

Lisa Tessman
Moral Failure: On the Impossible Demands of Morality
New York: Oxford University Press, 2015
ISBN 978-0199396146

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The view that "ought implies can" entails that there can be no such thing as a moral requirement that is impossible to fulfill. If something is truly impossible to do, then it cannot be morally required to do it. In *Moral Failure: On the Impossible Demands of Morality*, Lisa Tessman aims to overturn this view not only because she thinks it is false, but also because she thinks our clinging to this assumption obscures the experiences of victims of atrocity and oppression whose lives are dominated by impossible moral requirements and the unavoidable moral failure they entail. Tessman argues that "ought implies can" fortifies an idealized picture of moral agency and of morality itself that even nonideal feminist theorizing about oppression has inadvertently maintained. Her argumentation to this end is careful and precise. The breadth of scholarship Tessman has mastered and marshaled to articulate and defend her account of moral failure is stunning. *Moral Failure* is a bold, compelling, and in places deeply moving treatment of a sorely neglected aspect of moral experience.

Moral Failure has at least three aims: to highlight the phenomenon of impossible moral requirements and the unavoidable moral failures they entail, to analyze this experience, and to unpack the implications of moral failure both for agents who confront it and for philosophers theorizing about morality. The book is organized into three parts that collectively sustain this threefold aim, but each part also delivers important stand-alone points.

Part I, which comprises over half of the book, makes conceptual space for impossible moral requirements. Impossible moral requirements surface in the experience of moral dilemmas. Tessman's argument strategy in chapter 1 is to show that genuine moral dilemmas are possible. A moral dilemma is a situation in which no matter what a person does she violates a moral requirement. Anti-dilemma perspectives contend that although moral requirements may appear to conflict, once an agent uses practical reasoning to determine the morally best course of action, that course of action becomes the only moral requirement standing and so the apparent dilemma disappears. Tessman argues to the contrary that moral dilemmas come into conceptual view if we are moral-value pluralists who recognize that some kinds of moral values, which she calls

sacred values, generate requirements that cannot be negotiated away in practical reasoning about action. Sacred values entail what Tessman calls nonnegotiable moral requirements.

Sacred values--such as love of one's children--are values we take to have an "infinite or transcendental significance that precludes comparisons, trade-offs, or indeed any other mingling with bounded or secular values" (Tetlock, cited in Tessman 94) and for which there can be no substitute nor compensation if lost or compromised. In loving my children, for example, I experience them as uniquely, irreplaceably, and infinitely valuable. The incommensurability and nonfungibility of sacred values means that the moral requirements they generate cannot be "absorbed into an all-things-considered 'ought' through either substitute or compensation" (44). When nonnegotiable moral requirements conflict, no matter what an agent chooses to do, the requirement that goes unsatisfied retains its moral force, thereby "*contravening the principle that ought implies can*" (44; emphasis in original).

Sacred values generate nonnegotiable moral requirements not only because of the kind of values they are but also because of *how* they are valued. Judgments about sacred values are *necessarily* automatically and intuitively grasped, as opposed to being grasped as the result of a controlled reasoning process such as an argument. To critically reflect on whether I should love my children, or to seek justifying reasons for whether my loving them really requires that I care for them, is to fail to love them. Part of what it means to treat a value as sacred is to insulate it from rational scrutiny, which helps explain why these kinds of values cannot be absorbed into conflict-resolution, "all-things-considered" deliberations about action (94). Even *thinking* about violating a nonnegotiable moral requirement is a transgression of the sacred value that underwrites that requirement. If an agent is confronted with a conflict between two nonnegotiable moral requirements such that it is impossible to satisfy both of them, the fact that she may have to use controlled reasoning to decide how to act, and thus which value to honor, already implicates her in unavoidable moral failure. Even if she acts more spontaneously, however, the requirement that is overridden for the purposes of action is not dissolved by post hoc reasoning that rationalizes or justifies that course of action.

Chapter 2 draws from empirical work in cognitive psychology to develop a thorough and credible account of dilemmatic experience, and in particular of how sacred values and their associated moral requirements have their psychological hold on us such that we feel their binding force even when they are impossible to fulfill. Of course, the fact that people do sacralize values in ways that generate experiences of unavoidable moral failure doesn't mean that they should do so. Moreover, we could avoid so-called unavoidable moral failure if we did away with sacred values (97). Tessman argues that sacred values and their associated moral requirements should not be abandoned because they underwrite forms of human attachment that are "the best thing[s] in life" (97, 139). She recognizes, however, that our intuitions about sacred values can be ideologically formed and mistaken. We need some way of checking sacred values and the requirements they entail to determine whether they are morally legitimate. The vetting problem is uniquely complicated for sacred values because treating them as sacred exempts them from rational scrutiny (94, 101). Tessman frames the problem as a kind of double bind: "if the value 'really' is sacred, I must not reconsider it" (for example, love of one's child), "but if it is 'wrongly' sacralized, then it seems that the only way to discover this is to reconsider it" (128). Chapter 3 aims to undo this bind.

Tessman is a social constructivist about moral values, but because constructivism relies on reflective equilibrium to vet moral understandings, and because reflective equilibrium involves *reasoned* reconsideration of our intuitions, these accounts are inadequate for interrogating intuitions about sacred values. Tessman seems forced either to give up sacred values or to give up social constructivism about moral value, but she needs both in order to sustain her pro-dilemma position. Her solution expands social constructivism to incorporate the critical potential of affective engagement with others. Since sacred values must be intuitively grasped and maintained in order to remain sacred, Tessman reasons that they may be challenged without violating their sacredness only through affective engagements with others that automatically trigger new intuitions that may unsettle these values. This seems exactly the right move here, but I was not yet convinced that this move releases sacred values from the double bind.

We need a more developed account of the specific role affect plays in sacralizing values. Might the activity of sacralizing values make an agent unusually affectively resistant to being triggered by new intuitions that disturb those values? That is, might sacralizing protect values not only from rational scrutiny but also from being affectively undermined? Moreover, would it transgress the sacredness of a value to permit the affective influences of others to shake my confidence in its sacredness? If the value really is sacred to me, might my inability to resist such triggering be experienced as a moral failure of sorts?

Tessman argues, rightly in my view, that her solution depends on affective encounters with diversely situated others: people who don't hold as sacred the values I sacralize and thus who are in a good position to elicit new intuitions in me about those values. I was left to wonder, though, about the role of trust as an affective attitude that makes such encounters effective. Tessman (I think) mentions trust only once in this discussion (135), but it is the word I found myself looking for because whether and who we trust seems to bear heavily on the critical potential of others' affective influences over me. In many cases people sacralize values (for example, an ideology such as white supremacy) that generate positive distrust of the very people who may be in the best position to spark new intuitions that might unsettle these values. Tessman is well aware of these dangers—they motivate the arguments of this chapter—but they pose a weightier challenge to her solution than she pursues here. We need a more developed account of the kinds of social relations capable of yielding evaluative practices that enable us to responsibly risk our confidence in sacred values. Perhaps we also need to distinguish various kinds of sacred values. There might be important differences between sacralizing one's children and sacralizing an ideology, for example, that bear on the strategy for vetting these values.

A great strength of *Moral Failure* is that it bursts open these and other new avenues of inquiry that become pressing once we seriously engage the phenomenon of impossible moral requirements. Part I succeeds masterfully in making the experience of impossible moral requirements philosophically intelligible and in foregrounding an aspect of moral agency that has been generally neglected in normative moral theory. Part II comprises two chapters that examine this neglect more closely. Collectively, these chapters make a remarkable contribution to metaethical questions about the nature of morality and moral theorizing. Whether or not readers are convinced by the tragic view of morality Tessman advances, her work in this section poses

provocative questions about what a normative moral theory is supposed to do that should yield serious reflection on what it is philosophers are doing when we theorize about morality.

Chapter 4 queries why moral philosophy has generally neglected dilemmatic experience. Why have moral philosophers been so quick to pronounce people's experiences of feeling impossible moral requirements as mistaken rather than to consider that these experiences expose philosophical assumptions about moral agency as false? According to Tessman, this neglect is rooted in moral philosophers' preoccupation with action-oriented theories, which is fed by "ought implies can." This preoccupation with action encourages theoretical evasions: an inability and an unwillingness to perceive moral experiences, such as those generated by atrocity and oppression, in which questions about action recede into the background or are altogether irrelevant (161).

Tessman illustrates this evasion through a convincing and deeply moving analysis of Holocaust victim/survivor testimony recounting horrific dilemmatic experiences. The most salient moral questions that arise in these situations do not concern what the agent ought to do, but rather how dilemmatic experience generated by atrocity can devastate or even destroy moral agency (161). Moral theorizing that emphasizes action-guidance is unlikely to raise or feel the force of these questions. Instead, philosophers tend either to filter out those parts of experience that appear irrelevant because they don't bear on action, or to distort these experiences in order to make them fit into an action-guiding framework. These strategies yield an inability to bear witness to the horrors people have suffered. When we teach normative moral theory as exclusively concerned with action, we perpetuate this inability in our students.

Tessman goes further, however, arguing that moral philosophers' preoccupation with action upholds a triumphant view of morality that encourages not only an inability but also an *unwillingness* to perceive dilemmatic experience. A focus on action prompts philosophers always to ask what is the morally best or right thing to do, and thus always to assume that there is a morally best option in even the most tragic situation. The assumption that there is always a morally best option, even if it remains a bad option in many respects, imbues morality with a kind of redemptive or salvific power: in any situation, no matter how grievous, some measure of moral goodness can be preserved or displayed by doing the right thing (158). When we hold a triumphant view of morality, we become disinclined to perceive situations that are thoroughly dilemmatic and in which morality fails. Tessman argues that we need the lens of moral failure in order to grasp what the dilemmatic experiences confronted by Holocaust victim/survivors reveal: the fragility and, often, total inadequacy of the moralities we endorse and live by.

One might think that feminist moral philosophers are less prone to these evasions. In chapter 5, however, Tessman argues to the contrary that even nonideal feminist theorizing about oppression, which acknowledges dilemmatic experience, often remains fixated on action by focusing on what is the morally best thing to do in the dilemmas generated by oppression. These theories too yield an idealized view of moral agency and even a version of the triumphant view of morality. Yet because these accounts have been so tied to what is attainable under the actual, awful conditions of oppression, they have also tended to abandon what Tessman sees as the important theoretical work of articulating moral ideals that are worthy even if unattainable.

Tessman *does not* think that normative moral theory should abandon its action-guiding task. Rather, she wants to enlarge the mission of normative moral philosophy to include helping us *witness* moral atrocity and oppression and its impact on both the moral self and on morality itself (161). Tessman's call here is provocative and should leave readers eager to inquire what it means to witness, what is required in order to bear witness well, and especially how moral theory can help us develop or hone this skill. Pursuing this call would expand normative moral theory's relevance and deepen our understanding of a greater range of moral experience.

Part III engages theories that attempt to make morality less demanding either by generating categories of supererogation (chapter 6), or in the case of feminist care ethics, by trying to delimit the moral demands of care (chapter 7). In chapter 7, for example, Tessman critically engages Eva Kittay's attempts to release the agent from requirements of care that surface in coercive situations or that undermine needs for self-care. Tessman maintains to the contrary that sacred values are often inexhaustible sources of moral requirement that feel binding no matter how they were generated, and that retain their force even if an agent decides to override them for reasons of self-care. Taken together, these two chapters conclude *Moral Failure* by making the case that if we take impossible moral requirements seriously, morality may turn out to be not only extremely demanding but also impossibly demanding.

Tessman's first book, *Burdened Virtue*, shows how conditions of oppression may yield unavoidable moral damage for the oppressed. *Moral Failure* expands this tragic view of moral life, contending that moral failure is inevitable for most of us and foregrounding the experiences of people whose lives have been dominated by atrocity or oppression that has made impossible moral demands routine. It is remarkably original, a highly engaging read, which achieves what the best philosophy books do: Tessman breaks open sets of questions that reinvigorate old debates and place new ones on the table. *Moral Failure* is not a hopeful book, but it is a potentially, and hopefully, discipline-changing book for those working in normative moral philosophy.