

Blaming the dead

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Abstract

Should moral blame stop at the grave? We often blame the dead for the bad things they did while alive. But blaming the dead poses a prima facie challenge to accounts which take our blaming practices to aim at communicating moral disapproval to wrongdoers or at improving their moral agency. If these kinds of aims are made definitional for blame, blaming the dead becomes impossible. But even on accounts which say that paradigmatically, blame is a form of moral engagement which aims to effect changes in the wrongdoer, blaming the dead may seem unjustified, pointless or even irrational. In this paper, I explain how blaming the dead can be made sense of and justified. However, not all cases of blaming the dead fit this explanation, because blaming the dead is not a homogenous practice.

1 | INTRODUCTION

When we think of blame, we often think of a blamer directly addressing their moral disapproval to the person they blame; we envision a dialogical situation. Kris angrily blames her flatmate Mina for stealing her chocolate and then lying about it, telling her just what she thinks of behavior like that. In typical blame scenarios, someone is holding the wrongdoer to account, in ways that can be more or less punitive. And yet, we see all kinds of blame and punishment-like behavior which is not dialogical in this way, but directed at those who cannot hear it or react to it. One striking example is when the dead are blamed. Here are some examples of thoughts and actions directed at the dead which are candidate cases of blaming the dead:

Cheating spouse: In David Lodge's novel *Thinks...* the female protagonist, Helen, finds out that her deceased husband, Martin, was serially unfaithful to her. She blames and resents him for this and writes in her diary: "Can

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I blame him? Yes, of course I blame him. Not just because he polluted our marriage by intimate contact with other, foreign bodies, but because he deceived me, he cheated on me, he made a fool of me. If he were still alive I would divorce him” (Lodge, 2002, p. 203).

Hume: Students and staff blame David Hume for racism in his essay “Of Natural Characters” (Hume, 1987). They condemn Hume’s racist statements about the inferiority of black people as wrong and say that he should have known better.

Colston: In June 2020, a crowd of people tore down the statue of 17th century slave trader and philanthropist Edward Colston and pushed it into Bristol harbor. Their actions expressed their attitude of moral disapproval and blame for his contribution to the slave trade.

All of these cases are instances of expressing condemnation of wrongful behavior. Intuitively, they might not all be equally clear-cut cases of blame, but they involve elements of blame in the sense that wrongdoing is attributed to a person and disapproval of their actions and character is expressed.¹ It is broadly accepted in the moral responsibility literature that blaming the dead is one of many forms of blame which can be appropriate. In a recent paper, Shoemaker and Vargas (2021) assert that any theory of blame needs to account for how we can blame the dead. Michael McKenna (2012) says that “we do blame the dead, and find it perfectly fitting to do so” (McKenna, 2012, p. 175). Campbell (1951), too, asserts that we hold the dead responsible. And yet, the view that it is fitting and appropriate to blame the dead is not universally shared. We are all familiar with the exhortation not to speak ill of the dead. “De mortuis, nihil nisi bonum.” (Of the dead, nothing but the good). When the topic came up in conversation, I was recently told that blaming the dead is a pointless form of human irrationality.

Whether blaming the dead is in any way a strange or puzzling thing to do depends on what we take blame to be and what purpose we believe it serves. Many accounts of responsibility, especially forward-looking accounts, see blame as a communicative or even educational activity, which primarily aims at moral change in those who are blamed (Fricker, 2016; McGeer, 2019; McGeer & Pettit, 2015; McKenna, 2012; Vargas, 2013, 2021). This is possibly most obvious in Smart’s (1961) much maligned account of responsibility, where holding responsible generally, and punishment in particular, are characterized as an instrument for improving the individual.

Accounts which focus on the effects on the person blamed face the problem that one cannot successfully communicate moral demands or get people to improve their attitudes and behavior once they are dead. (I will throughout be assuming that the dead have ceased to exist and are therefore beyond our reach.) Blaming the dead can be seen as a problem for accounts that focus on communication and moral development in two ways: if the aim of communication with, or moral change in, the blamee is made definitional of the very concept of blame, it seems that it becomes impossible to blame the dead. But even on a more permissive view, where blame is not understood as necessarily fulfilling communicative or instrumental goals and doing so is merely the *typical* purpose of blame, there is a problem. It is of course not incoherent to say that blame has the purpose x even if it doesn’t always fulfill it. But it seems that we do then have to say that when blame cannot fulfill its purpose, it is misguided or inappropriate.

Of course, one might say that for those who see blame as typically serving a goal of moral communication or improvement, this is a low stakes problem: even if the normal justification does not apply when we are blaming the dead, because we will not achieve successful communication, we don’t do much harm to them in doing so. So maybe no justification is needed. This easy answer will only be available if one thinks that harm requires the conscious experience of harm and therefore requires the person harmed to be alive. Many philosophers argue that it is possible to harm the dead, by violating their interests that go beyond their life-span. (Feinberg, 1987; Pitcher, 1984). Such interests may include projects that will only come to fruition after their death, the well-being of their loved-ones, and, importantly for current purposes, their posthumous reputation. So the worry is that in the best case scenario for instrumentalist and communicative accounts of blame, blaming the dead would merely be misguided; and it would not fit the purpose that theories of blame assign to our blaming behavior. In the worst case, it causes actual harm to the dead without achieving anything positive. One might conclude that it is best to stop blaming the dead.

In addressing what communicative and instrumentalist accounts should say about blaming the dead, I will proceed in two steps. I will first show that some very narrow accounts of blame make blaming the dead *conceptually* impossible. However, accounts of blame that see the primary function of blame to be communication or moral change can accommodate cases of blaming the dead in their *definition* of blame. In explaining the function of blame, they will rely on a narrower set of phenomena, paradigmatic cases of angry dyadic blame. I will then turn to the question whether broadly forward-looking accounts of blame (in this I include Strawsonian, communicative accounts like Michael McKenna's and more explicitly instrumentalist ones, like that of Manuel Vargas) can give a good account of what the *point* of our practices of blaming the dead is and whether blaming the dead is justified. I will argue that communicative and instrumentalist accounts can give an explanation of why we blame the dead and provide a justification of why this is often the right thing to do, but that communicative accounts explain some cases better whereas instrumentalist ones are better suited to explain a different type of case. Furthermore, it will become apparent that in some tragic cases, blaming the dead cannot achieve its communicative end. However, this is not a problem for communicative theories, but an expectable feature.

2 | DOES BLAMING THE DEAD BECOME IMPOSSIBLE? DEFINITIONS OF BLAME

There isn't much agreement in the literature on responsibility about what exactly blame is and when it is justified. Consequentialist philosophers have focused primarily on overt blame (Smart, 1961), and Strawsonians on the emotions associated with blame (McGeer, 2014; McKenna, 2012; Shoemaker, 2015; Strawson, 1962). Others, for example George Sher (2006), have provided a minimal account of blame, according to which blame is the belief that someone has acted badly and their action reflects badly on them accompanied by the desire that this action had not been done.²

Given that our natural language concepts are both vague and frequently inconsistent, we should not expect all of the actions that we call "blame" to fit one theory, at least not if that theory tries to capture some of the features of paradigmatic cases of interpersonal blame. Shoemaker and Vargas show that most accounts of blame diverge from common usage by including actions under the category blame which we wouldn't intuitively call blame or categorizing actions as blame which would not normally call blame (Shoemaker & Vargas, 2021). This only constitutes a problem for the proposed theory if the account of blame at the same time gives a definition of blame that tries to capture *all* our everyday practices of using the term "blame." Here's an example. If we make reactive attitudes definitional or constitutive of blame, we will not be able to count cases where someone "unemotionally blames" as instances of blame. Thus, divergence from everyday use and intuitions is bound to occur.

However, some accounts of blame veer very far from everyday usage, so much so that they can no longer be understood as definitions of our everyday concept of blame. We can see this by noting that, on one highly instrumental understanding of blame, it becomes impossible to blame the dead. If we think of blame as a way of negotiating moral rules with the offender or getting them to improve morally, then this kind of interaction is clearly no longer possible. This is the kind of blame and holding responsible that Campbell had in mind when he criticized consequentialist accounts of responsibility such as Moritz Schlick's (cf. Schlick, 1984). Campbell criticizes Schlick's account of responsibility because it justifies punishment and ascription of responsibility—blame being one such form of ascribing responsibility and holding responsible—by the effects on the people held responsible. He makes the obvious point that the dead are beyond our influence.

"Clearly we cannot now favourably affect the dead man's motives. No doubt they could at one time have been favourably affected. But that cannot be relevant to our judgment of responsibility if, as Schlick insists, the question of who is responsible 'is a matter only of knowing who is to be punished or rewarded' (...)."

(Campbell, 1951, pp. 448–449)

While the problem here is phrased as one for theories of responsibility, it can easily be extended to accounts of blame. If we think that all there is to blaming someone is trying to influence the behavior of the person blamed for the better, then it is clearly impossible to blame the dead. Sher ascribes this kind of position to Smart, saying that “some utilitarians have held that to blame someone is simply to express disapproval of his bad behavior or character in a way that is calculated to mitigate or improve it” (Sher, 2006, p. 72). If we *define* blame as a type of action calculated to get the offender to improve morally, blaming the dead becomes impossible.

If our account of the purpose of blame at the same time provides a definition of blame the following problem arises: the thicker our understanding of blame, and the closer it is tied to what we take to be the justification of paradigmatic cases of blame, the more likely it is that certain attitudes and actions that we would call blame in everyday usage no longer fall under the theory-laden definition of blame. Thus an account that both states that it's definitional of blame that it aims to improve the person blamed will have to say that it is impossible to blame the dead and whatever we are doing when we condemn the dead for their immoral actions, it is not blame.

One possible way to avoid these problems is to propose a definition of blame that is just thin enough to capture most of our everyday usage but thick enough to have something interesting to say about the nature of blame. One of the most austere accounts of blame is the one provided by George Sher. Sher provides a definition of blame according to which blame involves both the belief that someone has done a bad thing that reflects badly on them as well as the backward looking desire that “the person not have done what they in fact did” (Sher, 2006, p. 102). This is pretty minimal, and it is not clear that the wish that the person had not done what they did is really an additional condition, rather than an implication of the moral judgment itself. At least on an internalist understanding of moral judgment, this desire that the action had not been done would seem to be implied by the judgment. If, as internalists believe, moral judgments are intrinsically motivating, then some desire that the action should not be done will fall out of the judgment that what was done was immoral itself.

Sher's definition is so minimal that one would be hard pushed to find counterexamples to it, thoughts or actions that we would label as blame in everyday speech that Sher could not accommodate.

However, this ability to capture a wide range of blaming phenomena comes at the cost of not telling us very much about specific aspects and functions of blame that we are interested in. Miranda Fricker notes that “[s]uccessful analysis delivers the highest-common-denominator set of features of X; but where X is an internally diverse practice there is a significant risk that the highest common denominator will turn out to be very low, delivering an extremely thin account” (Fricker, 2016, p. 166). In other words, accounts of blame that provide conditions which capture a wide diversity of phenomena will be silent on typical features of blame that are interesting and, for many of us, central to blame.³

Paradigm cases that readily come to mind when we think of our everyday practices often go beyond mere appraisal accompanied by the wish that the agent's action had been otherwise: they are cases where we call people out for doing bad things and hold them answerable. So, in paradigmatic instances of blame we hold someone to account face to face in a way that is unpleasant for that person and demands an acknowledgement of wrongdoing. “**Responsibility**” or “**Verantwortung**” has the idea of being answerable, of being asked to account for oneself baked into it.⁴ Another typical feature of blame is that it is form of sanction; we penalize people by blaming them. Blame frequently involves negative emotions, such as Strawson's reactive attitudes, which are unpleasant for the person on the receiving end. Of course, not all cases of blame are like that. But resentful blame that calls for an answer is more paradigmatic than a case where you hear of the latest political scandal and blame the person involved by thinking it reflects badly on them and wishing they hadn't done it. A prototype account of blame says that blame is typically interactive, but that there are also less central cases that may not involve resentment, calling the wrongdoer to account, or other prototypical features.

But these prototypical cases of blame which communicative and consequentialist accounts focus on are also the ones which call for a moral justification of blame in a way that Sher's thinner account doesn't. Sher's definition of blame is not committed to more than what Arpaly (2006) calls judgments of blameworthiness.⁵ One could say if we blame in the most minimal way allowed for by Sher's account, this is merely an instance of our moral judgment at

work. But if someone is going to receive harsh treatment in the form of blame or punishment, it had better be the case that they are an appropriate target, that something justifies the pain. Consequently, when people provide theories explaining what blame is good for, they take these rich, paradigmatic cases as their test case. This can clearly be seen in theories that justify blame in a broadly forward-looking way. Despite various areas of disagreement, Fricker (2016), McKenna (2012), McGeer (2014, 2019), McGeer and Pettit (2015), Vargas (2013, 2021), myself (Jefferson, 2019) and Barrett (2020) all argue that our practices of blaming are *justified* by what they (typically) achieve, be that communication on its own or communication plus moral change.⁶

Arguably, this holds more broadly for all theories of blame that don't think desert is all there is to justifying blame and that rely on paradigm cases of blame in their thinking. Because these practices are often painful for the recipient, the problem of justifying blame arises. Even people who frame blame in terms of just desert and retribution concede that there is often a further, forward-looking element. But it is precisely this forward-looking element that seems to cause problems when we think about our practice of blaming the dead. It seems to, as it were, miss its mark. So, while instrumentalist and communicative accounts can include blaming the dead in the extension of "blame" as a non-standard case via a prototype theory, they now face a new problem, which is to explain what the point of such blame is, given that it doesn't fit the normal justification.

3 | THE POINT IN BLAMING THE DEAD

What should people who endorse more forward-looking accounts of blame, according to which blame normally aims to achieve something in the world, say about cases of blaming the dead? As suggested above, one option would be to say that these are non-paradigmatic cases of blame, where we only have blame as appraisal.⁷ So, for example, Smart (1961) says that praise and blame contain an element of appraisal (moral evaluation) as well as the more instrumental elements. We might think that cases of blaming the dead are minimal cases of blame, which don't perform the typical function of blame. Forward-looking theorists need have no problem with such blame. It does not fulfill the purpose of paradigmatic blame, but that's ok, because it doesn't take the form of paradigmatic blame either. It's really just the moral evaluation element of blame.

However, saying that all we are doing when we blame the dead is making a moral evaluation of past action would mischaracterize some instances of blaming the dead, because blaming the dead can in some cases be quite emotionally or practically demanding. When Helen blames Martin for his infidelity, she experiences significant resentment and anger. When people toppled Colston's statue, this was not an act of regretful appraisal. So, we are often dealing with emotions and actions that are much more akin to the engaged practices we have when we blame the living. While these cases fall under Sher's definition, they are *also* forms of engaged blame.

Another diagnosis of what is going on in these cases would be to say that they are cases where reactive blame is present but pointless, maybe even irrational. Helen reacts with the level of resentment that would have made sense if she could have had things out with Martin, but this reaction is not appropriate now he is dead. Getting angry about Hume's racism and starting a lecture with a rant about how he should have known better is pointless because he's been dead for centuries. It is not going to change anything now. Maybe the correct thing to say is that there is just a certain amount of inertia to our psychological reactions, which means that we react in ways we would react to the living even when people are dead.⁸ It might be possible to give a psychological explanation for these practices, without saying that it makes sense to blame the dead, that it is something which it is good to do. Colston won't in fact feel pangs of shame or guilt when we topple his statue, so why bother?

Rather than dismiss wide swathes of human behavior as irrational, let's look at possible positive reasons to blame the dead and explanations that make sense of this practice. McKenna (2012) addresses the question why we blame the dead head-on. He takes communicative blame to be the fundamental form of blame, but this then obviously raises the question of how to make sense of cases which do not have this conversational, dialogical structure. He notes that blaming the dead causes problems both for consequentialist theories which aim to influence the

wrongdoer but also for his own, conversational theory, given that we cannot converse with the dead. McKenna aims to make sense of blaming both the dead and the absent (where the dead are a subset of the absent) by saying that cases of blaming the absent are derivative. They rely on our practices of dyadic blaming for their fittingness. Blaming the dead or absent makes sense and is fitting in as far as blame would be appropriate reactions *if* one were confronting the person blamed: “these are derivative cases to be accounted for in terms of how we would respond to the dead were they still alive and were we in a position to alter relevant practices in meaningful ways” (McKenna, 2012, p. 177).

While McKenna's account provides a rationale as to why blame might still be fitting, the worry that blame misses its mark remains. Furthermore, while his account is well suited for explaining cases of blaming one's dead spouse, they seem less apt in the scenario where we blame Colston or Hume. I will return to this second point below and first consider the worry that blaming one's dead partner is irrational or pointless. If the practice of blame aims at moral communication and moral improvement, then—at least at first glance—blame will necessarily miss its mark when we blame the dead. This may be part of the reasoning behind the famous dictum that we should not speak badly of the dead. Not only will we be unable to achieve any recognition of wrong-doing or moral change in those blamed; the paradigmatically dialogical structure of blame is also impossible. One rationale behind the prohibition on speaking ill of the dead is that the dead cannot defend themselves.

Thus, problems in assigning a positive purpose to blame arise when we see blame as a way of communicating moral disapproval to the wrongdoer.

We would have to say that blaming the dead is a non-standard case where practices that generally serve a certain purpose cannot fulfill that role. It would, to that extent, be a misguided activity. (Even though McKenna can still say that it is fitting and, given our psychological makeup, expectable). But forward-looking theorists frequently don't take blaming the dead to be misguided, and I will now argue that it isn't, though it is also a non-paradigmatic form of blame.

3.1 | Solutions to the problem of blaming the dead

In looking at why instrumentalists should (at least sometimes) blame the dead, it's instructive to look at unsuccessful attempts to defend the practice instrumentally. One such attempt was made by myself (Jefferson, 2019), when I tried to extend the moral influence account to blaming the dead by making the following suggestion: blaming the dead serves as a way of morally improving the living. If people care about their *posthumous reputation*, the fact that we blame the dead would serve as a deterrent to someone who is tempted to do something bad but wants to avoid posthumous blame. In other words, we would be blaming the dead as a form of general deterrence for particular living actors tempted to act badly by making them worry about their moral legacies. While I and other instrumentalists (Vargas, 2013) do think that the effect blaming the dead has on the living is of essential importance for explaining why we should sometimes blame the dead, I don't believe that this particular line of argument works. The reason for this is that it's implausible that we are trying to affect people through getting them to think about whether they might be blamed *posthumously*. I will first say a few words in favor of my earlier proposal and then explain why I think it needs modification.

It should be conceded that people do frequently care about their posthumous reputation, as is noted by philosophers and psychologists (Becker, 1973; Feinberg, 1987). In fact, we have evidence that one of the people in my initial examples, Edward Colston, cared about his posthumous reputation and “wanted his memory to be preserved with a yearly sermon on his birthday in Bristol cathedral” (Morgan, 1999, p. 16). Concern for his legacy was presumably one of the motivations behind some of his philanthropic projects, too. One might further argue that the very fact that people realize that they may posthumously be blamed for things that are not considered major wrongs has a salutary moral effect on them. Maybe the fact that we blame the dead has a more indirect effect on the moral agency of the living. It may make people consider how their actions will be considered by generations to come, and whether they might be blamed for what they are doing later on. So, for example, I might worry that I might be blamed by future generations for eating meat, even though this is a widely accepted practice today. This may make me think more

carefully about the morality of my actions and motivate me to try harder to get my moral compass aligned with the true and the good, to try and get things right.

Even though people care about their posthumous reputation, the fact that they might be blamed in future generations is unlikely to be a very strong guide for current behavior. It can be hard to predict how people in years and centuries to come will evaluate one's conduct. In Colston's case, moral standards have shifted significantly in the centuries since he died, so that now his role in the slave trade trumps his philanthropy in people's moral estimation.⁹

Furthermore, while there was a significant aspect of norm affirmation in the act of tearing down Colston's statue, it isn't plausible that people were doing it as a way of warning their contemporaries off slave trading specifically. After all, the practices that we condemn Colston for are no longer legal in the UK. There is, of course, still human trafficking, and there are various forms of modern slavery. But the focus was on Colston and the historical transatlantic slave trade, not current cases of human trafficking or modern slavery. One might respond to this by saying that our moral blame of Colston may well target moral failures that are applicable to the living, but on a higher level of generality. Rather than trying to discourage modern-day slavery specifically, we are trying to discourage the racism that made slavery possible. This then raises a further question, which is why people choose Colston as the target of blame, rather than targeting present day racism.

While it's plausible that blaming the dead may make the living think about what they might be blamed for posthumously, this doesn't provide a suitable rationale for our practice of blaming the dead. When people take the change in moral mores and things individuals are blamed for as an impetus to reflect on which of their current actions might be blamed in centuries to come, this is a possible side-effect of blame, not the *goal* of the practice. Furthermore, this effect won't be universal, some may feel it would be unfair for posterity to judge them by standards not yet available in their lifetime.

While my suggestion that the purpose of blaming the dead is to make people try to avoid *posthumous* blame isn't workable, it points in the right direction. Blaming the dead still serves the point of preserving and developing individuals' moral reasons-responsiveness, but it does not do so by appealing to our desires as to how we would wish to be judged after our death, especially by future generations.

Forward-looking accounts of moral responsibility argue that the goal of our moral responsibility practices is to support and foster moral reasons-responsiveness (Jefferson, 2019; McGeer, 2019; Vargas, 2013). However, this does not mean that every instance of holding responsible is *explicitly and consciously* aimed at an agent's moral improvement. Rather, most current forward-looking and consequentialist theorists of responsibility accept that the phenomenology of blame is backward looking. As Jacob Barrett describes the project, the consequentialist "is not attempting to give a forward-looking account of how we hold people morally responsible in particular cases, but rather a forward-looking justification of our backward-looking moral responsibility practices taken as a whole" (Barrett, 2020, p. 6).

While forward-looking accounts differ in the details of what kind of moral influence are core to justifying blame, they agree that we don't all run around calculating the consequences whenever we blame someone. Manuel Vargas has argued that the purpose of our responsibility practices is more general than just the moral improvement of the person blamed in that particular instance (Vargas, 2013, 2021). Our practices are justified if they support moral agency in a community over time. This happens in a number of ways, the paradigmatic case may be the one where we visit our resentment or harsh treatment on the wrongdoer. Accounts like McGeer's (2019) are strongly focused on how individual moral reasons-responsiveness is supported and developed by being the target of reactive attitudes.

But blaming responses are not just directed at and do not just influence their immediate target. Blame may influence the wrongdoer, but it will also serve the function of signaling to the social environment what kinds of actions are morally acceptable and which ones will not be accepted. A further key role of blame that Shoemaker and Vargas (2021) assign to blame is signaling what values we stand for to the moral community. This public role of holding to account is much more visible in theories of legal punishment. In marginal cases, there need not be someone who consciously suffers the ill effects of blame or punishment—we also reinforce our moral commitment by holding the

absent, including the dead, to account. We don't stop expressing our commitment to moral norms just because the person who acted badly is out of reach.

This forward-looking justification also assigns an important role to the emotional element that is so typical for blame. The emotional reaction of anger is one that reinforces its motivational power, both for ourselves and others. Take a case of blaming the absent—blaming former UK prime minister Boris Johnson for lock-down parties during the early stage of the Covid 19 pandemic. When I express my outrage at Boris Johnson's behavior, I am expressing and reinforcing my values. If we do this in a community, we nail our flags to the mast. This is the case even when Boris Johnson is not there to hear me. The point that moral reinforcement is not exclusively, sometimes not even primarily geared at the offender is well known both from the moral responsibility literature (Shoemaker & Vargas, 2021), but it also comes up in justifications of criminal punishment, for example in the goal of general deterrence.

If blame is not necessarily aimed at fostering the moral agency of those who are blamed, even though it typically is, there is no in principle problem with there being a point in blaming the dead. But to show that there is a point in blaming the dead, we need to look at what it does for the living. Let us see how this plays out in the example cases I introduced above. I will start with the removal of Edward Colston's statue as an act of moral condemnation for his role in the slave trade. This is a case for which the forward-looking aim of norm-affirmation and reinforcement clearly holds. It is because we think that what Colston did was wrong that we don't want to honor him by putting up statues and the act of removing the statue becomes a form of blame. As pointed out earlier, toppling the statue isn't intended as a way of motivating the living to refrain from the actions we blame Colston for, we are not trying to dissuade people in our social environment from becoming slave traders. (Though obviously we don't want them to do that). Rather, it is a way of acknowledging the enormity of the wrongs done to African slaves in the past. In taking down the statue, people affirm their rejection of racist injustice by acknowledging past wrongs. In fact, Joanna Burch Brown points out that “[r]emoving honours from human rights violators is one of the few forms of corrective justice available when a rights violator is dead” (Burch-Brown, 2022, p. 5).¹⁰

The case also beautifully illustrates the role of blame as a way of directing moral attention. While debates about whether Edward Colston should be honored were long-standing in Bristol, the fact that his statue was pulled down when racist atrocities were at the forefront of public attention is no coincidence. George Floyd was murdered on May 25th 2020, triggering an outcry in the US but also in many other countries, including the UK. Edward Colston's statue was toppled and thrown into Bristol harbor on June 7th, 2020.

One might object that the link between the slave trade and protest against current day racism is too weak for this to count as an expression of blame which has a point or serves a purpose. This would be a mistake. If racism were no longer a problem, if this was ancient history and there were no people still suffering from the form of discrimination that began then (be that because of long-term economic after-effects or because of persisting racist views), there would be no need to pull down statues. In blaming the dead, we take a stand on our moral commitments and signal to the living what kinds of attitudes and behaviors will not be tolerated.¹¹ Most people do not feel that they need to make much of point about Aristotle's views on slavery. We perceive them as morally wrong, but there are no descendants of people enslaved in Ancient Greece currently suffering bad after-effects in the way that the after-effects of slavery are still felt by the descendants of the transatlantic slave trade. In this sense, there are no continuing wrongs to be righted with regard to the people Aristotle had in mind when he defended slavery in his *Politics* (Aristotle, 2009).¹² Because of this, angry blame and protest seem both inappropriate and pointless in this instance.

The fact that the kind of angry blame we see in toppling Colston's statue was a form of moral protest and that we don't see the same kind of moral outrage in the case of Aristotle raises the interesting possibility that the person blamed was not, or not primarily, the deceased, but the people still presenting him as a great figure in history. On this account, it isn't really the dead that are blamed, but the living. In recent disputes about how to deal with racist histories, it is certainly the case that the living who want to continue honoring racist leaders (be they military or otherwise) will be blamed for that (Neiman, 2020). But blaming the living is not a necessary feature of blaming the dead,

and even cases where we blame the living in protesting against the dead, this requires at least minimal blame of the dead wrongdoer.

McKenna takes a different stance on the question whether cases of more detached blame of the wrongs people have done in ancient history still counts as blame proper. This is because, according to McKenna, if we cannot see ourselves calling the person to account if they were available to us, what we have are mere judgments of blameworthiness, which he doesn't think amount to blame. While I am sympathetic to this line of thought, I have opted to include these minimal cases of blame as non-paradigmatic cases of blame. But we agree on the substantive point, that in some, but not all, cases wrongs committed by those who have died call for a reaction, be that anger or protest, which goes beyond the moral judgment that what they did was wrong and the wish they hadn't done it.

However, we differ on the conditions that make present day blame of the dead appropriate. According to McKenna, the communicative target is primarily the deceased. He says that he would blame Hitler and Harvey Oswald in a way he finds it impossible to blame Caesar, because he can imagine discussing the moral demands violated and calling the former to account in a way that he cannot for Caesar. "I am alive to the possibilities of modes of interaction with Hitler or Oswald were I to have some interaction with one of them" (McKenna, 2012, p. 178). Thus, a primarily communicative approach is rooted in the possibility of interaction which is curtailed by death. By contrast, the instrumentalist account of blaming the dead sees the value of blaming the dead in a non-detached way in addressing present day moral problems. This can include blaming the living that honor the dead as well, but need not.

The above comments give us an indication of what we should say about the case of Hume. For many people, the negative moral evaluation of Hume's comments on race only amount to the minimal form of blame that Sher proposes. Many people who judge that what Hume said in his essay on national characters was wrong, reflected badly on him and was regrettable, nevertheless will not show much emotional investment or indeed any other kind of the calling out behavior that we see in the case of Colston. But there may be people who feel strongly that Hume needs to be called out, that it is unacceptable that he should have had these views and that it's particularly important to call them out given that he's a revered member of the philosophical canon. By not glossing over the ugly aspects of his writing, we once again take a stand on the importance of the issues.

4 | PROBLEM CASES AND OBJECTIONS

Finally, let us return to Helen, who blames the deceased Martin when she finds out about his infidelities. This case has all the hallmarks of blame, a judgment that what the partner did was morally wrong, and strong resentment. What sets this case apart from the others is that it is so personal. It's a reaction to deep personal hurt. However, it doesn't look like a good example for what we have identified as instrumental aims of posthumous blame. It does not look like a case where Helen wants to assert the wrongness of infidelity to an existing moral audience.

Rather, Helen has a burning need to tell Martin that *he* should not have treated *her* like this. This is a paradigmatically Strawsonian case in many ways, where what's at stake is what quality of will Helen expects from Martin. The phenomenology of wanting to call *Martin* out fits McKenna's account excellently. But this form of communication is just not possible once Martin is dead. Helen's diary entry quoted earlier continues: "If he were still alive I would divorce him. But death has divorced us already. There is nothing I can do with this knowledge, no way I can relieve my anger, except to write it down" (Lodge, 2002, 203). Compare this with blaming Colston or Hume. In those types of cases, we are often first and foremost concerned with getting the living to acknowledge the moral wrongness of the action(s) at stake. We don't much care that Hume or Colston won't feel the pangs of guilt, or that they can no longer change. Though you could imagine a truly invested Hume scholar who wishes she could sit down with him and get him to admit the error of his ways, that would be the exception, not the rule. Thus, death does make certain aims of blame impossible to attain.

This does not mean that blame is *unfitting* in cases like Helen's. But as a communicative endeavor, blame is pointless in these cases, which is precisely what makes them so tragic. Helen's case also does not fit the instrumentalist explanation well, because it is not a case where someone is taking a moral stand and communicating it to a moral audience. One could of course argue that, rather than generally asserting what behavior is morally wrong or right, we assert what is owed to us by someone we loved and trusted. It may make us less likely to cheat ourselves in any future relationships because we remember how deep the hurt went. We might say that it reinforces, to ourselves and others, the importance of honesty and mutual respect in relationships. But that seems, at best, incidental to what is going on.

This does not mean that communication of this kind of pointless; there may be a point separate from any moral aims we pursue when we blame. It may be part of an important psychological process for the grieving spouse. One practice we find in psychotherapy is for patients to write letters to the deceased. But goals of achieving closure and moving on, while important, are quite far removed from standard cases of communicative blame, be that the communication with the wrongdoer or with other members of the moral community. Shoemaker and Vargas claim that “[b]laming the dead is mostly a signal for the living” (Shoemaker & Vargas, 2021, p. 592). This is true, but the “mostly” is an important qualifier. Sometimes, blaming the dead is driven by an overwhelming desire to communicate wrongdoing *to the deceased*, even though this is no longer possible. Our communicative desires do not automatically end when someone is no longer present, there is a psychological lag. Furthermore, moral communication and norm-affirmation is diffused throughout our moral thoughts and actions, and while the wrongdoer is the primary recipient of these processes, both the blamer and the moral environment are integral parts of the moral audience.

Contrasting the case of Helen with that of Colston or Hume gives us two paradigm cases of blaming the dead. The former is primarily directed at the deceased, the latter at communicating and negotiating values with the living. The Helen case fits the communicative account better, but is derivative in the sense that it's appropriateness conditions rely on whether it would have been appropriate to blame the person if still living and our level of personal investment in that specific person's immoral behavior.

By contrast, the case of blaming Colston (or Hume) clearly serve a purpose for norm communication and reinforcement among the living. While they also clearly require at least minimal blame of the judgment of wrongdoing and fault kind, they otherwise can be quite far removed from any concern with the actual dead person. As so often in instrumentalist accounts, there is a danger of the blamed being instrumentalised, used as symbol of wrongdoing. To an extent, this is unavoidable, but to mitigate this, we should not lose sight of what the dead actually did and believed, but make sure that our judgment of culpable wrongdoing is well founded in the facts.

5 | CONCLUSION

Blaming the dead can seem like an odd practice which is not well suited for communicative and instrumentalist accounts of blame. On minimal accounts of blame, blaming the dead is unproblematic, as it is first and foremost a form of moral assessment. But blaming the dead also plays an important role in moral communication and the development of moral reasons-responsiveness in a moral community. Blame is often an expression of moral commitment and a form of negotiating moral norms. We do this using the dead as examples, even if the dead are no longer part of that conversation. In some cases, however, the conversation is explicitly aimed at the deceased. While these cases are still fitting and can have some incidental benefits, the primary goal of communication can no longer be met. It is another thing that makes death so tragic for those left behind.

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ENDNOTES

- ¹ Whether we classify them as blame will in part depend on our account of blame. This will be discussed in more detail in Section 2.
- ² For a slightly richer but still fairly minimal account see Brink and Nelkin's recent "core and syndrome" account of blame (Brink & Nelkin, 2022).
- ³ As a pedantic aside, it should be noted that Sher does not aim to do conceptual analysis but to capture the real phenomenon of blame. Nevertheless, his account captures most of our everyday uses by virtue of not building in things like reactive attitudes or the aim to change others into the definition.
- ⁴ Note that paradigmatic cases need not be the most common ones. They only need to be the ones that we take as exemplifying what blame is about, the first ones we think of.
- ⁵ It also doesn't distinguish between the different kinds of blame that Watson (1996) associates with accountability responsibility and the one that is associated with attributability responsibility respectively.
- ⁶ Some may be puzzled by the fact that I am grouping broadly communicative Strawsonian accounts and more instrumentalist ones together, even though many Strawsonians are very dismissive of instrumentalist accounts and might resist this grouping. But both types of account share a fundamentally forward-looking approach that focuses on the role our moral responsibility practices do and should play. Furthermore, philosophers like McGeer and arguably Fricker have one foot firmly in the Strawsonian camp and another in the instrumentalist camp, and many instrumentalists try to accommodate the reactive attitudes to some extent. See for example Arneson (2003) or McGeer (2019).
- ⁷ McKenna takes this route, calling them judgments of blameworthiness rather than cases of blame, see below.
- ⁸ Some might even be tempted to provide a debunking account of blaming the dead, according to which it is understandable but irrational. Many people still believe that the souls of the dead still live on, and even those who don't believe this have problems getting their head around the idea of people ceasing to exist.
- ⁹ It also seems that our concern with what happens after our death is much more closely concerned with the years and decades right after our death, rather than with a future centuries away where those we care about have also perished. For example, Scheffler's (2016) striking thought experiments about how events after our death affect our perception of the value of our lives while still alive deal with a period close to our death, which we can easily project our current aims and concerns to.
- ¹⁰ There is, of course, the further question whether removing statues is the best way of expressing blame, for a discussion of this see (Burch-Brown, 2022).
- ¹¹ This raises a further important question which I don't have space to address adequately in this paper: Given that the dead can't talk back and blaming them is therefore a low cost activity, is there a danger that blaming the dead is mere lip service to values which we would not be willing to enforce to the same extent among the living?
- ¹² A further complication in this kind of case is the worry that Aristotle may in fact not be blameworthy at all due to moral ignorance. (For a defense of moral ignorance as an excuse for slaveholders and an argument that this means we should not now blame them see Levy, 2024; Rosen, 2004) I will leave this added wrinkle to one side in this paper as the question when (if ever) moral ignorance excuses is a vexed one in its own right. For the record, I think there is good psychological evidence that a lot of moral ignorance is motivated ignorance (Bandura, 2016) and am skeptical that there are many cases where moral ignorance excuses, especially when it consists in the belief that discriminating against group x is not wrong.

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