¹⁰ As we have seen, Plato distinguishes

between the Protagorean relativism of the crew, who believe that there is no objective *techné* of seafaring, and the true navigator who possesses precisely such a *techné*. On the basis of this distinction, Plato wishes to draw a parallel between the seafarer's ability to navigate and the philosopher's ability to rule (489c). Yet it might be argued that the analogy is a false one; the genuine parallel is between on the one hand the ability of the philosopher to rule, and on the other *both* the seafarer's ability to navigate *and* the ability of the ship's owner or – more to the democratic point – the ship's passengers to choose a destination. Consequently, in constructing the simile Plato elides the difference between means and ends; that is, the difference between questions concerning what is to be done as an end (what shall be our destination?) and questions concerning the means to attaining that end (how do we best navigate our passage to that destination?). Like the crew, the democrat contests the assumption that there is a natural elite who possess – or who can possibly possess – absolute knowledge about the ends of moral and political action. Rather it is essential that the two competences are separated, as they are in a constitutional democracy where an executive is charged with putting into effect what an *elected* legislature agrees are the desired ends. In sum, the democrat does not contest the simile if the ruler-navigator analogy is limited to the suggestion that politicians require expertise to carry out the tasks delegated to them by the people's elected representatives. The irony is that, as Plato constructs it, this is all the analogy permits.

II

The occasion for the simile of the beast is the discussion of the other aspect of Adeimantus' challenge: 'why are most philosophers rogues?' (490d). Socrates' aim is to show that their environment corrupts aspiring philosophers; that 'most gifted characters become particularly bad if they are badly brought up' (491e). It is not individual sophists who corrupt young men, he insists, it is the public 'who are themselves sophists on a grand scale', and who deluge the young philosopher 'in a flood of popular praise and blame' until 'he finds himself agreeing with popular ideas of what is admirable and disgraceful, behaving like the crowd and becoming one of them.' Coupled with the punishments that the public can impose on those who refuse to bend to their collective will, Socrates asks how anyone could possibly be expected to resist such pressure (492a-e).

Plato articulates a familiar complaint: that popular opinion has a corrosive levelling effect on the standard of public debate. As Oscar Wilde put it, 'public opinion exists only where there are no ideas.'" In a democracy, the political consequence is that the ruler's skill lies in catering to the desires of the lowest common denominator. This is what the sophist offers to teach the would-be politician: 'nothing but the conventional views held and expressed by the mass of the people when they meet; and this they call a *techne*' (493a). The simile of the beast follows as an illustration: 'Suppose a man was in charge of a large and powerful animal, and made a study of its moods and wants'; over time he would learn how to handle the animal, how to pander to its various desires. This learning he could systematise and call a *techne*, and then 'set up to teach it' (493a-b).

However, Socrates continues, such a *techne* would be unconcerned with which of the animal's desires 'was admirable or shameful, good or bad, right or wrong'; oblivious to the rational account of the good, he would simply use the term to describe what pleased the animal (493b-c). Such a man would be like the democratic politician who, in submitting his public service to the judgement of the masses, goes out of his way 'to make the public his master and to subject himself to the fatal necessity of producing only what it approves' (493c-d). The masses, Socrates concludes, will never approve of true philosophy, so the philosopher's corruption is inevitable (494a).

[Democracy]

The diagram consists of several empty rounded rectangular boxes arranged in a grid-like pattern. There are 18 boxes in total, organized as follows:

- Row 1: Two boxes on the right side.
- Row 2: Two boxes on the left, two in the middle, and one on the right.
- Row 3: One box on the left, one in the middle, one on the right, and one on the far right.
- Row 4: One box on the left, one in the middle, and one on the right.
- Row 5: One box on the left, two in the middle, and one on the right.
- Row 6: One box on the right side.

Much in the simile of the beast reiterates what has already been said in relation to the simile of the ship; most importantly, that in a democracy reason is usurped by desire, and any objective account of what is for the best is sacrificed to the subjective satisfaction of material desires. However, perhaps the most interesting contrast between the two similes is that whilst in the simile of the ship the electorate are depicted as the dupes of manipulative politicians, in the simile of the beast this is not the case. In this regard the simile of the ship is echoed in the simile of the cave, where the prisoners are in the thrall of those who orchestrate proceedings from behind the curtain wall (see 514a-515c). By contrast, in the simile of the beast the electorate is in charge, presented as a 'large and powerful' animal to whose desires it is essential that the politician cater in order to retain his position. Again, this is a picture that we might claim to recognise: politicians formulating policies on the basis of focus group research rather than a coherent political agenda, pandering to the whims of voters in 'Middle England' instead of leading public opinion. However, we tend to make this accusation only when the government does not follow the policy that our personal focus group would have them adopt. We are committed as to a fundamental principle to the idea that the governed should choose their governors; as Berlin maintained, to be chosen for is inimical to our sense of what it means to be human. For example, I would venture to suggest that, irrespective of the position one takes in the debate over the European constitution, it is difficult for even the most zealous Europhile not to feel a *slight* democratic thrill at the inconvenience caused to the European political elite by the recalcitrant voters of France

and The Netherlands. Ultimately, we rather approve of the vision of democracy presented in the simile of the beast. We are comfortable with the idea that the skill of the democratic politician lies in following the wishes of the electorate, rejecting as we do the possibility of a natural elite in possession of a *techné* of absolute ends and assuming as we do that the wishes of the electorate are in some measure informed by reason.

Of course, it is precisely the latter assumption that Plato contests: democracy is equated with the rule of the desiring rather than of the rational part of the soul. What Plato would seem to be unsure about is whether or not democratic electorates get the politicians they deserve: the simile of the ship suggests not, the simile of the beast suggests that they do. Is it the fault of politicians that public debate is so often reduced to the level of 'sound-bites' and slogans? Or is it because it is only at this level that most of the electorate are willing or able to engage in the debate? In the twentieth century the hope was that mass secondary education would produce a politically informed and engaged electorate. It might be argued that this represents an increasingly forlorn hope. Plato would certainly consider such a hope to be utterly misguided.

III

As we have already mentioned, neither the simile of the ship or the beast is concerned with the critique of democracy as such, and whilst they reveal much about Plato's attitude to democracy, it is not until the discussion of the imperfect forms of society in Books VIII-IX that the purported shortcomings of democracy become the sole focus.

Plato describes the progressive corruption of the ideal state in four stages: timocracy – military rule – degenerates into oligarchy – literally the rule of the few, but Plato understands it as the rule of the rich – which in turn degenerates into democracy and concludes in tyranny. The discussion of each stage is accompanied by a consideration of the archetypal character that each new form of government produces.¹²

To appreciate Plato's analysis of democracy it is necessary to give attention to the account of its descent from oligarchy. The defining constitutional characteristic of an oligarchy is the electoral property qualification; it is a system 'in which power is linked with property' (553a). The result is in an ever-widening rift between the rich and the poor, who are forever plotting against one another (551d). Oligarchy descends into democracy when all restraint in the accumulation of capital is foregone. This is inevitable, Socrates maintains: 'love of money and adequate self-discipline in its citizens are two things that cannot co-exist in any society' (555c-d). In order to satisfy their respective desires, irresponsible lenders allow individuals to borrow money that they are subsequently unable to repay. The latter are ruined, and, 'with hatred in their hearts, [...] plot against those who have deprived them of their property and against the rest of society' (555d-e). Democracy comes to pass when the poor revolt and the rich are prompted, either by the threat or the actual use of violence, to relinquish their position (557a).

There is much that is questionable in Plato's account of the degeneration of the ideal state, just as there would be much to question in any attempt to see in Plato's description a mirror



[Democracy]

image of our own political situation. Nonetheless, certain parallels are striking, not least Plato's description of the development of democracy in relation to the development of what we know as consumer capitalism. Plato makes a distinction between necessary or natural desires, 'whose satisfaction benefits us' (558e) – presumably the desires for food, shelter, and clothing mentioned at 369d – and unnecessary or unnatural desires for luxuries; desires 'whose presence either does us no good or positive harm' (559d-e). In so doing Plato anticipates the distinction made in economic theory between 'needs' and 'wants', the consumer capitalism that we experience in an advanced form in which the basic needs of the populace for food, clothing and shelter are generally satisfied, and continued economic growth depends on the generation of ever-new wants. What defines the transition from oligarchy to democracy is that those who once restricted themselves to the satisfaction of necessary desires turn to the satisfaction of unnecessary ones. On Plato's account this happens because there is no principled rationale for why the oligarchic capitalist exercises restraint in the first place; he does so simply because he fears for his business reputation. However, this fear is eventually overwhelmed by the desire to accumulate further capital (554c-d), and the hierarchy between the two types of desire is eroded.

It is the erosion of all hierarchical structures in the complete victory of the desiring part of the soul that characterises the democratic state and the democratic character. Plato's ideal state is one in which the natural hierarchy between the three different classes guarantees the unity of the whole. In an oligarchy this unity is lost

as society divides into rich and poor, although a hierarchy, albeit a degenerate one, is maintained in the rule of the former over the latter. The democratic state, by contrast, is characterised by the complete absence of unity or hierarchy. Thus, if in the ideal state each individual is understood as 'a link in the unity of the whole' (520a), then in the democratic state 'the whole' signifies nothing more than a contingent aggregation of individual desiring machines: 'there will be in this *polis*', Socrates says, 'the greatest variety of individual character', and every possible way of life will be on display; an attractive prospect, Socrates concedes, but only to the simple minded (557c-d). Concomitantly, the hierarchical principle gives way to an extreme egalitarianism in which all men are treated as equals, 'whether they are equal or not' (558c). According to Socrates, in the democratic state the desire for money mutates into an equally intemperate desire for freedom, which, like the desire for money before it, is elevated to an absolute principle: 'in democracy, there's no compulsion either to exercise authority if you are capable of it, or to submit to authority if you don't want to' (557e). The lust for liberty leads to the dissolution of the most fundamental social hierarchies; sons no longer respect their fathers, and the latter respond by imitating their children in an effort to ingratiate themselves; likewise teachers are compelled to pander to their students (562e-563b).

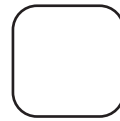
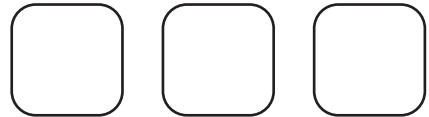
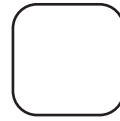
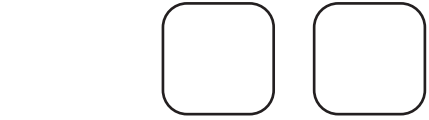
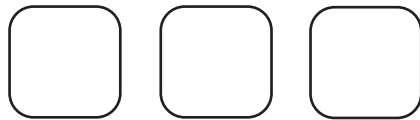
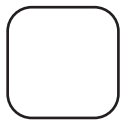
Corresponding to the egalitarianism found in the democratic society as a whole, there is also an egalitarianism of desire at the level of the individual soul. The democratic character convinces itself, in the manner of the Benthamite utilitarian, that 'all

pleasures are equal and should have equal rights' (561c). As a consequence, each individual becomes a slave to ever changing desires, a state of affairs that, at the level of society as a whole, ultimately leads to tyranny (see 562a-576b). Every desire has to have its turn: 'one day it's wine, women and song, the next water to drink and a strict diet; one days its hard physical training, the next indolence and careless ease, and then a period of philosophical study.' It is a life devoid of any 'order or restraint', although, rather touchingly, one to which the democratic character is devoted 'through thick and thin' (561c-e).

Plato's account of democracy is highly rhetorical, and, it might be argued, often lapses into unrecognisable caricature. According to Plato the practice of democracy is 'mere anarchy', to borrow a phrase,¹³ for he cannot see how the line between liberty and license can possibly be held in such a system (560e). But from the perspective of a constitutional democracy founded on the rule of law, the answer is relatively straightforward. In the liberal state freedom is not absolute, as Plato supposes, rather it is qualified. As J.S. Mill insisted, 'the only freedom that is worth the name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs or impede their efforts to obtain it'.¹⁴ In other words, the individual is free to act as he or she wills until such time as the exercise of that freedom prevents other individuals from doing the same. The rule of law is fundamental in this relation, since it defines the limits on liberty that prevent that freedom from descending into license. The absence of the liberal conception of freedom in Plato's account seriously compromises its effectiveness as a critique of any

democratic system that we would recognise. Further, it is one reason for questioning the subsequent explanation of the descent of democracy into tyranny. Plato's argument is that 'an excessive desire for liberty at the expense of everything else is what undermines democracy and leads to a demand for tyranny' (562c). Yet, as was mentioned earlier in the context of the simile of the ship, in a constitutional democracy significant safeguards are put in place to prevent just this eventuality. These safeguards are not an absolute guarantee against the fate to which Plato condemns democracy, but they certainly sufficient for us to question its purported inevitability.

Notwithstanding this fundamental disagreement over the nature of freedom, it might well be argued that Plato's democratic dystopia may yet return to haunt us, if it does not do so already. His vision of a fragmenting democratic culture united only by its capacity to consume, a culture in which the pursuit of the lowest common denominator has taken on the aura of a religious quest, is not one that we can so easily dismiss; there are too many signs to suggest that it may be uncannily prescient. Plato's observation about fathers and sons is a remarkable case in point. Before the 'invention' of the teenager in the 1950s, the period of adolescence was understood as the time during which the young took on the attitudes and demeanour of their parents in preparation for adulthood. One might wonder whether we are witness to the role reversal predicted by Plato. Rather than the son imagining the day when he will be measured for his first suit, a walk along many high streets would suggest that it is now the father who dreams of owning the same 'trainers' as his son.



[Democracy]

There is one further aspect of Plato's critique of our democratic faith in particular on which I wish to comment. We have observed that, on Plato's account, one of the dominant characteristics of the democratic character is its commitment to giving each desire its day in the sun. As a consequence, its temporal horizons are strictly limited to the present moment. G.K. Chesterton described such an ethos as oligarchic rather than democratic. His concern was the importance of tradition. 'Tradition,' he wrote, 'means giving votes to the most obscure of all classes, our ancestors. It is the democracy of the dead. Tradition refuses to submit to the arrogant oligarchy of those who merely happen to be walking about.'¹⁵ The arrogant oligarch is a perfect summation of Plato's account of the democratic character, though not only in the manner that Chesterton suggests, I would argue. Chesterton warned of the inadequacy of a conception of democracy that did not understand itself as the embodiment of tradition; the latter, he said, 'is only democracy extended through time.'¹⁶ His interest is in the relation between the present and the past, but I would contend that the criticism applies equally to the relation between the present and the future. Let us assume for the sake of argument there is indeed overwhelming evidence to support the claim that, for the sake of the future of the planet, the advanced liberal democracies of the West need to make significant changes in the manner in which they consume the earth's resources. It might be said that one of, if not the, greatest obstacle to effecting such change is democracy itself. No political party with realistic prospects of winning a General Election wants to be the one to propose that we make radical changes to our patterns of consumption today

for the sake of tomorrow, since Plato's point about the democratic character is well taken: it is primarily interested in the short term, in 'indulging the pleasure of the moment.' If ours is a democratic culture that ignores the votes of the dead, then it also ignores the votes of those yet to be born. But if this is the case, then how are we to be weaned from our arrogant belief in the superiority of the present? We are familiar with Plato's authoritarian answer to this question: place political power in the hands of those who understand the good of the whole. However, one of the consequences of the twentieth century experience of totalitarianism is that we have as little faith in Plato's remedy as we have an unshakeable faith that our right to freedom is sacrosanct. In the final analysis, it is this faith that separates us, estranges us even, from Plato. As Thomas Carlyle laments that "(L)iberty' is a thing men are determined to have",¹⁷ we applaud. The question, perhaps more pressing today than it has ever been, is what we ought to do with that liberty. The challenge is to prove Plato wrong. How, then, do we propose to exercise our freedom in the name not only of the past but also of the future? I would suggest that the answer begins with the need to conceive of democracy not so much as a liberty to be indulged in as a responsibility to be practised. The legacy of democracy may well rest on our willingness and ability to meet this challenge.

Notes

- 1 'There is no judgment in the populace, nor reason'.
- 2 All references to Plato's *Republic* are to Desmond Lee's translation (London: Penguin, 1987).
- 3 I shall assume that Plato's is a critique rather than a defence of democracy. For the latter view, see Leo Strauss *The City and Man* (Chicago: Rand McNally, 1964).
- 4 Richard Rorty asks precisely this question. In *Achieving Our Country* (Harvard: Harvard University Press, 1998), Rorty cites Plato's dialogues as examples of obsolete texts that have lost their power to transform us in the twenty-first century.
- 5 Julia Annas, for example. In her *Plato: A Very Short Introduction* (Oxford: Oxford University Press, 2003), Annas argues that, 'For Plato, democracy is the worst form of government, except for all the others.' (p. 64) We might come to this conclusion having read the *Republic*, but it is surely not Plato's conclusion, at least not in this dialogue.
- 6 Since the particular concern of this essay is the relevance of Plato's critique to our democratic faith, I shall not be considering its viability as a critique of Athenian democracy in the fifth century B.C. However, it is worth highlighting the key difference between Plato's experience of democracy and our own. For most of Plato's lifetime the *polis* or 'city-state' of Athens maintained a system of direct democracy in which all adult male citizens had the opportunity to participate in the political process at large open-air meetings. This excluded the majority of the

population, not only women but also *metics* – inhabitants of Athens of foreign descent – and slaves, nevertheless it did mean that political power was distributed beyond the aristocratic elite. At its height there were roughly 40,000 Athenian citizens out of a total population of around 300,000. By contrast, we possess a representative system with a universal franchise in which each constituency elects an individual to represent it in the legislature. What is more, it a system organised on a much larger scale; for the purposes of comparison, the size of the electorate in the UK is around 40 million. For further detail on Plato's Athens, see J.W. Roberts, *City of Sokrates: an introduction to Classical Athens* (London: Routledge, second edition, 1998).

7 On the important question of the specific particular of Plato's authoritarianism, see C.C.W Taylor, 'Plato's Totalitarianism', in *Plato's Republic: critical essays*, edited by Richard Kraut (Lanham: Rowman and Littlefield, 1997).

8 Presented in this manner, such a system would appear to more akin to a representative than a direct system of democracy. However, whilst all citizens were entitled to speak in the Assembly, we know that a group of *rhetores* or speakers emerged who made speeches on behalf of the different sides in a debate. These figures were the closest to a professional political class that Athens possessed, and are presumably the group to whom Socrates is referring in this passage.

9 Isaiah Berlin, *Four Essays on Liberty* (Oxford: Oxford University Press, 1969).

10 The following discussion is indebted to Renford Bambrough, 'Plato's Political Analogies,' in *Philosophy, Politics and Society*, edited by Peter Laslett (Oxford: Basil Blackwell, 1963), pages 105-6.

11 Oscar Wilde, 'A Few Maxims for the Instruction of the Over-Educated', in *Saturday Review*, November, 1894.

12 For a discussion – beyond the remit of the current essay – of the coherence of Plato's account in Books VIII-IX in relation to the argument in the *Republic* as a whole and of the extent to which Plato's account corresponds with the reality in fifth century Athens, see Julia Annas, *An Introduction to Plato's Republic* (Oxford: Clarendon Press, 1981).

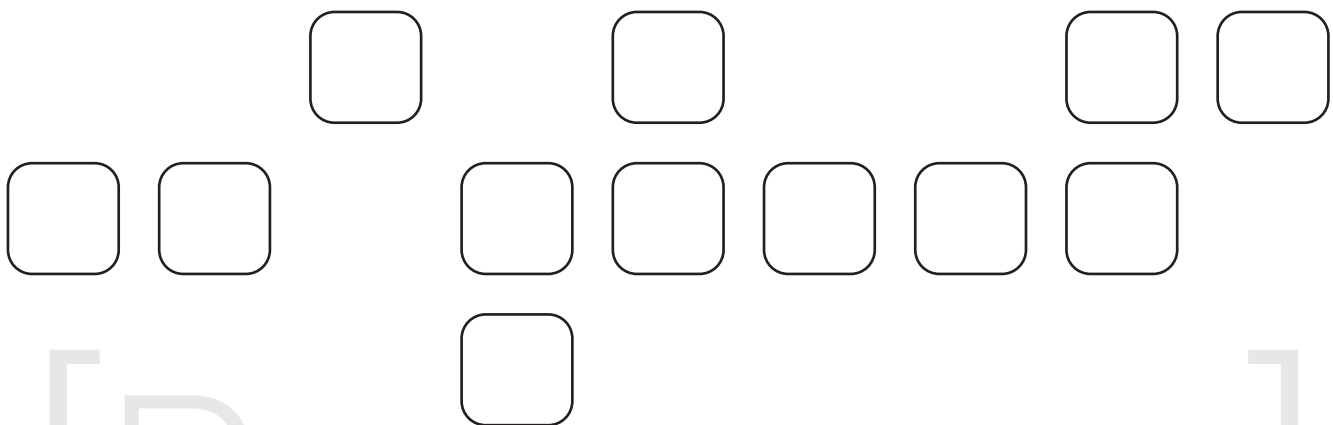
13 The phrase is borrowed from W.B. Yeats' poem *The Second Coming*, not altogether inapposite in this context: 'Turning and turning in the widening gyre/The falcon cannot hear the falconer;/Things fall apart; the centre cannot hold;/Mere anarchy is loosed upon the world.'

14 John Stuart Mill, *On Liberty* [1859], (London: Penguin), page 72.

15 G.K. Chesterton, *Orthodoxy* (London: The Bodley Head, 1908), page 82.

16 Ibid.

17 Thomas Carlyle, 'Past and Present' [1843], in *Works*, volume III, page 183 (London: Chapman and Hall, 1906).



[Democracy]

Niall Connolly

The Puzzle of Non- [existence]

I

Ontology is the subject within Philosophy, and within Metaphysics, defined as the study of *being*. Those engaged in this study concern themselves with the investigation of the general notion of being and with the question of what forms being can take (of what sorts of things there are). The puzzle of non-existence stretches the limits of our understanding of being. Imagine an ontologist drawing up a list of everything there is; the puzzle is whether this list includes things that don't exist.¹

It's a puzzle because, on the one hand, it is difficult even to make sense of the notion of *non-existent objects*. How could there be things that don't exist? If something doesn't exist does this not mean that it is nothing: that there is no such thing? So surely there are no things that don't exist. But, on the other hand, there is no shortage of (alleged) examples of non-existent objects, for instance: Santa Claus; Anna Karenina; Zeus and the Fountain of Youth. These objects seem to be available, as it were, to be thought about and talked about. Non-existent objects seem to figure in our plans (when we consider what may come to pass in the future) and our imaginings and our engagement with works of fiction. In describing the world in which we find ourselves, should we not find room for them?

II

The case for a positive answer to this question - for the answer: yes we should find room in our ontology for non-existent objects, can be made a bit more concrete.

Let's look at some thoughts that are apparently about things that don't exist. I can entertain thoughts that it is natural to describe as being 'about Sherlock Holmes', like the thought that Sherlock Holmes is a famous fictional detective. This thought isn't about any real thing² and it's not about nothing. Imagine that I am thinking that Sherlock Holmes is a famous fictional detective and that you have a somewhat similar thought: say you are thinking that Sherlock Holmes inspires many real detectives. What makes our thoughts similar? Both may involve a specific idea or concept, a concept, so to speak, of a fictional detective; but I may have read the Holmes stories inattentively and my Holmes-concept may be very different from yours (it may be more similar to your Poirot-concept than your Holmes-concept). Is not the similarity between our Holmes-concepts, and between our thoughts, best explained by the fact that they are about one and the same thing: Sherlock Holmes?

One can argue in this vein that it is necessary to posit non-existent objects to explain the nature of thought apparently about things that

don't exist. It is also necessary to posit non-existent objects, it may also be argued, to explain the truth of certain true sentences. Here are some examples:

- (1) A non-existent candidate received more votes than the Conservative contender (let's imagine this is true)
- (2) Ponce de Leon sought the Fountain of Youth
- (3) Sherlock Holmes (despite not existing) is more famous than any existing detective.

These sentences all make sense. Furthermore they are true - so the defender of non-existents would say. But that means there are non-existent objects, because these sentences state facts that involve things that don't exist.

III

These are the sort of arguments that are the basis of the case for non-existent objects. I also want to discuss the case against non-existent objects and I will add to and elaborate the arguments for the rejection of non-existents in tandem with the development of the reasons for their acceptance.

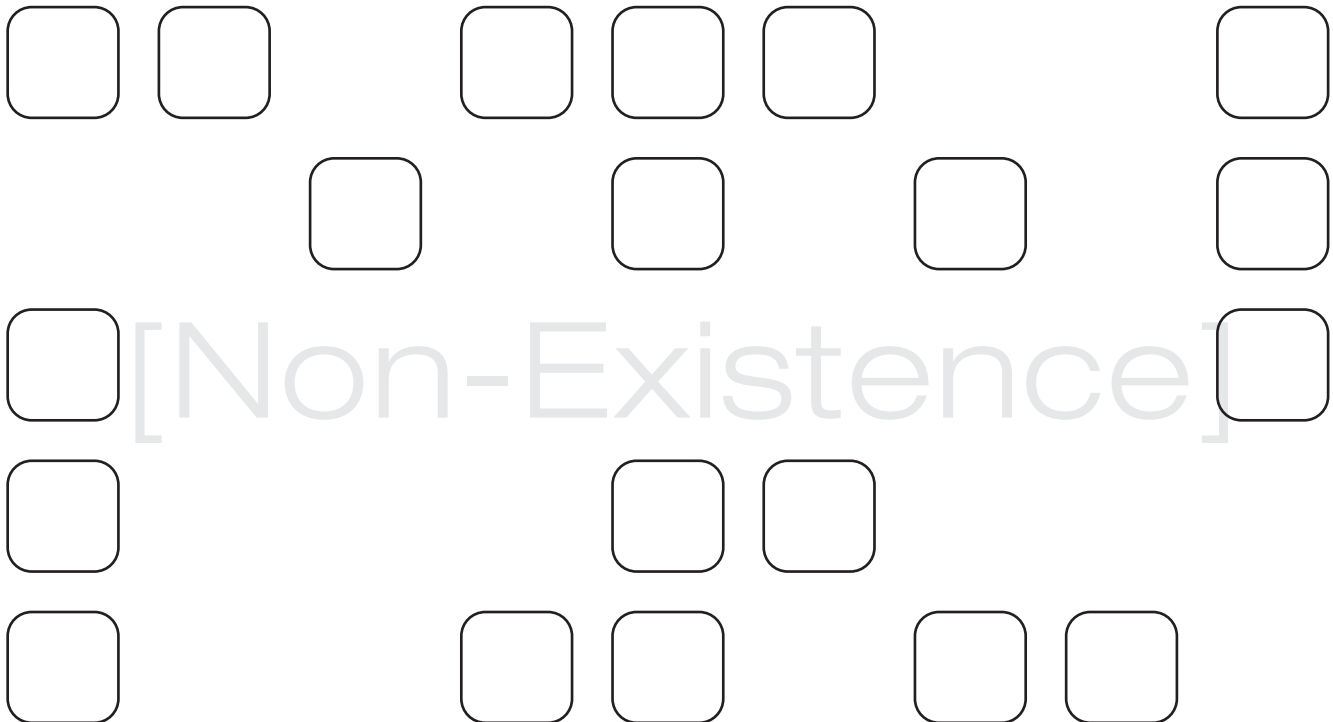
To start with there are two pressing objections to non-existent objects. The first objection says that the claim that there are things that don't exist

cannot be true because it is a contradiction. Surely, the objection goes, to say that *there is* such and such an object is just to say that such and such an object *exists*. So to say that there is something that doesn't exist is to say that there exists something that doesn't exist.

The advocate of non-existent objects must deny that to say that there is such and such an object is to say that such an object exists. This denial relies on a denial of the plausible thought that 'exists' is to be understood as applying to everything, or at any rate cannot be understood as applying to some things but not to others.³ The advocate of non-existents can point to examples of things that 'exists' doesn't – he will say – apply to. But perhaps the case for non-existent objects requires something more: not a fully developed theory of existence perhaps but at least a plausible suggestion as to what 'so and so exists' means, if not 'there is such a thing as so and so'.

The second objection that I will mention at this point contends that any attempt to say what non-existent objects *are like* is bound to be incoherent. W.V Quine's famous comments in his paper 'On what There Is' to the effect that the alleged class of non-existents is a 'slum' of 'disorderly elements' express this sort of objection. In its most general form the objection alleges that a systematic science cannot contemplate things that don't exist. More specific charges concern the alleged inability of any general account of what non-existent objects are like to give a coherent answer to specific, allegedly legitimate questions (Quine mentions questions about the identity and individuation of non-existents).

I mention this objection at this point to highlight the need, on the part of those who argue that there are things that don't exist, to bolster their case by developing a *theory of non-existent objects* – a theory that tells us something about what these alleged things are like. This is not only needed to address the objection that it is impossible to coherently say anything on this score (the objection that such a theory could not be forthcoming), but it is also needed to bolster the arguments for non-existents mentioned above. These arguments pressed the need to posit non-existent objects in order to explain the nature of certain thoughts and to account for the truths of certain sentences, but the apparent truths that are apparently about things that don't exist would be only partly explained by the fact, were it a fact, that *there are* non-existents; a full explanation would have to square these truths with the facts *about* non-existents. The case for non-existents needs a general statement of these facts.



IV

A discussion of theories of non-existent objects should start with the most famous and influential theory: Alexius Meinong's notorious Theory of Objects. The Theory of Objects can be understood to a first approximation as holding that for every collection of qualities there is exactly one object that has just those qualities. The theory posits, for example, an object that has just the qualities: *is golden* and *is a mountain* – that is, it posits a golden mountain. It also posits an object with the qualities: *is a fountain, confers eternal youth on those who drink from it* (a candidate for the referent of 'the Fountain of Youth') and an object with the qualities: *is a detective, is tall, plays the violin...* (a candidate for the referent of 'Sherlock Holmes'). A central principle of the theory is the so-called Principle of the Independence of Being (*sein*) and So-Being (*sosein*), which says roughly that the failure to exist doesn't prevent an object from having qualities. One doesn't have to exist to be a mountain; the golden mountain is no less an example of a mountain than existing mountains like Everest and K2, or so Meinong would have it.

The Theory of Objects is notorious as the target of a number of apparently devastating objections made by Bertrand Russell. Russell took the theory to entail that for every description there is an object that that description is true of; so for example on this interpretation of the Theory of Objects the descriptions: 'the golden mountain', and 'the headless horseman' succeed in specifying objects; but so, as Russell pointed out, does the description: 'the existent golden mountain', and we might add, 'the non-square square'.⁴ Whatever about non-existent golden mountains,

there is surely no *existing* golden mountain, and nothing at all could both be square and also non-square; so this is a problem for the Theory of Objects, at least if Russell's interpretation of the theory is correct.

Russell's interpretation is not correct, it would appear, or at any rate, even if it is, the theory can be modified. The charge that Russell's interpretation is not correct is based on his neglect of a distinction that Meinong seems to have made between predicates that stand for real or 'nuclear' (*konstitutorisch*) qualities, and predicates that don't. Nuclear qualities may be understood⁵ as the qualities a thing has that together constitute the intrinsic nature of the thing – the way the thing is, in and of itself. To give examples, the predicates 'is square' and 'is a mountain' stand for nuclear qualities; for a thing to be a mountain is for it to be a certain way; two mountains, in both being mountains, have a (nuclear) quality in common. Consider 'is non-square' though. When we apply 'is non-square' to an object we are denying that it is a certain way (i.e. square) rather than positively affirming anything about its nature. One would be reluctant to speak of a triangle and a circle as being the same way (having a quality in common), in both being non-square. 'Is non-square' does not stand for a nuclear quality then. The followers of Meinong who have drawn attention to the distinction between predicates that stand for nuclear qualities and those that don't (Terence Parsons, Dale Jacquette) would also argue that 'existent' doesn't stand for a quality (we apply 'existent' to a thing not to mark any aspect of its nature but to mark its *status*, they would say). If 'is non-square' and 'existent' don't stand for real qualities then the Theory of Objects can say that for every set of qualities (meaning 'nuclear' qualities)

there is an object that has just those qualities, without saying that there is an existent golden mountain or a non-square square.

This is how some followers of Meinong reply to Russell's criticisms. Others (Edward Zalta, for example), choose a different path. They propose a modification of the Theory of Objects that makes use of a distinction originally made by Meinong's student and collaborator Ernst Mally. While Mount Everest has the quality of *being a mountain*, that is it *instantiates* this quality, the Golden Mountain 'has' this quality in a different way, these philosophers say: it 'encodes' the quality of being a mountain. While having (instantiating) non-squareness involves a failure to be square (to instantiate squareness), having non-squareness in this different way (encoding non-squareness) needn't involve a failure to be square (to encode squareness); and so there is no contradiction in saying that the non-square square is square and is non-square, if this means encodes being square and encodes being non-square. Encoding existence does not involve instantiating existence, and so while the existent golden mountain, in a manner of speaking, exists, in another manner of speaking it doesn't. (As these are different manners of speaking there is no contradiction) The modified Theory of Objects says that for every set of qualities there is a Meinongian object that *encodes* just those qualities.

There are thus two versions of the Theory of Objects (as interpreted by Parsons and Jacquette, and as modified by Zalta) that are immune to Russell's criticisms; but it may be asked, at what price? An apparent attraction of the Theory of Objects is that it posits all the right objects for explaining the apparent truths about

fiction and imagination. It posits an object that has exactly the qualities that Conan Doyle attributed to Sherlock Holmes: this very object, one can say, is Holmes. But now imagine a work of fiction that features a non-square square (an episode of Star Trek Deep Space Nine, say). The theory as interpreted by Parsons and Jacquette that says that for every set of nuclear qualities there is an object that has just those qualities doesn't furnish an appropriate fictional object, as non-squareness is not a nuclear quality.⁶



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Consider also the modified Theory of Objects that says that for every set of qualities there is a non-existent object that *encodes* just those qualities. It is not unfair to ask what exactly it is to encode a quality and whether there is any good reason to make the distinction between exemplifying and encoding apart from the wish to avoid Russell's criticisms. If not the theory is worryingly ad hoc. The motivation that the distinction's authors seem to have in mind is something like this. 'Sherlock Holmes is a detective' is something we would want to endorse. We wouldn't want people to go around with the mistaken impression that Holmes is a criminal. But Sherlock Holmes is not really a detective at all. One wouldn't call on Holmes to solve a real crime, even if one were alive in 1890; Holmes has a poor track record when it comes to apprehending real Victorian era criminals like Jack the Ripper and Dr Crippen. The acceptability of the claim that Holmes is a detective and also its unacceptability point to an ambiguity: two different senses to the words. That's the thought.

But that is perhaps sloppy thinking. It is easy to explain why it is *acceptable* to say 'Holmes is a detective' without positing a sense of the words according to which this sentence is *true*. This is an acceptable thing to say, because in saying it, even if strictly speaking it's false, we get across what we wanted to say – that Holmes is a fictional detective. – that is that Holmes is a detective according to the fiction. So there isn't really any good reason for thinking 'is a detective' could mean either of two things. There is also no satisfactory explanation on offer, of what it is to encode a property. To encode a property is not merely to be imagined to have the property, as this is not a way of having a property.

In the absence of a proper explanation of the notion of encoding and any independent motivation for the introduction of this notion, it is wise to regard the modified Theory of Objects with suspicion. Does that mean there is no vaguely plausible theory of Non-existent objects, or is there room for another theory? I suggest there is room for a theory that denies that there *is any sense* in which Holmes is (really) a detective, and Meinong's Golden mountain really a mountain, despite not existing.

U

We are inclined to agree with the claims that Holmes is a detective and the Fountain of Youth is a fountain. These claims are informative as to the content of the stories or legends that feature Holmes and the Fountain of Youth. But there is also an inclination against regarding these claims as literal truths. One might feel that Meinong goes wrong in holding the Golden Mountain to be no less valid an example of a mountain than Everest, and the Fountain of Youth to be no less an example of a fountain than the ones in Trafalgar Square. I suggest that Meinong's position only gains plausibility if qualities like *is a mountain*, *is a detective* and *is square* are thought of, phenomenally, as aspects of our apprehension of objects, rather than as real objective features of the objects themselves. If we think that being a mountain is something real and objective then we have problems with Meinong's Principle of Independence.

Remember Meinong's notion of nuclear qualities. 'Is a detective', 'is a mountain' and 'is a fountain' stand for nuclear qualities but 'is a fictional detective' doesn't seem to stand for any aspect of a thing's intrinsic nature.

Being a fictional detective seems to be a matter of (1) not being real and (2) being imagined as a detective by the author or readers of a story. 'Is a fictional detective' is not applied to an object to mark any of its nuclear qualities. Neither for instance is, 'is famous' or 'is thought about by the readers of Conan-Doyle's stories' applied to an object to mark a way that that object is, in and of itself. But while intuitively there is something not completely kosher about the claim that Holmes is (really) a detective or the claim that the Golden Mountain is (really) a mountain, the claim that Holmes is a fictional detective and the claim that Holmes is famous and the claim that Holmes is thought about by readers of detective fiction seem entirely safe and unobjectionable. This is as things should be, because while we can think about them and project qualities onto them, non-existents, I would suggest, lack nuclear qualities.

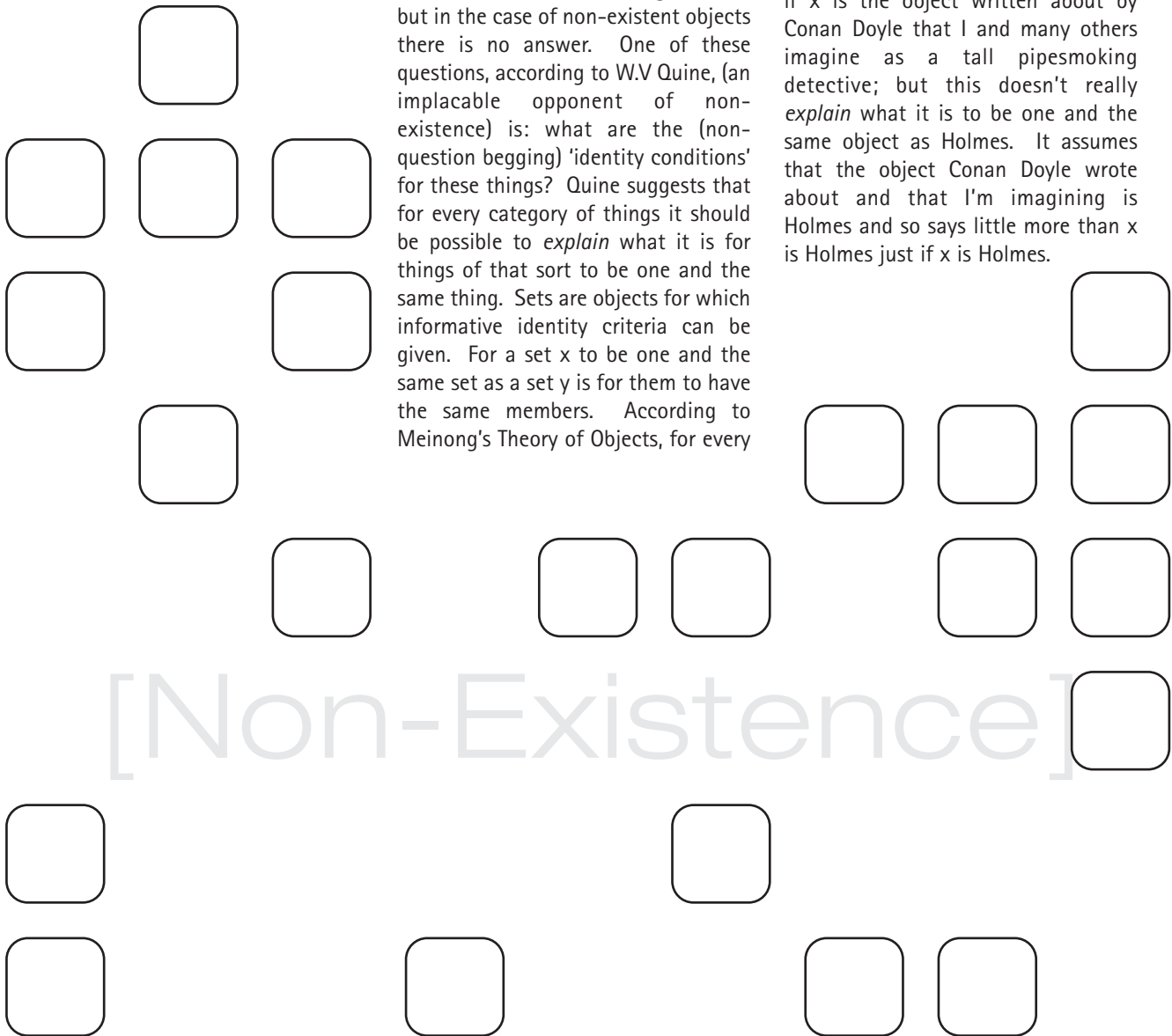
Non-existent objects like Holmes have no real, nuclear qualities, but are the empty vessels onto which we project the qualities we imagine them as having. This sort of view paints non-existent objects as something like 'bare particulars'. The notion of a bare particular is an old and at one time reputable notion that has since fallen into disrepute. The idea was that ordinary objects, rather than being merely made up of their qualities, are essentially qualityless (they don't essentially have any quality or qualities) particulars, or *substrata*, supporting whatever qualities they happen to have at the time. Ordinary (existing) particulars according to the bare particular theory are potentially bare. The view being recommended is that non-existents are particulars that really are bare. As such they are almost, but not quite, nothing. As such, also, their non-existence may be

explained as their bareness, their failure to have any qualities. To exist, it may be held, is just to instantiate some (nuclear) quality or qualities. To exist is to be some way, rather than just to be. This is an explanation of what it is to exist (remember the objection that the notion of *non-existent object* is a contradiction forces the provision of such an explanation) that is compatible with the thought that there are things that don't exist.

VI

Perhaps a plausible theory of existence can be developed along these lines but there is an immediate obstacle that must be overcome. Remember the second objection mentioned in section III. One of the forms this general objection takes is the charge that there are questions that can be asked about the alleged members of any alleged category of things that demand an answer and a good one; but in the case of non-existent objects there is no answer. One of these questions, according to W.V Quine, (an implacable opponent of non-existence) is: what are the (non-question begging) 'identity conditions' for these things? Quine suggests that for every category of things it should be possible to *explain* what it is for things of that sort to be one and the same thing. Sets are objects for which informative identity criteria can be given. For a set *x* to be one and the same set as a set *y* is for them to have the same members. According to Meinong's Theory of Objects, for every

collection of qualities there is a single object that has just those qualities. So Meinong can furnish identity criteria for non-existent objects: for object *x* to be one and the same thing as object *y* is for *x* to have just those properties that *y* has. It should be possible to see the difficulty one would have in trying to explain what it would be for given non-existents to be one and the same if non-existents are bare particulars. I can say that an object *x* is the same object as Sherlock Holmes if and only if *x* is the object written about by Conan Doyle that I and many others imagine as a tall pipesmoking detective; but this doesn't really *explain* what it is to be one and the same object as Holmes. It assumes that the object Conan Doyle wrote about and that I'm imagining is Holmes and so says little more than *x* is Holmes just if *x* is Holmes.





Rather than trying to meet Quine's challenge I suggest that one might do better to question the assumption that identity conditions can be furnished for every legitimate category of objects. We perhaps shouldn't let examples like sets, which are rather peculiar 'objects' overly influence us; what are the identity conditions for persons? Even if Quine's objections can be set aside though there is a related worry for the sort of theory of non-existents that has been mooted. An advocate of non-existent objects would want to say that it is possible to think about and talk about these things – in fact the possibility of thought and communication about non-existents has been cited as part of the case for the acceptance that there are such things. But how could our

thoughts latch onto the right object, as it were, if non-existents are bare particulars with no individuating features that allow them to be picked out?

VII

Let us finish with a final objection to non-existent objects, one that might just as well have been mentioned at the beginning. Again it is due to Russell. Even in the most general and abstract enquiry, Russell said, we must be guided by a 'robust sense of reality'. The objection is that in contemplating non-existent objects at all we fail to heed anything like a robust sense of reality. This is an objection which strikes many with great force; but

Meinong would have regarded Russell's comment merely as the expression of a prejudice, what he called the 'prejudice in favour of the actual'.

Notes

- 1 It could also be asked whether there are *properties* that don't exist but this paper will not embrace this question.
- 2 The thought is not about an *idea*. If I'm thinking that Tony Blair is a famous politician my thought is very different from any thought I might have about an idea (for instance the thought that my idea of Blair is influenced by my political leanings). There seems to be no less of a distinction between thoughts like the thought that Sherlock Holmes is a famous fictional detective and thoughts about ideas.
- 3 Some philosophers believe that 'exists' doesn't apply to objects but to properties (Bertrand Russell and Gottlob Frege believed something along these lines). To say that tigers exist for instance is not really to say something about the tigers, on this view, but to say something about the property of being a tiger – that it has instances.
- 4 Russell makes this and similar criticisms in several places, including in 'On Denoting' a paper in which he proposes his own solution to some of the problems that non-existent objects have been posited to solve. Russell mentions 'the round square' as an example of a contradictory description of an object. Parsons (Parsons 1980 pp38-39) argues that 'the non-square square' is a better example.

- 5 They may be understood otherwise, perhaps, but this seems to me to be the only understanding that (1) validates the notion (2) is close to Meinong's intention and (3) serves to allow the use of the notion of nuclear qualities in the defence of the Theory of Objects.
- 6 This is not quite true. Parsons in fact claims that 'is non-square' and 'existent' both fail to stand for nuclear qualities and also (they are ambiguous) stand for special nuclear qualities: what he calls 'watered-down extra-nuclear qualities'. But this seems a retrograde step as it seems not to be in keeping with the kind of understanding of the notion of nuclear qualities that validates this notion and the distinction between predicates like 'is a mountain' and those like 'is non-square'.

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[Non-Existence]

Elisabeth Schellekens

[Hume's Sentimentalism: What – Not Who] Should Have The Final Word?

At its best, philosophising about value is a fine balancing act between respecting the way in which value strikes us, and allowing for the possibility that that experience may distort aspects of reality or be a misrepresentation of the character of that reality. That is to say, there are at least two ways in which the phenomenology of value may mislead us in the process of forming value judgements. On the one hand, it can deform the appropriate understanding or representation of a situation by, say, over-emphasising certain aspects of that situation to the detriment of others. For example, if my neighbour enjoys spreading rumours about other people, and I perceive that as disloyal and unkind, my experience may lead me to fail to notice other – perhaps redeeming – features of his personality, and thus to make an inadequate judgement about his moral character. On the other hand, I may simply be mistaken about the presence or absence of evaluative qualities in a given situation. I can, say, ascribe beauty to a certain painting when in fact, my experience of it as beautiful is founded exclusively on the way in which the scene it depicts reminds me of my childhood, and, independently of that nostalgic thought, can hardly be called beautiful as such.

It is more often than not the affective or emotional element of our value experience that lies at the root of misrepresentations such as these. I can't see that my gossiping neighbour

can also be thoughtful and considerate because I have an aversion to people that spread rumours about others, and that dislike makes me interpret everything he says in that light. Along similar lines, it may be my pleasure that leads me to think that

the painting really is beautiful; I take it for granted that my enjoyable experience entails a positive judgement about its aesthetic character. None of this is, of course, to say that our emotions are *always* misleading. On the contrary,



emotional responses can, and often do, help us pick out those features that are relevant to an individual judgement or perception, thereby enabling us to see a situation, person or event in the right light. In this spirit, philosophers such as Ronald de Sousa (1987) and Amélie Rorty (1980) have argued that emotions are 'ways of seeing'; perceptions of salient characteristics. A case in point may be the emotions we experience when we witness racial discrimination or read about injustices caused to people in the past. Feeling horror at the thought of all those men and women sent off to *goulags* in Stalin's Soviet Union without so much as a trial can help us comprehend the brutality and cruelty of such an act. Similarly, feeling calm and serene when listening to Mozart's A major piano concerto can be our ticket to accessing its perfectly balanced formal structure. Nevertheless – and here is the crux of the philosophical problem this paper is concerned with – how, if at all, can we know when our emotionally-laden experiences are misleading, and when they actually help us view the world in

an appropriate way? Is there, in other words, some way of 'checking' whether our value experiences are deceptive or accurate, and if so, where exactly should we look for it? What is needed, it seems, is some mean by which we can 'test' whether our value experience is symptomatic of a correct value judgement or not.

[Judgement]

Approached from this angle, philosophizing about value takes on a distinctively epistemological character: what we are encouraged to investigate is how, if indeed at all, we can come to know whether our more or less emotional experience of value is a reliable indicator of the evaluative character of things. One philosopher who addresses precisely this question in an aesthetic context is David Hume. Faithful to the empiricist approach in which his work is steeped, Hume's investigations into aesthetic and moral value are fuelled by an aspiration to develop a 'science' of human nature along the lines of Newton's experiential method in physics. In his essay 'On The Standard Of Taste', Hume fleshes out an empirical standard of correctness for judgements about aesthetic value. What is particularly interesting about Hume's theory is that he locates the key to discriminating between appropriate and inappropriate, correct and incorrect, value judgements precisely in the human experience we seem to have such good reasons to be suspicious of. The caveat Hume introduces in order to resolve – rather than merely restate – the epistemological worry at the heart of our inquiry is the notion of an 'ideal judge'. If an emotional experience is one (or just like one) had by an ideal judge, we can be sure that it is appropriate and indicative of the thing's aesthetic character. In other words, the content of the ideal judge's aesthetic experience determines the content of the correct aesthetic value judgement. According to Hume, a person qualifies as an ideal judge if she has acquired the following five qualities: delicacy of taste, impartiality, good sense, a great deal of practice and a broad experience. In addition, an ideal judge also needs to have 'perfect serenity of mind!' Hume

writes that

[w]hen the critic has no delicacy, he judges without any distinction, and is only affected by the grosser and more palpable qualities of the object: The finer touches pass unnoticed and disregarded. Where he is not aided by practice, his verdict is attended with confusion and hesitation. Where no comparison has been employed, the most frivolous beauties, such as rather merit the name of defects, are the objects of his admiration. Where he lies under the influence of prejudice, all his natural sentiments are perverted. Where good sense is wanting, he is not qualified to discern the beauties of design and reasoning which are the highest and most excellent.

Under some or other of these imperfections, the generality of men labor; and hence a true judge is observed, even during the most polished ages, to be so rare a character: Strong sense, united to delicate sentiment, improved by practice, perfected by comparison, and cleared of all prejudice, can alone entitle critics to this admirable character; and the joint verdict of such, wherever they are to be found, is the true standard of taste and beauty.²

Hume's account of the way in which we can confirm that an emotionally-laden aesthetic experience is trustworthy thus involves examining the experience of the ideal judge. If our own experience mirrors that of the ideal judge, we can assume that our experience points to the true aesthetic character of the object of appreciation.

Amongst the many interesting questions raised by Hume's aesthetic

theory, there is one in particular that deserves our attention. Is it not the case, one may ask, that emulating the sentimental experiences of ideal judges merely *reduces* rather than – as we need it to – *eliminates* the risk that our value experiences are misleading? Clearly, a person with the qualities listed above would most probably make for a more discerning and astute judge than someone who lacks them. After all, a refined sensibility, extensive practice, a neutral perspective and a good sense are attributes that render all kinds of discrimination more trustworthy. But what is not as apparent is why these features not only *make it more likely* that the experiences of the 'ideal judges' reflect the aesthetic value of an object of appreciation, but authorizes those experiences to *causally determine* the content of the value judgement. To be more precise, the idea underlying Hume's account is this: an emotionally-laden experience is appropriate in virtue of the fact that it is had by 'ideal judges' (the very fact that it is they who have the experience makes it appropriate), and this experience in turn settles the 'verdict' about a thing's aesthetic character. In a nutshell, for Hume, ideal judges can't be wrong about aesthetic value. But is this so?

Broadening the context in which the question is posed helps us to put our finger on the sense in which subjects of aesthetic experiences can indeed be said to dictate which aesthetic ascriptions are appropriate and inappropriate. Values are not, as John Mackie has put it, part of the integral 'fabric of the universe'³ in the way that, for example, a pebble's weight or size is, and evaluative qualities depend on the subjects of experience in more than one respect. Most importantly for present purposes is the way in which we form the aesthetic concepts

we use, and the criteria for their application; we continually shape what we mean by terms such as 'unfair', 'elegant' or 'ugly'. Aesthetic concepts, like most value concepts, are not fixed, but change over time and across cultures, and in that sense it seems right to say, with Hume, that something is elegant or ugly if aesthetic judges – be they ideal or not – have come to deem it so. The content of aesthetic concepts and their appropriate applications are not set in stone, but evolve, and that is something any account – be it empiricist or not – must take into consideration.

Nonetheless, accepting the above need not commit us to anything like Hume's view that ideal judges always have the final say on something's aesthetic character. We can allow for the dependence of aesthetic concepts and their evolution on the subjects of experience without buying into the idea that at any given place or moment in time, a select few necessarily hold the key to the correct verdict on a thing's aesthetic value. What, after all, is so incontrovertible about the small group of subjects Hume designates? What remains to be explained, then, is whether the claim that the experiences of ideal judges cannot be inappropriate and so their judgements not incorrect can be grounded in anything more substantial than the no doubt admirable qualities listed by Hume. Because the initial worry wouldn't even arise if it weren't for the fact that our experiences of value tend to *seem* to be measured, objective, and unbiased even when they are not; it belongs to the very nature of misleading experiences that we *think* we are discerning, serene and impartial even when we are not. What the verdicts of ideal judges reflect is the kind of emotional response well-educated and unprejudiced subjects tend to experience upon encountering

a certain thing. And that verdict is only a standard of correctness for the corresponding judgements if one accepts the controversial claim that emotionally-laden experiences of value always go hand in hand with the judgements about their evaluative character, and, moreover, that the direction of that relation always is from the experience to the judgement.

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[Judgement]

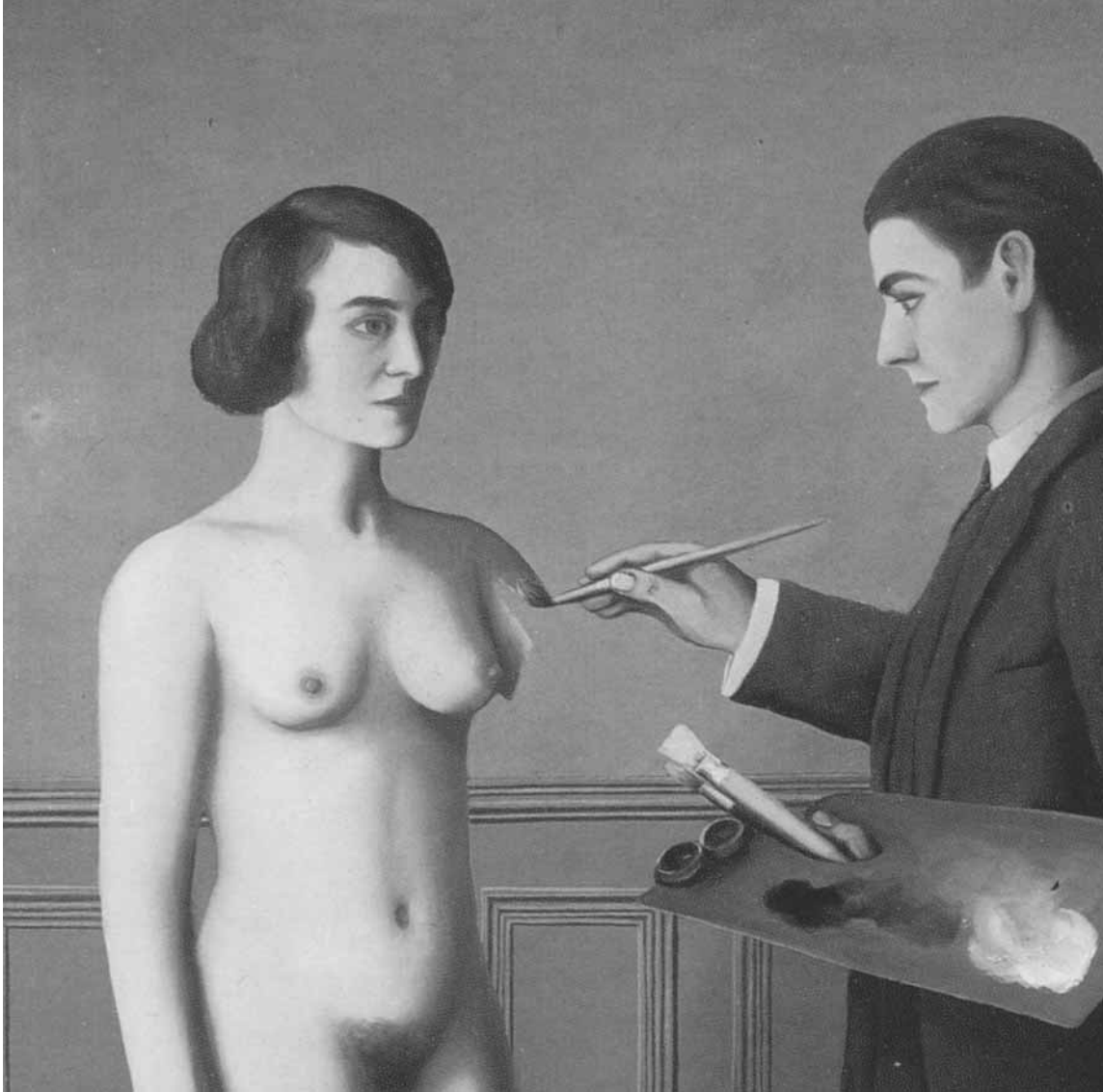
The method by which Hume encourages us to 'check' whether our emotionally-laden experiences of value are misleading or not simply defers the question we are trying to resolve to how we can be sure that ideal judges never experience inappropriate emotional responses. But even to ask that question is, for a Humean, to miss the point of the theory – the experiences of ideal judges are always appropriate precisely *in virtue* of being the experiences of ideal judges and that's that. But locating the benchmark of appropriate value experiences in a small – albeit highly qualified – cluster of people, and establishing that they will always have the final say on a thing's evaluative character simply won't satisfy the demands of their role as standards of correctness because until we have been told exactly why it is that qualifying as an ideal judge removes *all* risk of value experiences distorting our perceptions of the world and its contents, the notion introduced by Hume is best understood as a regulative ideal, a deliberative position we should all aim for, rather than a comprehensive solution to the epistemological difficulties raised by experiences of value.

What I take the above to suggest is that the really pressing question facing anyone examining the epistemology of value experience is not so much *who* or what kind of person should have the final say on matters to do with value (in the sense of what that someone should be like), but, rather, exactly *what* aspect of our experience should be granted that status. Can emotional experience single-handedly carry enough justificatory weight to legitimize the correctness of value judgements? Almost certainly not, but at least not until it has been established that the

reasons why a certain emotional response is appropriate in a given case are the same as the reasons why a particular judgement might be correct. In other words, the main reason why Hume's account cannot appease our initial worry is because he, in a first instance, fails to isolate that which might render a certain emotional response appropriate or not and, in a second, show that that factor will also be decisively authoritative with respect to the value judgement. As long as this hasn't been done, we simply haven't been told why we should accept the controversial claim the Humean theory is built upon, namely that the emotional experience inevitably determines the value judgement. It is one thing to claim that the emotional experience of highly qualified judges cannot be inappropriate, and another to hold that there is an inexorable epistemological link between appropriate experience and judgement. To fudge that distinction is to overlook the difference between appreciating a thing's evaluative character (in the sense of enjoying it, say) and assessing it (in the sense of judging it). And however difficult it may be in practice to distinguish the two, these are different kinds of mental operations. When I admire a sculpture in a gallery for example, my aesthetic experience and value judgement may be phenomenologically indiscernible; my pleasurable experience of the object's aesthetic features and my judgement that it is very graceful may blend into one – at least seemingly unified – perceptual experience. But what this actually shows is quite how rich and complex aesthetic experiences can be. It does not, as Hume would like it to, as such establish the intimate epistemological connection between emotional experience and aesthetic judgement.

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ISSN: 1477-6480