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RIGHTLY OR FOR ILL: THE ETHICS OF REMEMBERING
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ALISON NICOLE CRANE REIHELD

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RIGHTLY OR FOR ILL:
THE ETHICS OF REMEMBERING AND FORGETTING

By

Alison Nicole Crane Reiheld

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ABSTRACT

RIGHTLY OR FOR ILL:
THE ETHICS OF REMEMBERING AND FORGETTING

By

Alison Nicole Crane Reiheld

Forgetting a birthday, a wedding anniversary, a beloved child's school play or a dear colleague's important accomplishments is often met with blame, whereas remembering them can engender praise. Are we in fact blameworthy or praiseworthy for such remembering and forgetting? When ought we to remember, in the ethical sense of 'ought'? And ought we in some cases to allow ourselves to forget? These are the questions that ground this philosophical work. In fact, we so often unreflectively assign moral blame and praise to ourselves and others for memory behaviors that this faculty, and moral responsibility for it, deserve careful philosophical attention.

These questions of blameworthiness and praiseworthiness for memory do not pertain only to individual memory behaviors. Collective memory behaviors may also be morally blameworthy or praiseworthy. Consider the matters of how South Africans go about remembering apartheid, how Bosnian Serbs and Albanian Muslims go about remembering their conflicts, or whether and how Americans "never forget" September 11, 2001.

In fact, individual and collective memory are not as separate as you might think. Though individual memory is based in the individual's biology—the functions of the brain—individuals are members of collectives; our individual memories are both shaped by social interaction to a surprising degree and major loci of collective memory. Thus, determining moral blameworthiness or praiseworthiness for memory behaviors is a

complicated philosophical endeavor. To address these issues, I set myself three tasks.

First, to analyze the nature of both individual and collective memory using philosophical, neuropsychological, sociological sources. This reveals that both individual and collective memory are best conceived as constructions, not necessarily inaccurate, but certainly not perfect recordings of events. Individual memory constructions are influenced not only by our choices, but also by neurological and social determinants. Individuals are one locus for collective memory storage—others include memorials, books, songs, and national holidays—and are agents for collective memory construction.

My second task is to analyze moral responsibility, specifically what makes us praise*worthy* and blame*worthy*. Ultimately, I reject libertarian conceptions of moral responsibility and adopt Nomy Arpaly's influential reasons-responsiveness which holds that the moral worth of an agent depends on the moral desirability of an action and the degree of moral concern with which she pursues it.

My third task is to apply this analysis to both individual and collective memory behaviors. In doing so, I generate a preliminary set of twelve rules for both individual and collective memory behaviors, each defeasible under conditions that change whether, and the degree to which, moral agents should be held praiseworthy or blameworthy.

I intend that these twelve rules and their attendant considerations of application and defeasibility provide not only philosophers but moral agents more generally with useful tools for a reflective ethics of memory. By such means may we all remember and forget rightly, and not for ill.

I dedicate this work to my husband Bert and my sons Robbie and Alexander who have

supported me as I dedicated myself to the task of researching and writing this

dissertation; for Robbie in particular, whose memory for the trivial and important is a joy,

and whose memory for transgressions—real or perceived—keeps me on my toes; and for

wee Alexander, who will see far more of me now.

We are who we are because of what we remember and have forgotten about the world.

ACKNOWLEDGEMENTS

This work would not have been possible without the specific support of a number of folks. To them, I offer my gratitude and appreciation.

To the Lyman Briggs College at Michigan State University—staff, faculty, and administrators—whose material and moral support during the early stages of the writing provided a place for me to work, equipment and supplies with which to do so, and the encouragement to complete the task.

To my colleagues at in the Department of Philosophy at Southern Illinois University – Edwardsville who supported me as I began a new position while completing this work and have welcomed me as a peer.

And last but by no means least, to my dissertation committee—Tom Tomlinson, Tamra Frei, Rob Pennock, and Jim Nelson—whose own work and their expectations of mine have prompted me to achieve what I hope is one of the best versions of this work in all the possible worlds in which I have completed it.

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Chapter 1: Introduction

We are the sum of the stories we tell ourselves, and those stories are necessarily rooted in our experience, and by how we choose to interpret the experiences of others. These mechanics of memory create a new, present reality that then determines the future... the future and the past and the present are all mixed up together. **What we choose to remember is critical, since the narratives that play in our heads shape everything.**

-- John Meacham, "The Stories We Tell Ourselves" (my emphasis)

This dissertation deals with moral responsibility, blame, and praise for both individual and collective memory. The two are not as separate as you might think, for though individual memory is based in the individual's biology—the functions of the brain—it is also the case that individuals are members of collectives and that our individual memories are shaped by social interaction to a surprising degree. Once we begin considering how *collectives* influence *individual* memory, it is a very short path to asking how *individuals* influence *collective memory* and to considering collective memory in and of itself. This makes moral agency for memory—whether individual or collective—a very complex thing. Thus, determining moral blameworthiness or praiseworthiness for memory behaviors also becomes complex.

I intend to perform a task with regard to individual memory and moral responsibility that philosophers generally do quite well. That is, to take something we have thought to be quite simple or unremarkable, to reveal that it is complicated, and then

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to make some headway towards resolving those complications. When I do this for non-philosophers in teaching or in scholarship, they often say, "You're making it harder than it has to be." My response is, "You're making it simpler than it is." And while persons often get away with making things simpler than they are, it is a spectacularly bad idea to try when dealing with matters of import such as health care, justifications for war, or subjects for which we commonly blame and praise each other unreflectively, such as memory. It is the very complexity of memory and of moral agency for memory that makes it incumbent upon us to be reflective about how we assign blame and praise for remembering and forgetting.

As an essential prelude, I begin with what motivates my project on the ethics of memory and indicate some other approaches to it, for these frame my argument. In doing so, I already also begin the task of complicating memory, in this case, by broaching the subject of how it is that memory is, any sense, moral. I then go on to introduce a number of case studies that will guide our reflection during this project, and to introduce a way of distinguishing the moral desirability of the case study behaviors from whether they are ones for which agents can be held morally responsible. Finally, I provide an outline of my argument for moral responsibility for memory over all chapters of this work.

Let us begin with the roots of the project and how I came to see memory as a fit subject for moral reasoning.

1.1. Motivation for the Project and Framing

Like many philosophical motivations, mine is rooted in experience. And because I am a human philosopher, my experiences are of both personal relations and philosophical reflection.

For the last decade or so, Ed Crane—my father—has been involved in development work, specifically the reconstruction of civil societies. In the dawning years of this decade, he worked in Kosovo in places where some of the worst violence happened during the Serb-dominated ethnic cleansing campaign under the auspices of Slobodan Milosevic's government. Mr. Crane was assigned a particular region and tasked with constructing local governments that would be representative of the people, to include total restructuring of the city councils if necessary and possible. What he found in most cities was two very different stories about who had been persecuting whom for hundreds of years, structured in terms of both familial rivalries and rivalries between Albanian Muslims and non-Muslim Serbs. In many places, he found two separate city councils, both reporting to the mayor but neither in contact with each other, and with overlapping representation for parts of the city. And, he found a Serbian collective memory that traced this separatism to the days of the Ottoman Empire's depradations. Two separate sets of memories structuring identity and attitudes, two separate chains of construction for these collective memories, two ways of doing violence to others before any physical violence took place.

My father's work and similar work was largely unsuccessful: In March of 2004, very near the city where he worked, two Albanian boys went missing. Reporters and Albanians assumed foul play by Serbs, noone thought of local government as the solution, and the next day approximately 51,000 people across Kosovo rioted, 19 people died, over 1,000 were injured, and nearly 1,000 buildings—mostly owned by Serbs— were damaged or destroyed; the boys showed up alive and well. The worst internal displacements—41,000 internally displaced persons—occurred in the region where my

father worked, an indication that civil society construction failed (Bock and Pham, 113).

Why did the problem persist? I began to see part of the problem in what people chose to

remember *and how they chose to remember it*. Put this side by side with the work of the

South African Truth and Reconciliation Committee to create a national collective

memory of apartheid which incorporates all members of society, and it seems that the

way a collective remembers is subject to deliberate intervention and can be done to good

or ill effect.

Not long after discussing my father's work with him upon his return stateside, I

was studying moral psychology, which of course focuses on the individual rather than on

the collective. And in many approaches, I saw an underattended role for memory in

moral reasoning. For instance, in David Velleman's "The Possibility of Practical

Reason," he suggests that what ought to make something count as a practical reason for

persons is not, as Peter Railton writes, the fact that it matters to a person. For Vellemann,

a reason is motivating, and not merely something that matters, about which we care. So,

only motivating considerations are reasons. In considering the difference between that

which matters and that which motivates, I realized that our memories of past experiences

tell us not only what we value, but what has worked to achieve our values in the past and

thus memories give us reason to think that similar experiences are also valuable to us.

Without memory, there can be no motivating reason. The role of memory in moral

reasoning can also be seen in a brief consideration of Karen Jones' work "Emotional

Rationality as Practical Rationality", in which she suggests that emotions which help us

to be rational in decision-making, particularly in moral decision-making, are "quasi-

perceptual" and actually are a "species of determinate patterns of salience among objects

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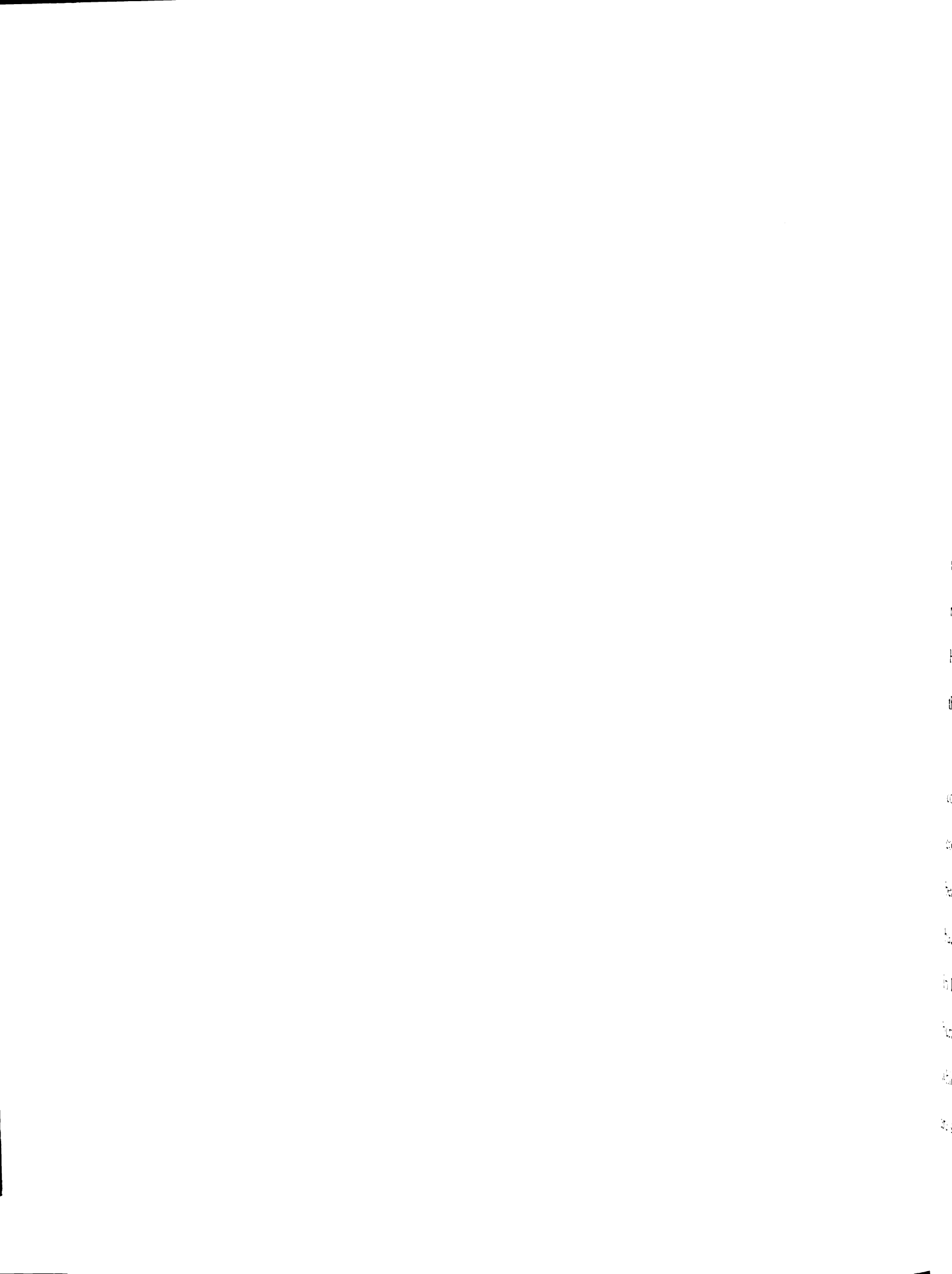
of attention, lines of inquiry, and inferential strategies." (335-6)   What this does is to "select certain features as starting points for deliberation and reject others as unimportant." (Jones, 340) And yet, our emotions result in part from the associated memories on which we draw in making decisions, and as memory studies have shown, there is often affect attached to these memories, affect which shades the emotions we might use for framing. What's more, memories, themselves, would seem to frame situations; if there is one thing that experience teaches us, it is which aspects of a situation we ought to consider salient and which we ought not. In these ways and many more, I began to see memory as playing an underattended role in ethics. This rapidly cemented into a persistent interest in the ethics of individual memory and collective memory, going far beyond how memory plays into ethical reasoning to how remembering and forgetting can, themselves, be morally blameworthy or praiseworthy. How do we decide, if we do decide, *what* to remember? Is there moral decision-making that occurs about memory behaviors such as remembering and forgetting?

Let us move away from the motivation for *my* project to others who have considered, however briefly or well, the ethics of memory so that we might have some context. One of the oldest formulations of a moral obligation of memory is the duty to bear witness. The idea that there are some things which should be remembered dates back to the writings of Brother John Clyn, a friar in Ireland during the Black Death who, in 1348, recorded the nature and progress of the disease through his area until he had buried the last of those around him, and continued to write as he was dying "lest things which should be remembered... pass out of memory." This "should", the sense that there are some things we are obligated to remember, is laid out in non-fiction literature on the

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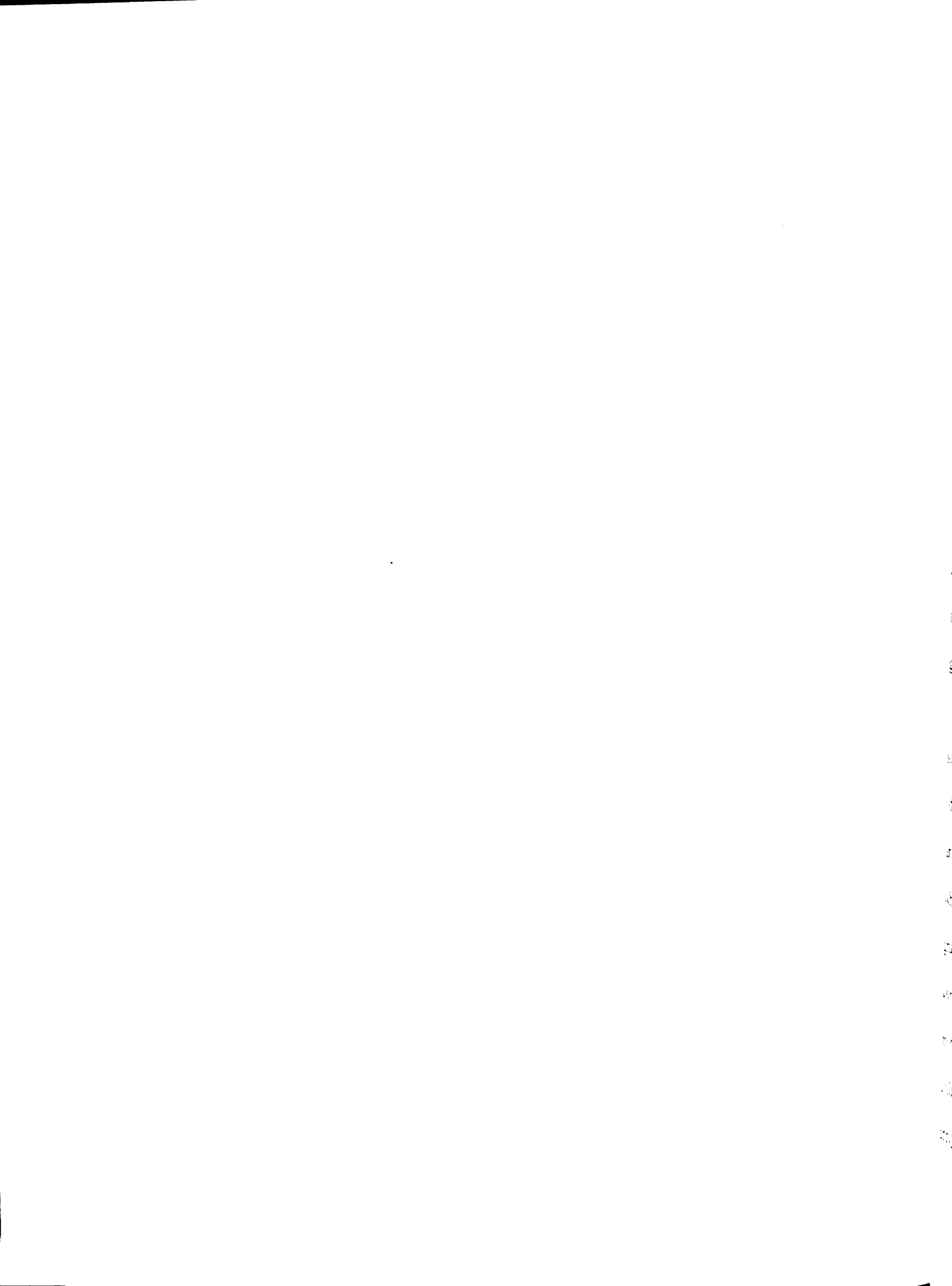
Holocaust (Margalit; Wiesel 2006) and is given form in fiction and memoirs about the Holocaust (Levi; Mendelsohn; Wiesel 1982). Terrence Des Pres, in his book *The Survivor*, nicely sums up the moral nature of such acts of memory:

> Where men and women are forced to endure terrible things at the hand of others—whenever, that is, extremity involves moral issues—the need to remember becomes a general response. Spontaneously, they make it their business to record the evil forced upon them. ...Here—and in similar situations—survival and bearing witness become reciprocal acts.

But witnessing and remembering the tragic past is not always done well or rightly, as suggested by the Kosovo example. And as we shall see later on, placing the obligations of memory squarely on the shoulder of the victims in the form of a duty to give testimony carries its own moral hazards.

But let us not assume, as most ethics of memory have, that memory is morally significant primarily in times of great tragedy or violence. Consider the perennial issues of forgotten promises in daily life, of forgotten dates or events important in both your life and the lives of others, of remembering the things which matter to those about and for whom you care, of remembered transgressions, sometimes just and others merely grudges. Such memory behaviors of daily life are ones for which we commonly and *unreflectively* heap blame or praise upon the agent. *We always already treat memory as a moral thing.* And thus, these behaviors raise some of the same issues as witnessing and collective memories: What is the nature of this obligation to remember? When does it apply? Can there be an obligation to not remember—to not entrench memories of an

event? And can there be an obligation to remember in a particular way, or even to forget? How can we meaningfully discuss moral responsibility for memory, and can moral agents be held blameworthy and praiseworthy for how they remember and forget? The answers to these questions affect human lives not only in times of great tragedy but also of normalcy, and they bear on a wide range of philosophical issues including freedom of the will and moral responsibility. Thus, they are questions whose consideration will benefit us all.

This framework—these questions—shape this investigation and make of memory a moral thing.

1.2. Memory as Morally Significant

When man truly approaches the Other, he is uprooted from history.

--Emmanuel Levinas, *Totality and Infinity*, 1969

Emmanuel Levinas believed that ethics lay in the raw encounter with the Other, in which one's ego was stripped of everything—including history—but awe for the sacred alterity of other persons. For Levinas, perceiving the "face" of the Other is the basis of ethical behavior and is a phenomenological experience; ethical behavior is independent of any other experience and therefore ethics is immemorial. He also held that the converse applied: memory is nonethical (Herzog). While this may be consistent with Levinasian ethics[1], it seems a gross misapprehension of the significance of memory for the ethical relations between most individuals and between groups. Indeed, memory is both necessary for matters of ethics and a matter of ethics, itself.

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[1] Annabel Herzog believes it is not, and that there are reasons to believe that memory is not distinct from ethics or irrelevant to ethics, even within Levinas's own texts.

It is necessary for matters of ethics several reasons. For many who address memory and ethics, there would be no ethics without memory to hold together our relations with others (Margalit, 8). What's more, memory provides premises for moral reasoning, ones that are used to justify beliefs about the world where those beliefs are used to make moral judgments. There may be no ethics without memory because we need memory to have a sense of time and the past, to formulate intentions, or actions, or duties (Silber, 55). Finally, memory shapes our attention to the world; past experiences shape the degree to which features of the world seem salient[2] for moral reasoning[3]. However, *the subject of this dissertation is not how memory is necessary for matters of ethics, but how memory is a matter of ethics.*

I contend that memory is a fit subject for moral obligations because it is one for which we can be held morally responsible. We can thus be blamed or praised for how we remember and for how we forget. I make the case for this in Chapters 2 (the nature of memory), 3 (moral responsibility), and 4 (moral responsibility for memory). In Chapter 4, I also paint a picture of what it would mean to remember rightly, not just accurately; to not remember, when it is right to refrain from constructing memories; to forget rightly, despite the loss of forgetting; and when obligations of memory are defeasible by other moral obligations such as compassionate treatment of victims.

Before we move on to the argument in full, it may help us to elucidate some cases for consideration throughout. By presenting these now, I both hope to be able to refer to

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[2] The origin of the word is in the latin 'saliens' meaning 'leaping'; in French, the word 'sallient' is a military term meaning a bulge in a front line. In terms of paying attention to the world, it is something relevant or important that stands out from the features around it, a prominence. Salience as a feature of moral reasoning is based in the moral particularism of Jonathan Dancy and other philosophers who argue that a given feature of the world (say, that one is related to another person) may be morally salient in one situation and not salient in another.

[3] See my prior brief consideration of Velleman's and Jones's moral psychology.

them later with ease for both myself and the reader and intend that they serve as clear examples of how we do often unreflectively consider memory a moral matter, blaming and praising, and in other cases fail to consider memory a moral matter when we clearly ought. Let us consider these, then, as further evidence that memory is morally significant.

1.3: Cases

Consider the following cases which I propose are realistic examples of the ways in which the human mind forgets and remembers, and in which I suggest there is moral salience. Cases 1 through 4 represent the memories of individuals while cases 5 through 7 represent the ways that social groups create and maintain collective memories.

Case 1: The forgotten birthday

This happens often, and it is perhaps best to take a real-life incident than to create a realistic fictional one. Consider this description by Angela Smith:

> I forgot a close friend's birthday last year. A few days after the fact, I realized that this important date had come and gone without my so much as sending a card or giving her a call. I was mortified. What kind of friend could forget such a thing? Within minutes I was on the phone to her, acknowledging my fault and offering my apologies... I did not *intend* to hurt my friend's feelings or even *foresee* that my conduct would have this effect. I just forgot. It didn't occur to me. I failed to notice. (236)

Case 2: The remembered grudge

Karl and his sister, Katie, love each other. However, their relationship is backgrounded in the fact that Karl is the biological child of their parents and Katie was adopted. Katie has always struggled to live up to Karl's academic example and, because she never seemed to quite be able to

match him, she has given up on school altogether. What's more, when Karl and Katie, now adults, get together, Karl begins to recount some of his fondest memories of their shared youth, including roller-skating together along the sidewalk at the beach in the summers, a fond recollection frozen in his memory and on paper by an image of the two of them in their swimming suits, hugging each other while precariously balanced on matching sneaker-skates. Katie gets a strange look on her face and says that she doesn't remember that. Karl pulls out his PDA and shows her the digital copy of the picture that he has uploaded to it. Katie says that she often doesn't remember these good things about their past, but has vivid recollections of the sense of failure she felt whenever she thinks about school or Karl. Indeed, to this day she holds a grudge for the time that Karl got her in so much trouble by tattling on her that she was left out of the family vacation and stayed with grandparents while Karl and their parents went to Europe for a few weeks. She can't remember what she got in trouble for. But Karl reminds her that she had gotten so mad at him over a comment he'd made that she punched a hole in his door and smashed his bike. Several weeks after this conversation, Katie is vaguely unsettled by her realization that she doesn't remember the good things about their past; in contrast, Karl is deeply upset not only about this, but that she doesn't remember the bad aspects of her own actions and holds a grudge against him for something he judges to be far less significant than her own actions.

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Case 3: Scooter Libby and the forgotten betrayal

I. Lewis "Scooter" Libby was once chief of staff to Vice President Dick Cheney. On March 6, 2007, Libby was convicted of lying and obstructing justice during a leak investigation. The leak: that Ambassador Joe Wilson's wife, Valerie Plame, was a covert CIA operative. The alleged lie: that he did not know this and could not have revealed it to reporters. Firm evidence was found that Libby did in fact know and leaked the information to several reporters. The jury counted nine times on which he had been told of Plame's covert status, including by Cheney, himself (MSNBC.com). Libby's defense: that he had forgotten (a) that he had known, and (b) who he had told (VandeHei, A14). The person who replaced him as chief of staff to Cheney testified that Libby had a terrible memory (O'Reilly).

Case 4: Jill Price AKA A.J.

Jill Price actually exists, and has been known for some years in the psychology literature by the case acronym "A.J." During her early teen years, Jill Price began to remember everything which happened to her: the weather, her meals, what she wore, what peers said to her, and so forth. Now an adult woman, she recalls all this and more effortlessly. She recalls also the day she got married, how her husband helped her to cope with being able to remember everything and gave her many good things to remember. And she remembers his death after only a few years of marriage. She cannot forget by an act of will and, since beginning to

remember in this way, has forgotten nothing of which she is aware (Talk of the Nation). For her, remembering is "nonstop, uncontrollable, and automatic" (Parker et al.).

Case 5: The Bosnian feud

The central memory of Serb identity is the lost Battle of Kosovo in 1389 during struggles with the Ottoman Empire. For Serbs, this came to symbolize their belief in "a permanent Muslim intention to dominate them." (Novick 27) In the early 1990's, the Bosnian war and reports of ethnic cleansing had brought a response from the U.N. Peacekeepers were sent to monitor the situation and set up "safe areas" including one at Srebenica. On July 6, 1995, Bosnian Serb forces began attacking Srebenica. By July 10, the Serbs were ready to take the town and demanded that U.N. peacekeepers there surrender their weapons and equipment or face shelling. The presence of the peacekeepers was all that stood between the Serb forces and what is estimated to have been approximately 40,000 Muslim men, women, and children. The peacekeepers surrendered and the Serb forces, under General Ratko Mladic, began rounding up civilians. Several days later, more than 7,000 Muslim men were mass murdered by Bosnian Serbs in a soccer stadium in Srebenica (Power xiii-xiv). This took place in a context of far-reaching collective memories which justify future actions such as the Serbian offensive and the reaction to the disappearance of two boys discussed in section 1.1.

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Case 6: Cooperative Construction of Collective Memory in Israel

Palestinians refer to the 1948 conflict that gave birth to the nation of Israel

as the *Nakba*, or Catastrophe, while Israelis refer to it as the War of

Independence. In my analysis, these different accounts are distinct

collective memories of the same events held by discrete collectives.

Palestinian Sami Adwan, a former militant and now a lecturer at

Bethlehem University, and Israeli Dan Bar-On, a social psychologist at

Ben Gurion University, codirect the Peace Research Institute in the

Middle East (PRIME). PRIME was founded in 1998 with the mission, in

part, of bridging the gap that has created such different accounts of the

past. One of PRIME's methods is to distribute three booklets for use in

both Palestinian and Israeli high schools that force each side to confront

these contradictory collective memories. Each page has three sections,

one for the Palestinian conventional narrative, one for the Israeli

conventional narrative, and a third for the student to fill in as he or she

sees fit. The PRIME booklet has been adapted to the Macedonian-

Albanian context, to the French context for conflict resolution between

muslims and non-muslims, and for the Catalan and Basque regions of

Spain. Adwan says that "The idea is not to legitimize or accept the other's

narrative but to recognize it." (in Chen, 46) The hope is that familiarity

with other points of view will lead to better relations and possibly even to

a cooperative collective memory. Actual success has been fleeting in the Palestinian-Israeli context, however. In 2004, right-wing Israeli Education Minister Limor Livnat threatened teachers with disciplinary action if they used the PRIME text. Palestinian teachers who use the text have been threatened by community members for teaching what they called "normalization under occupation." (Chen, 46)

Case 7: Constructing collective memory of the Holocaust through French education

In the 1990's, the French government had previously acknowledged the importance of teaching the history of French colonial occupation in Algeria and Tunisia, and in 2005, the French parliament passed a law requiring that French history textbooks should "recognise the positive role of the French presence in its overseas colonies, especially in North Africa." (Bickerton) It is in light of these official interventions into how public education constructs collective memory that, in February of 2008, French President Nicolas Sarkosy personally revised the school curriculum for the 2008-2009 academic year: every fifth grader would have to learn the life story of one of the 11,000 French children killed by the Nazis in the Holocaust. Debate over these measures took place in moral terms about the nature of a duty to remember, with some historians arguing that intense focus on the victims would prevent children from remembering the Vichy government's wartime collaboration with the Nazis, and French politician, lawyer, and Holocaust survivor Simone Veil

saying "You cannot ask a child to identify with a dead child. The weight of this memory is too heavy to bear." (in Sciolino) Ultimately, Sarkosy cancelled the initiative.

Having introduced these cases, let us move on to some key concepts from moral theory before using them to frame our discussion of the moral salience of these seven cases.

1.4. Moral Worth and Moral Desirability

To address these cases and other aspects of memory to be presented in Chapter 2 (The Nature of Memory), I will be deploying a number of very useful concepts from the moral theories of Nomy Arpaly and other philosophers. While the majority of these will be introduced in Chapter 3 (Moral Responsibility), I now set out the foundational concepts of moral worth and moral desirability which can help to refine our consideration of the issues raised by the cases, above.

Memory, it turns out, does not have an inherent moral valence. By moral valence—a term widely used in the ethics literature to refer to the rightness or wrongness of an action or a moral concept—I mean moral desirability or undesirability, terms that come from Nomy Arpaly's elegantly composed and well-received recent book, *Unprincipled Virtue: An Inquiry Into Moral Agency*. Arpaly sets out to describe a new conception of "moral worth." Arpaly ends up at a theory of moral worth that is not about autonomy, an issue central to much moral theory of the 19th and 20th centuries. In the process, she makes several novel and critical distinctions that seem to explain many of our moral intuitions, that would well inform any consideration of moral responsibility,

blame, or praise, and which are particularly useful in considering memory, for which agency is complex.

According to Arpaly, moral desirability is a characteristic of an agent's action, and, as Arpaly says, it is what we mean "when we ask whether it is right or wrong, or how grave a wrong it is, or whether it is the best possible action" (2003, 69) Moral desirability is a kind of judgment thus made under any action-based moral theory, including both deontological theories and consequentialist ones. Let us apply this to memory behaviors.

Remembering may be morally desirable in some cases and morally undesirable in others. Consider the ability to recall what is important to others about whom you care or to whom you are responsible; this seems morally desirable. There is a popular British nursery rhyme concerning Guy Fawkes who attempted to blow up parliament; it is also a normative injunction to "Remember, remember, the fifth of November / Gunpowder treason, and plot." Thus, remembering can certainly be *seen* as morally desirable. But consider also the holding of grudges; this seems *prima facie* morally undesirable.

Similarly, forgetting may have variable moral valence: if we forget our promises, this seems morally undesirable. A common cultural injunction is to "never forget" September the 11th, an injunction which has definite normative value whenever it is uttered, thus if the injunction has merit, forgetting this would be morally undesirable. But if we forget whether the shoes we had in third grade had buckles or what we had for lunch on September 11, 2001, this seems morally neutral, a kind of forgetting which simply happens in the ordinary course of things. And if we forget trespasses against us where remembering them harms us and others, forgetting may be morally desirable.

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The same is true of remembering not *qua* recalling but *qua* remembering in a particular way. Suppose that I make and later recall an account of the past that includes only the harm that my brother has done to me and never the harm that I have done to him which may have precipitated his behavior; this seems morally undesirable in part because it's simply not fair. If I instead recall some other account which is more fair, this seems morally desirable by comparison.

But are the morally desirable memory behaviors necessarily praiseworthy? And are the morally undesirable memory behaviors necessarily blameworthy? This brings us to the conception of moral worth.

Arpaly make a key distinction between judgments about moral desirability and about moral worth, the latter of which pertains to attributions of praise and blame for, respectively, morally desirable and morally undesirable behaviors. Indeed, moral worth is tied to the judgment of responsibility—with which Chapter 3 shall deal in detail—and thus to blame and praise for the agent, and furthermore judges the extent of blame and praise which ought to accrue to the agent as a result of the action. The two are related. As Arpaly says, "...the extent to which an agent deserves moral praise or blame for her action depends in part on the action's moral desirability." (2003, 69) Alas, though *re*lated, the two—worth and desirability—are often *conf*lated. Consider the distinction between a charitable act performed by a person who *is* moral and the very same charitable act performed by the complex character of Madame Bovary, who Arpaly diagnoses as merely knowing the charitable act is good and desiring to *be* moral (2003, 68).[4] This gives rise to the question of moral worth—"why the same actions prompt us to

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[4] Arpaly helpfully makes the analogy that Bovary is like a woman who is in love not with her lover, but with the idea of love.

morally praise (or condemn) some agents more or less than others" (Arpaly 2003, 68-9)—and leads Arpaly to the conclusion that the same charitable action has the same moral desirability in both cases, but that there is something morally salient in the difference between the two, e.g., the moral worth of each action. As she puts it, "two actions that are equal in moral desirability may be of different moral worth" (69).

Let us now bring the twin concepts of moral desirability and moral worth to bear in formulating the issues raised by our Cases.

Cases 1 through 4 raise a number of very interesting questions for the ethics of memory. Is Angela right in blaming herself for having forgotten her friend's birthday? Surely not all instances of remembering or forgetting have a moral valence. But does Angela's? Is your good friend's birthday the kind of thing that you ought to remember, in a way that makes it morally desirable to do so and that makes forgetting morally undesirable? And if so, is her forgetting blameworthy? Arpaly's conceptual framework allows us to see that the question of the moral valence of Angela's forgetting—its moral desirability—and the question of its moral worth are two separate questions, each of which must be addressed. Similarly, is Katie's grudge against her brother Karl a case of remembering not only incompletely, but also of morally undesirable remembering? Is her unfair attribution of blame the morally undesirable object, or is it her unfair remembering of blameworthy actions? And if the latter, is she morally blameworthy? What of Scooter Libby, who committed what is arguably an act of treason—along with Dick Armitage—by revealing the covert agent status of Valerie Plame? His memory defense might have been legally exculpatory—though the jury thought not—but could it have been morally exculpatory, or does it actually point us toward a morally undesirably

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memory behavior? Would it be morally desirable for him to remember such an action, and thus morally undesirable to forget it? Assuming so, do his documented memory problems constitute a moral failure or just a cognitive failure, making his forgetting morally undesirable but not morally blameworthy? What of Jill Price who, by contrast, never has problems with remembering successfully but cannot forget? Is she to be praised for remembering morally desirable things? Is she to be blamed for remembering morally undesirable things, things for which we would blame others? If she indeed remembers uncontrollably and automatically, are her memory behaviors subject to blame or praise in any sense?

Cases 5 through 7 also raise interesting moral questions, though for collective memory rather than individual memory. Consider the Bosnian feud. Are there morally undesirable uses of pre-existing collective memory, and if so do these fall under the ethics of memory? What would constitute a morally desirable collective remembering: ought Serbs to attempt to collectively forget, or to put in the background, the conflicts of centuries past between their collective and others? What is the morally desirable way of remembering for those Albanian Muslims who have so recently been transgressed against by the Serbs? Ought both Serbs and Albanian Muslims redefine the boundaries of what counts as their collective? And what is the moral worth of such collective remembering or forgetting? How can we—if we can—discern the moral worth of morally desirable or undesirable collective memories? This leads us to the case of PRIME and the attempt to alter awareness on the part of members of one collective about the collective memories of their own group and of their neighboring collective. Often, we see clearly the flaws in the collective memories and accounts of history rendered by others but not our own.

What is the moral desirability of such reflection on memory? What is its moral worth? Would the PRIME approach be a morally praiseworthy way of dealing with the boundaries of what counts as a collective, and conflicting collectives' memories? Was Israeli Education Minister Limor Livnat's banning of the PRIME text morally undesirable under the ethics of memory? Were the Palestinian teachers who continued to use the text despite threats from their own community doing something morally desirable, or—as their community members believed—committing a morally undesirable act of normalizing Palestinian children to the occupation? And finally, there is the case of the way the French might better construct a collective memory and fulfill what they refer to as a "duty to remember" the Holocaust. Supposing that there is such a duty, are there morally desirable and morally undesirable ways of fulfilling it? Was Simone Veil correct that this burden of memory is too much to ask, and thus morally undesirable? Or was President Sarkosy correct that such an obligation of memory is morally desirable for young children as much as for adults?

We now have a better understanding of why we must undertake this inquiry, and a more refined idea of how to discern what questions to ask. Let us be absolutely clear on how exactly to proceed.

1.5. What This Dissertation Is Not and What It Is

This dissertation will address many aspects of the ethics of memory, focusing on the core issue of how we can be held morally responsible—praiseworthy or blameworthy—for memory. I will not, however, spend much time at all on the implications of this work for other fields such as neuroethics, though there are some. Neuroethics is a burgeoning field of bioethics concerned with the use of technology to

manipulate human neurology. The ethics of memory have some bearing on this because they would give us a tool for thinking about how we deal with a person's memory as mediated by technologies such as pharmaceuticals that change how memory functions and neural imaging which may be used as a memory detector despite its many inadequacies[5]. In Chapter 5 (Conclusion), I will briefly gesture towards how my core task has implications for such particular contexts. However, *my task* here is not to play out the ethics of memory in its many contexts, neuroethics or otherwise, but *to elucidate a core framework which may be useful for approaching particular memory behaviors on the part of moral agents.* I am specifically and narrowly focused on how we bear responsibility for our own remembering and forgetting, how responsibility accrues when collectives remember and forget, and the normative implications of these questions.

The substance of Chapter 2 is a demonstration that the common-sense understanding of memory which people bring to bear when assigning blame and praise for memory is simply off the mark, based on a classic misapprehension that memory is a record, albeit one which can be corrupted. By gaining a better understanding of a modern consensus that memory is in fact a construction, I will show how individual and collective memory are really quite similar and come to understand the mechanisms that govern their function. I also introduce an ontology of memory behaviors which will provide useful in our analysis of moral responsibility for memory. In analyzing the ontology of memory behaviors, I find a case not only for the classic categories of remembering and forgetting, but for a third category which pertains to how we make memories. In analyzing the ontology of agentic interventions in memory, I find a case

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[5] See Iles and the special issue of *AJOB: Neuroscience* 8(1) from January of 2008 for more on key themes in neuroethics "related specifically to the modulation of memory, as well as the role of commercialized neuroscience in society, privacy, confidentiality and quality control." (Iles, 1)

for both direct and indirect interventions, an ontology which will alter how we assign blame and praise in cases such as Scooter Libby's.

In Chapter 3, we will give further consideration to moral desirability and moral worth, with special attention to the key criterion of moral responsibility. My goal is not to derive a brand new theory of moral responsibility, as that is beyond the scope of my primary task; I seek only a conception of moral responsibility that is most apt. I suggest that the most widely workable conception of moral responsibility is not one that depends on a particular conception of determinism or freedom of the will, but rather one of responsiveness to reasons, largely identical to that elaborated by Nomy Arpaly, and that this can apply to memory behaviors as much as any others.

Finally, in Chapter 4, I argue that it is individuals who bear much of the responsibility for their own memory or for collective memory. This is by virtue of how their memory behaviors respond to moral reasons (both right-making and wrong-making features of the behaviors in question), the fact that not all memory behaviors have moral valence, that the ones which do pertain to both individual and collective memory, and that other moral considerations—such as the harm done to witnesses by witnessing—can sometimes defease any obligations of memory that exist, altering the moral desirability of remembering and forgetting. What we attend to in formulating our memories will prove as important as how we ensure we can later recall them, or let them pass out of memory. By the end of Chapter 4, I develop twelve generalized normative rules for memory behaviors that incorporate judgments of both moral desirability and moral responsibility, rules which are nonetheless defeasible under some conditions I detail and others which I

may not have anticipated. These rules and my discussion of their application help us to understand what it is to remember rightly or for ill, and how to forget well.

Let us begin with the nature of memory.

Chapter 2: The Nature of Memory

There seems something more speakingly incomprehensible in the powers, the failures, the inequalities of memory, than in any other of our intelligences. The memory is sometimes so retentive, so serviceable, so obedient; at others, so bewildered and so weak; and at others again, so tyrranic, so beyond control. We are, to be sure, a miracle in every way—but our powers of recollecting and forgetting do seem peculiarly past finding out.

-- Jane Austen, *Mansfield Park*, 1814

Jane Austen put such thoughts in the mouth of her novel's heroine, Fanny Price, over 100 years before the scientific study of memory began in earnest. Recent research has revealed some of the reasons and ways that Fanny was right, for memory is indeed mercurial, sometimes beyond our control and sometimes within it, either through individual habits of making and retrieving memories, through social interactions that affect making and retrieving individual memories, or through making and retrieving so-called "collective" memories. Where Fanny was most wrong, however, is that memory is *not* "past finding out" by philosophical or scientific methods. Indeed, the science of memory bears heavily on philosophy, and philosophy is necessary for understanding what to make of scientific memory studies.

Human memory and its nature have long been a subject of interest to some philosophers, but rarely is memory addressed in a substantive way in its own right. Many

of these philosophical reflections on memory[1] occurred prior to the 1950's when good scientific investigations into the biological basis of memory became possible because of the case of the amnesiac patient H.M.[2], investigations which have continuously provided evidence that bears on an increasingly wide array of philosophical problems. Subsequent philosophical mentions have ranged from passing (Wittgenstein's mentions of memory in his 1974 work) to brief stand-alone discussions of the role of memory in a variety of narrowly focused philosophical problems, and finally to a fairly consistent concern in epistemology and philosophy of mind with the veridical nature of memory. Alas, there are few coherent syntheses of the breadth of modern empirical research on memory with existing philosophical research.[3]

From the last half decade of memory research springs the following non-exhaustive list of philosophical questions: Can humans be said to have free will if judgment depends on memory and memory is to some degree determined by either biology or collectivity? If not, can they be held morally responsible for memory? If so, to what degree can we be held morally responsible for memory? Can individuals or collectives be said to remember not just accurately or inaccurately, but in ways that are morally praiseworthy and blameworthy?

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[1] Aristotle, Hume, Locke, Nietzsche, Bergson, Russell, Broad, etc.

[2] We will learn more about H.M. when we discuss empirical memory research in some detail.

[3] Ian Hacking made a fair go of synthesizing science on personal memory with philosophical concerns in *Rewriting the Soul: Multiple Personality and the Sciences of Memory*, but had a fairly narrow focus within science on personal memory and certainly did not attend sufficiently to social aspects of memory. Mary Warnock's *Memory* is primarily concerned with memory and identity, and Sue Campbell's *Relational Remembering: Rethinking the Memory Wars* looks at both personal and social aspects of memory but only in the context of debates over false memory. Jeff Blustein's 2008 work, *The Moral Demands of Memory* does approach the ethics of memory but, as Sue Campbell (2008) said in her review thereof, "The book does not engage with empirical work on remembering, and does not enter specific debates that have challenged whether we are capable of remembering well."

To see how some of these questions play out, I will lay out major biological, psychological, and sociological explanations of memory and its function. I will then consider the philosophical implications of these explanations and correlate these with my own analyses and with a sampling of prior philosophical work that is about memory or makes mention of it. Let us begin with an overview of early philosophical investigations of memory and continue with an overview of empirical claims about memory, and their bearing on remembering and forgetting. Finally, we will consider the ontology of memory and other philosophical reflections thereon which pertain to the ethics of memory. We shall end when we are done.

2.1 Early Philosophical Investigations of Memory

Because psychology and neurobiology were developing sciences until well into the 20th century, discussions on the nature and function of human memory were restricted to the field of philosophy up until the late 19th century. Much of the philosophical work done on memory dates from that period and from early in the 20th century. Both recent and early philosophical work on memory is concerned primarily with epistemology. Let us consider several exemplars of this early work in philosophy.

According to philosopher Mary Warnock in her 1987 book *Memory*, the long-standing philosophical and psychological paradigm construed memory "as a 'storehouse', in which things that may come in handy later are put away: a kind of attic or junk-room" (Warnock, 6). This storehouse conception of memory includes a number of influential philosophical considerations of memory. To indicate the overall consensus of the storehouse view, we will consider Aristotle, Locke and Hume, and Nietzsche as a

representative sampling, for they span several thousand years of philosophical memory studies.

The first of these is Aristotle's, laid out in its most coherent form in *On Memory and Reminiscence,* though he makes brief mention of memory in several of his works and it is implicit in his discussion of the role of habit in virtue in his still-influential work, *Nicomachean Ethics.* Writing in approximately 350 B.C.E., Aristotle made a distinction between those who have a "retentive memory" which is good at storing information and those who "excel in the power of recollection."[4] He may have been onto something here; as we shall see, empirical memory studies also distinguishes between the capacity to make and store memory, and the capacity to retrieve memories. For Aristotle, what knowledge we have of the present is either sense-perceptions or cognitions, the latter of which he occasionally conflates with scientific knowledge. Of the past, we have memories, says Aristotle, and one "remembers" scientific knowledge by having a memory that one "has learned it, or thought it out for himself"; one remembers perceptions by remembering that "he heard, or saw it, or had some such sensible experience of it." One interesting feature of Aristotle's theory of memory is that "whenever one exercises the faculty of remembering, he must say within himself 'I formerly heard (or otherwise perceived) this,' or 'I formerly had this thought'." Thus, part and parcel of remembering is the awareness that one is remembering, and that what one is remembering occurred in the past. As he puts it later, "Memory is, therefore, neither Perception nor Conception, but a state or affection of one of these, conditioned by lapse of time." And though one remembers ideas, Aristotle gives precedence to

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[4] All Aristotle quotes in this section are from the translation of *On Memory and Reminiscence* which is available online at MIT's Internet Classics Archive.

perceptions for even cognition is, he says, "effected by the primary faculty of perception." So, for Aristotle, memory is a storage system of impressions or "imprints" of sense-perceptions and of cognitions mediated by sense-perception.

Where are these imprinted? For Aristotle, they are imprinted on and remain in the soul. When we remember, what we remember is not the thing that was perceived when it was present, but the impression of the thing. We are, in a sense, *perceiving* the *impression* of a *perception*. To put this in modern terms oft used by philosophy of mind, the present sense-perceptions we have are presentations, and the memories we later have of them are re-presentations. As Aristotle acknowledges that some persons have poor retention of memories and other have poor recall, we can assume that he is concerned primarily with the way that memories are retained and recalled. Indeed, part of Aristotle's work was pedagogical, and his aim was to explain why and how mnemonic techniques work as they do. To that end, he suggests that "mnemonic techniques aim at preserving one's memory of something by repeatedly reminding him of it; which implies nothing else (on the learner's part) than frequent contemplation of something as a likeness, and not as out of relation." By this latter point, Aristotle means that the impression you wish to remember must not only be repeatedly recalled, but also must be considered in relation to other related facts. These twin mnemonic techniques— repetition and interconnectionism—are an early insight, verified much later by empirical memory studies. For Aristotle, memories are impressions left on the soul by sense-perceptions of the world or by cognition; they are either kept or lost and, if kept, can be either found or misplaced. This is remarkably like a storehouse metaphor, though Aristotle uses no such terminology himself.

Also along the lines of the 'storehouse of impressions' conception of memory are

the views laid out by John Locke and David Hume, writing some half a century apart and

roughly 2000 years after Aristotle. For Locke, memory was a power of the mind "to

revive Perceptions, which it has once had, with this additional perception annexed to

them, that it has had them before." (in Sutton[5]) Note that this version of memory is little

different from the original experience except that it has what Aristotle would have called

the content of "formerly.[6]" The similar 'trace' view laid out by Hume—in Section V of

"Book I: Of the Understanding" in *A Treatise of Human Nature*—was very influential in

philosophical and cognitive science investigations into memory; we ought to consider

Hume's trace as analogous to Aristotle's impressions. According to Hume, memories are

traces of events left statically in the human mind by sense impressions of events, thus

establishing a clear causal relation between the world and memory. He thought it a

peculiar property of memory, by contrast with imagination, "to preserve the original

order and position of its ideas, while imagination transposes and changes them, as it

pleases." (Hume, 132) Memory is assumed to be unaltered by subsequent cognition.

Such traces are thus unchanged records of the past, and where they can be recalled, they

will give a true picture of past events. The main difference between memory and

imagination, Hume found "lies in its superior force and vivacity... the ideas of the

imagination [are] fainter and more obscure." (133) The traces are then called up *or*

perceived again at a later date, with varying degrees of success. For Hume, two men

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[5] All references to Sutton are from his continuously updated overview on the philosophy of memory published in the respectable, on-line *Stanford Encyclopedia of Philosophy*. Sutton is a well-known scholar on the philosophical side of memory studies, and has written extensively on the subject including his 1998 book, *Philosophy and Memory Traces: Descartes to connectionism*.
[6] Recall Aristotle's assertion that "formerly" is always part of one's conscious recollection of any cognitive impressions ("I formerly had this thought") or perceptual impressions ("I formerly perceived this").

who shared an experience may discuss it, with one recollecting it easily while the other does not. Eventually, suggests Hume, the fellow who remembers will "hit on some lucky circumstance, that revives the whole, and gives his friend a perfect memory of every thing." (133). Hume seems to acknowledge that persons may have problems recalling memories, but not making them or storing them; they are thought to be in there somewhere, a "perfect memory of every thing" just waiting to be recollected, hardly different from the original at all except that they are separated in time. Though Hume's influential version of the storehouse trace view dominated contemplations of memory for centuries, it took him approximately three pages to lay it out.

Subsequent extensions of this view considered humans to be "recorders" of their phenomenal experiences in a way not subject to conscious control: one might say that all inventory, including junk, entered the warehouse and got filed and later retrieved with equal success. The view that only recollection or storage were at issue, and that memory was wholly accurate once recalled, persisted. This view was more recently discussed by D.G.C. McNabb, editor of the 1962 version of Hume's *Treatise*: "the unsatisfactory nature of Hume's account of memory is noticed by nearly all his commentators. It is a fault however which he shares with nearly all other philosophers" (in Sutton)[7]. One reason for this is that many of those philosophers uncritically accepted the basics of the storehouse trace view.

In his *Geneology of Morals*, Friedrich Nietzsche does just this. He takes on memory in a way that fully accepts the storehouse trace view, though his treatment is far

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[7] One runs some serious risk in disagreeing with Hume if Bertrand Russell is to believed. In his *Nightmares of Eminent Persons*, Russell suggests that there is a particularly painful chamber in Hell inhabited by philosophers who have refuted Hume (Mossner, 27).

more moralistic in terms of what constitutes good remembering and bad remembering. While it is tempting to be distracted by this normative content if one is an ethicist[8], let us use Nietzsche to see how the descriptive storehouse view underpins his normative scheme of memory. For Nietzsche, the human condition is faced with a problem of memory, namely the fact that we have created an "active"—in fact, reactive—memory. The term "active" derives from the defining trait of this form of memory: that the person who has it believes that the past has a direct and active effect on present decisions (Findler, 28). This has resulted in the slave morality and the oppressive values of good and evil, which we know Nietzsche wants none of. Similarly, the creation of bad conscience, which also serves to enslave men because it gives rise to the concept of sin, involves memory since it requires the constant recollection of what the person with a guilty conscience owes to the person against whom he has allegedly "sinned." For these reasons, Nietzsche condemned the sort of memory that kept track of these issues. Rather, he argues for an active *forgetfulness*, which he calls a "positive faculty of repression." (Findler, 27-28) Richard Findler perhaps describes this best: Nietzche is urging us to "learn to repress what is insignificant" (29). What is interesting about this view is that it at first glance puts about a slightly different view of memory from the storehouse view, as it assumes that one can choose what to remember or forget without being a simple "recorder." However, even Nietzsche seems to be assuming that the storehouse in question can regulate what goes in the door (making a memory) and what gets lost in storage (forgetfulness). It is still a record of sorts, a store, albeit a consciously selective one. The connection to the view that memory is a storehouse of traces is even stronger than the preceding interpolation: the person with an active memory not only believes the

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[8] Fear not, for we will consider it again in Chapter 4.

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past has an active role in present decision-making, but acts "as if a trace exists that the person cannot get rid of and that constantly harasses him/her." (Findler, 29) Is Nietzsche here simply criticizing the trace view? I believe it more likely that he is accepting the trace view as the descriptive underpinning of his normative stance. Even Aristotle believed that you could work at retaining memories—or not work at it, and thereby forget. What really distinguishes Nietzsche from Aristotle, Locke, and Hume is not anything in the picture of memory he assumes, but the values that he thinks should guide what is worth remembering. Again, even he assumes that memories of alleged transgressions will be made and stored, seemingly verbatim, even of things which are "insignificant." He simply urges that they then be forgotten, that this particular part of the inventory of the storehouse of memory be allowed to disintegrate or be misplaced.

We see that several thousand years of strictly philosophical reflections on memory have reinforced some version of the memory-as-storehouse/record view[9], and that what is stored has long been seen as traces or impressions of our exact perceptions as they occurred in the past. But is this accurate? In his overview of philosophical views of memory in the *Stanford Encyclopedia of Philosophy*, philosopher John Sutton points out that, "Since memory traces, impressions, or images have figured in theories of memory from Aristotle, through Descartes and theorists of the association of ideas, into the 21st century, it may seem that little progress has been made." Or, alternatively, that these philosophers got it right the first time. After all, this jives with the mainstream public

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[9] For over a hundred years, the dominant themes in philosophical investigations of memory were epistemological: the accuracy/veridity of memory, the defeasibility of knowledge justified by memories, and the appropriate causal relation between events and memories of those events (Sutton). Hume's *A Treatise on Human Nature* famously introduces a clear causal relation between sense impressions of events and memory, a notion widespread in philosophical attempts to establish the reliability of memory as a source of knowledge.

understanding of memory: "we tend to think of memories as snapshots from family albums that could be retrieved in precisely the same condition in which they were put away." (Schacter 2001, 9)

But what if this is not the case? We must get right with our understanding of the nature of memory, and how we remember, before we can consider the ethics of what we remember and forget, for "what we remember is intimately linked to how we remember." (Fara and Patterson, 1) In fact, we would be wrong to proceed with the view that memory is a storehouse, a record, a set of archived snapshots. Though this paradigm ruled until the mid-20th century, it has been thoroughly replaced by what is now a broad philosophical and scientific consensus that declarative memories in particular are heavily constructed rather than records of an event (Campbell 2003; Campbell 2004; Hacking, 247; Squire and Kandel, 7; Schacter 2001, 9-10; Sutton), despite persistent public misunderstanding of memory. It was empirical memory studies that brought about this shift from the storehouse model of memory to what has come to be known as the constructionist model of memory.

2.2 Memory in Science, Psychology, and Sociology

Empirical research into memory is fairly new in the history of human reflection on memory, beginning only in the very late 19th century when the nascent discipline of scientific psychology[10] began to take over the task of answering many questions which had once been the purview solely of philosophy. A new dimension was added in the

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[10] Scientific psychology is distinct from Freudian psychoanalysis, though they developed concurrently. One of the earliest empirical experiments into memory was conducted by Herman Ebbinghaus who designed fairly simple word memory batteries consisting of novel words with random vowel substitutions. He discovered long vs. short durations of memory, and the effect of repetition on duration of memory (Squire and Kandel, 3-4), a feature also of Aristotle's mnemonics. Ebbinghaus worked in the 1880's as Freud was developing psychoanalysis, a technique with somewhat different objectives and quite different techniques from those of Ebbinghaus and, later, William James over on our side of the Pond.

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early 20th century as revolutions in the biological sciences began to catch up with questions raised by psychological studies of memory. Accordingly, empirical memory research has been segregated into research on the cognitive organization of memory stemming from psychology and research on the brain basis of memory stemming from biology (Paller, 121). This latter area has functioned on at least two levels: the search for understanding which brain structures (AKA neural systems) execute which forms of memory, and the search for understanding how memory is encoded at the neural level in individual nerve cells and the strength of their interconnections. Research on the neural systems level and on the cellular/molecular level of the brain basis of memory requires different kinds of projects, but according to noted memory researchers Larry Squire and Eric Kandel[11], "Memory promises to be the first mental faculty to be understandable in a language that makes a bridge from molecules to mind, that is from molecules to cells, to brain systems, and to behavior" (3). A new aspect of empirical memory research has recently been brought into the mix: sociological and social-psychological analyses of memory. These are concerned with a variety of issues including how social interactions affect the formation and recollection of memories within individual persons, and the matter of how (or whether) so-called 'collective memory' functions.

As we shall see in the remainder of this section, intriguing insights about human memory have resulted from these empirical studies of persons *qua* minds, persons *qua* brains, and persons *qua* social creatures. Such insights have much to offer philosophical considerations of memory and are necessary premises of any argument about the ethics of memory.

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[11] Kandel was awarded the Nobel Prize in Physiology or Medicine in 2000 for his work on synapse signaling.

2.2.1. Memory in individual humans

Good research into the biological basis of memory in individual humans

(hereafter, 'individuals') did not begin until 1956 for reasons that will soon become

apparent[12]. Most empirical memory research prior to that period took place in

psychology and in the burgeoning field of cognitive science. Cognitive science,

psychology, and biological studies of memory together have yielded a schematic of many

kinds of memory and a number of different processes by which different kinds of

memory are laid down and subsequently accessed.

There are essentially two kinds of memory, declarative and non-declarative. Each

is subject to short-term remembering—the memory persists for a matter of minutes—or

long-term remembering—the memory persists for hours, days, months, even a lifetime.

Declarative memory is what folk psychological conceptions of memory usually refer to

when people say "I remember *that*..." It is subject to conscious recollection and is

affected by cognition at the time the memory is formed. Non-declarative memory is what

folk psychological and philosophical conceptions of memory usually refer to when

people say "I remember *how*..."[13] It is not subject to conscious recollection and can

function even when declarative memory is substantially damaged. Both forms of

memory are subject to errors. Errors in nondeclarative memory are primarily biological

and will be discussed briefly as we consider nondeclarative memory. Errors in

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[12] Although neurology began in the late 19th-century when Ramon y Cajal first developed the neuron doctrine, such ideas were not successfully applied to memory until the mid-20th century.

[13] The "remembering *that*" vs. "remembering *how*" distinction is a philosophical conception that appears to have originated with Bertrand Russell and has been consistently used by philosophers (Ryle; Sutton). Similarly, epistemology has the distinction between "knowing that" vs. "knowing how", and the two distinctions are related. However, knowledge is generally thought to require more justification and have a greater positive truth value than memory which is simply recall and has unclear epistemic value in the absence of ways to assess particular memories or acts of remembering.

declarative memory will be discussed in their own right. We begin with declarative memory.

2.2.1.A. Declarative Memory

One form of declarative memory is autobiographical memory, memory of experiences: "On our first date 8 years ago, he made me so mad I wanted to push him out of a moving car." Another is strictly propositional and need not require personal experience of the proposition: "Cesar crossed the Rubicon."[14] The long-standing philosophical and psychological paradigm construed memory "as a 'storehouse', in which things that may come in handy later are put away: a kind of attic or junk-room" (Warnock, 6). This paradigm ruled until the mid-20th century when it was replaced by what is now a broad consensus that declarative memories in particular are heavily constructed rather than records of an event (Sutton; Squire and Kandel, 6; Hacking, 247). Sue Campbell suggests that we best conceive of memory as an "appropriately relational capacity" (2003, 16).[15] It is worth noting that the term 'constructed' does not, in this sense, indicate an anti-realist conception of memory, e.g., in the philosophy-of-science sense that claims or understandings are 'merely socially constructed' rather than 'real'. Rather, 'construction' means subject to revision, to what Susan Suleiman calls "writing and rewriting" (42). This is particularly true of retrieval of memories which is a "creative, constructive process" (Squire and Kandel, 6). The constructionist view was eloquently expressed by one of its first proponents, British psychiatrist Frederic Bartlett:

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[14] Autobiographical memory is sometimes referred to by philosophers as 'restrospective memory', in which case it is restricted to memories of which one has direct experience and cannot include aspects of personal identity narratives derived from others' retrospection (date of birth, when you first walked, your first word, etc.).

[15] In Sections 2.2 and 2.3, we shall see how profoundly memory *is* relational.

Remembering is not the re-excitation of innumerable fixed, lifeless and

fragmentary traces. It is an imaginative reconstruction, or construction, built out

of the relation of our attitude towards a whole active mass of organized past

reactions of experience, and to a little outstanding detail which commonly

appears in image or in language form. (Squire and Kandel, 6)

While there is at least one person whose memory functions somewhat like a storehouse,

she is the only known well-documented case, referred to in the literature for many years

as A.J. (Trudeau) but recently revealed to be a woman named Jill Price. Since Ms.

Price's story became publicized in a wide variety of media outlets, three others have

come forward to nominate themselves or their relatives as having similar capabilities

though their memories have not yet been as thoroughly examined as Ms. Price's. Even

for Ms. Price whose memory is most like a storehouse, vivid personal events are tightly

linked with contemporaneous historical events, exhibiting a kind of construction. She

and those who may be like her—recently dubbed 'hyperthymestic' by researchers

(Parker, et al.)—excel at making memories, keeping them, and recalling them, at the far

end of any for these functions. Consensus holds that declarative memory is a construction

for all but the rarest outliers, and even they are not perfect storehouses.[16]

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[16] It is worth noting that Sue Campbell disagrees with the terminology in heavy use by Hacking, Warnock, and innumerable others which describes the transition from the storehouse conception to the constructionist conception as a "paradigm shift." She suggests that the shift has not been great enough to be a true paradigm shift. Perhaps we are to take it as a substantive retooling, with major flaws in the constructionist conception. According to Campbell, "much of the sense of a revolution or a paradigm shift in theorizing memory is conveyed by replacing one kind of value talk with another... When we see how the language of value is laced through descriptions of the model shift, we find a decisive reason to resist the offered picture of reconceptualized memory: namely, we lose our grasp on good remembering... the project of model replacement is ill conceived. How we do and should value memory is tied to what we do as rememberers." (Campbell 2004, 120) The issue of whether we lose our grasp on what is good remembering is a key one for judging the moral worth of memory behaviors, so this will come up again in chapter 4.

Such constructive declarative memories, whether autobiographical or propositional, are subject to at least three stages of processing commonly described in psychological, neuroscientific, and cognitivist literature and already hinted at by outliers such as Jill Price: encoding, storage, and retrieval.

"Encoding" refers to the way in which the material we encounter is attended to, processed, and prepared for storage in memory. Encoding tends to result in more successful remembering when it is elaborative and deep, and in less successful remembering when it is limited and superficial (Squire and Kandel, 71). How we attend to material we encounter is a cognitive matter which is partly within our control. Vladimir Nabokov's autobiography, *Speak Memory*, addresses this through Nabokov's near-obsession with butterflies. Nabokov, an amateur lepidopterist, finds that noticing the presence and taxonomy of butterflies and moths has made these aspects of his experience a key part of his memories all the way back to vivid childhood memories of catching moths at night and rushing home to show them off to his father. Nabokov recounts a conversation with a hiker who had followed Nabokov and his companion down a mountain path through what Nabokov recalls as swarms of butterflies. Upon reaching the bottom, Nabokov inquires as to how many butterflies the other hiker had seen. "None", he replies. Similar instances documented in laboratory settings demonstrate that the quality and quantity of encoding is highly dependent on existing knowledge and on attention. In general, our prior experiences affect what we note and thus remember, a key component of encoding under the conception of memory as a construction rather than a storehouse of traces[17].

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[17] See Campbell 2004, 123-5, for a further illustration of this in W.G. Sebald's memories of the bombing of German cities during World War II. Though his own memories are taken as a fine example of

Storage, by contrast, pertains to how encoded information is retained. Researchers refer to the sum total of changes in the brain that first encoded an experience and then constitute its record as an engram: "The principle is that a declarative memory engram is distributed among different brain regions, and these regions are specialized for particular kinds of perception and information processing" (Squire and Kandel, 73). To some degree, this explains not only Nabokov's encoding of *Lepidoptera* experiences, but also his successful storage and retrieval.

Retrieval is the last agreed-upon stage of declarative memory (Squire and Kandel, 79). Most plainly, it is when a stored memory engram becomes consciously available. Retrieval can happen intentionally, as when we strive to recall something we once committed to memory, or unintentionally, as when we are reminded by the triggering of some association such as a smell or a word or a conceptual similarity between the semantic content of two memories. It is also possible to retrieve only part of the engrams depending on the nature of the cue or our state of mind. For instance, if we study for an exam while at the beach, we are somewhat more likely to remember if we are again at the beach (Squire and Kandel, 74). It would seem we are thus less likely to remember when we are in fact sitting down for an exam. This feature of retrieval is in fact—and clearly—connected to encoding. In a *Washington Post* article by an unknown reporter describing why cramming for exams is a relatively ineffective study technique even for short-term

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constructionism in encoding as well as in storage, retrieval, and re-encoding, they can also be made to serve as an object lesson in collective memory. It is one worth keeping in mind, for Sebald recounts his own memories of the bombing of German cities in the context of his judgment that there is a terrible blindness in a German memory of WWII that recounts in endless detail the Holocaust, and rightly accepts responsibility for it, while discounting the Allied bombings of German cities and seeming to forget them altogether. To see whether American collective memory has done something similar, read Kurt Vonnegut's letters home after being released from POW camp near Dresden and see whether you are as surprised by his description of the Dresden dead as I was ("Slaughterhouse 1945" in *Newsweek* July 7/July 14, page 72, reprinted from Vonnegut's *Armageddon in Retrospect*).

retrieval, much less for long-term storage, Professor Gary Gillund describes a particular link between encoding and retrieval known as "encoding variability":

> "When we study information, we store not only the information of interest, we also store related semantic and contextual information." Gillund said. "That is, we store what we were thinking about and something about the situation we are in. Massed practice results in only one context. Spaced or distributed practice results in several contexts. The more contexts we have, the more cues we have available to retrieve the information at the time of the test." (Anonymous)

Retrieval is thus most successful when cues and context present during encoding are identical to cues and context during retrieval, a lesson about memory we would all do well to remember.

While retrieval is the last agreed-upon stage, or process, of declarative memory, Squire and Kandel wish to add "ordinary forgetting" to the list. They see ordinary forgetting not as a miscarriage of encoding, storage, or retrieval, but as a separate and legitimate process in its own right. The idea that an active part of healthy normal memory is forgetting goes back to Sigmund Freud who, though non-scientific in his approach, occasionally got something right. Ordinary forgetting is the "inevitable weakening of memories that were initially clear and full of detail... In fact, it is not at all clear that we would be better off if we could remember everything easily" (Squire and Kandel, 75). This suggestion is echoed by the tag-line of the film *Memento* whose main

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character has anteretrograde amnesia: "Some memories are best forgotten."[18] There are

actually rare cases of people who do not forget, as we have already seen with our brief

discussions so far of the case of Jill Price (more on this soon). Some of these folks find it

a great burden—a Russian man named D.C. Shereshevski continuously created and

retained extremely detailed memories, so detailed that he had difficulty extracting

commonalities and creating lessons from his memories (Squire and Kandel, 76-7)—and

others minorly troublesome sometimes, and a great boon at others (Trudeau).

On Squire and Kandel's view of ordinary forgetting as a memory process,

memories that we do not retrieve are not reinforced and thus their storage is weaker,

whereas memories that remain relevant are more frequently retrieved and reconstructed,

then once again encoded and stored. Even with ordinary forgetting, there may be some

remainder: "…some nondeclarative memories may persist, including dispositions and

preferences that were formed as a result of some now-forgotten event, but these are

supported by synaptic changes in different regions of the brain from those that supported

the declarative memory" (Squire and Kandel, 77-8). Ordinary forgetting, as

distinguished from forms of amnesia or the clearly pathological, non-ordinary forgetting

which occurs in Alzheimer's disease, appears to be a normal and even necessary process

of declarative memory.

It is worth a brief digression here by way of illustration. Recall Jill Price (A.J.),

whose condition has recently been described as hyperthymestic syndrome. Ms. Price's

encoding seems to work well, at least as well as the average person who can recall what

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[18] The film is a gem of an exploration of memory, as with this utterance by the main character, Leonard Shelby: "Memory can change the shape of a room; it can change the color of a car. And memories can be distorted. They're just an interpretation, they're not a record, and they're irrelevant if you have the facts."

they wore or had for breakfast for a few days or weeks at best. She does state that she does not remember everything, just what she notices: she does not particularly enjoy sports and so she does not remember who won the World Series in what year (Talk of the Nation). In this way, her encoding seems to function much like everyone else's. What is really remarkable about hyperthymesia seems to be the storage and retrieval. She seems to store all or nearly all of her engrams with very little degradation, as she has no ordinary forgetting. Her recall is spontaneous and beyond her control:

> "My memories are like scenes from home movies of every day of my life," she writes, "constantly playing in my head, flashing forward and backward through the years relentlessly, taking me to any given moment, entirely of their own volition." (Talk of the Nation)

So, the memory processes that are different for her seem to be her storage and her recall—and her ordinary forgetting, if we wish it to join the ranks of declarative memory processes. At present, the researchers who first studied Jill Price and so well documented her case—Elizabeth Parker, Larry Cahill, and James McGaugh—have identified two other persons who seem to be verifiably hyperthymestic: Brad Williams, and Rick Baron. A three person cohort isn't much to work with, but Ms. Price and Elizabeth Parker's research team hope that by studying persons with hyperthymesia, they may be able to help Ms. Price control her memory or at least learn more about the biological basis of normal and abnormal—both high and low—functions of memory processes (ibid.). It seems to me that Ms. Price's condition shares a characteristic with persons who are so cognitively impaired that they are unable to make, store, or recall declarative memory: in both cases, the person is not an agent when it comes to memory.

Fortunately, for most people, these declarative memory processes are available to conscious cognition and can even be affected by it; most people are agents when it comes to memory behaviors. Non-declarative memory, however, is a horse of a different color.

2.2.1.B. Non-Declarative Memory

While philosophers had long postulated a distinction between so-called non-declarative 'procedural memory' and the categorically distinct declarative forms of 'recollective' and 'propositional' memory (Sutton), there had been no certain scientific evidence for this distinction and none for a biological basis. Karl Lashley had attempted to determine such a biological basis by training rats to run mazes and then inflicting injuries to the rat brain's cortex (the outer layer of the brain). Lashley varied the experiments from the 1920's through the 1950's and found no localization of damage which would impair procedural/skill/habit memory while leaving other forms intact, or vice versa (Squire and Kandel, 9). Then, in 1956, a tragic complication of brain surgery proved an unexpected windfall for studies on the biological basis of different kinds of memory. H.M. was 9 when he fell off a bike and experienced an apparently minor head injury, and 17 when he had his first seizure. By the time he was 27, H.M. had an average of 11 grand mal seizures each week and was unable to pursue a college education or employment (Schaffhausen). In 1956, H.M. agreed to let pioneering neurosurgeon William Beecher Scoville perform a resection of his medial temporal lobe for the relief of his medically intractable epilepsy (Corkin, 153). Upon physical recovery from the surgery, H.M. had a greatly reduced frequency of seizures which would have allowed pursuit of a college education and gainful employment... had he been able to remember

new material. H.M. could no longer make new declarative memories—though he could access memories encoded prior to his surgery—but *he could encode and store new skills*: "H.M. could learn to trace the outline of a star in a mirror, and his skill at it improved from day to day just as it would in a normal subject. Yet at the beginning of each day's test, he claimed that he had never done the task before" (Squire and Kandel, 13-14). H.M. could consistently retain such skills for as long as a year (Corkin, 154). Finally, there was clear evidence of the persistence of one kind of memory in the absence of the other, thereby cementing not only the existence of non-declarative memory but its utter separation from declarative memory in both kind and mechanism.

There are many forms of non-declarative memory, although it is difficult to find an exhaustive list even in survey texts. The most commonly researched include the following forms and their basic mechanisms:

- o Habituation – as when you notice the refrigerator compressor turn on but fail to notice its continued operation; this is a biochemical process occurring within the synapses of neurons. A stimulus, perhaps auditory, triggers a release of neurotransmitters at a synapse. After the first such response to the same stimulus path, the neurotransmitter release is increasingly depressed with every stimulus.

- o Sensitization – the essential biochemical response is an increase in neurotransmitters at a particular synapse whenever two or more stimulus paths are involved. As with habituation, a series of neurochemical events thus dictate the subsequent neurochemical events.

- Classical conditioning (AKA Pavlovian conditioning) – a stimulus becomes associated with another stimulus.
- Skill/habit/procedural memory of the kind exhibited by H.M. – more widely distributed throughout the brain than habituation or sensitization, as fairly pervasive brain damage must occur in relevant motor-skill areas of the brain in order to make humans forget how to walk or speak or write.

This is not an exhaustive list of non-declarative forms of memory; in *Drosophila*[19], alone, there are over a dozen documented kinds of non-declarative memory, many of which mimic non-declarative memory in which humans also engage. Errors in habituation, sensitization, and classical conditioning are caused almost entirely by major malfunctions at the cellular level. For instance, *Drosophila* that cannot be classically conditioned (and most can) have a mutation which interferes with the cAMP cellular cascade that governs the release of neurotransmitters such as serotonin. *Drosophila* with this mutation fail a number of non-declarative memory tests.

Such widespread biochemical and cellular errors in non-declarative memory would pose related problems for all neurons and thus for declarative memory, as well. But declarative memory errors are less clearly biological in etiology and more philosophically interesting[20].

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[19] *Drosophila melanogaster*, the common fruit fly, has been used in biological experiments since the 1900's, and its genome was one of the first to be sequenced.

[20] Purely biological explanations of memory errors don't allow for much in the way of intervention and lean heavily towards a deterministic view of the human mind, but kinds of memory errors that appear to have both biological and agentic explanations are ambiguously deterministic and thus are philosophically interesting for the free will debate; because of their agentic element, they are also interesting for ethics and for social and political philosophy.
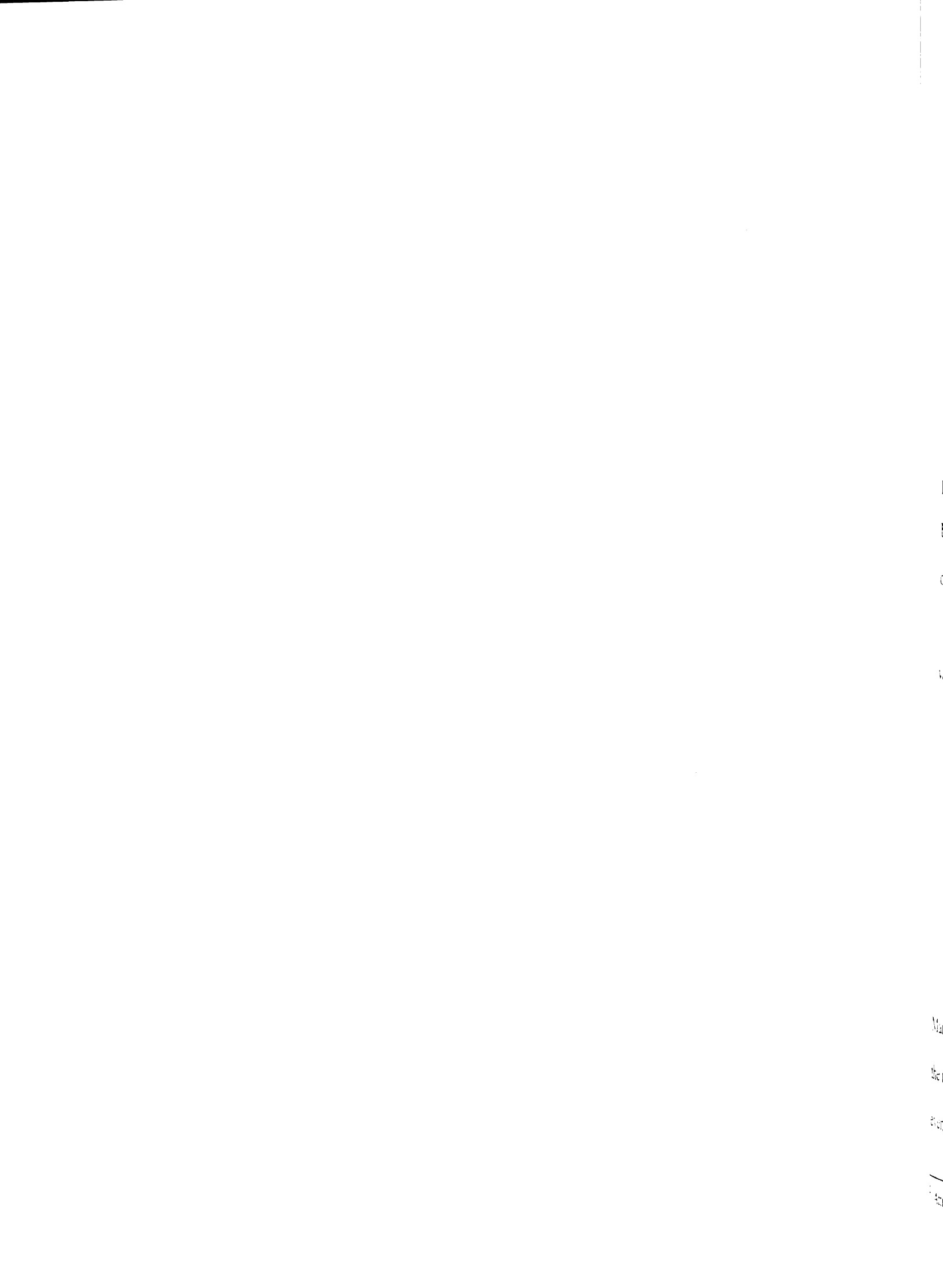
2.2.1.C. *O Memory! Thou fond deceiver*[21]: *Errors In Declarative Memory*

A chief appeal of the storehouse model of memory was that, regardless of difficulties in storage or retrieval, it assumed that encoded memories were born accurate and were stored that way so long as they were stored at all. But other than Aristotle's mnemonics compensating for errors in retention and recollection and Hume's mention of the way in which recollection functions, little mention was made of such errors and none of errors in laying down memories. Alas, a number of errors occur at various points in declarative memory which are potentially of greatest interest to philosophers because they involve both biological and agentic explanations. We know that this occurs:

According to Squire and Kandel, declarative memory goes right or wrong in a variety of ways:

> Whether or not something that is perceived will be remembered later is determined by a number of factors, the most important of which operate around the time of learning: the number of times the event or fact is repeated, its importance, the extent to which we can organize it and relate it to knowledge that we already have, and the extent to which we rehearse the material after it has first been presented. (71)

Many of these aspects of memory are within an agent's control at the time of learning— the number of times we repeatedly expose ourselves to a fact, reflective perception of the event's or fact's importance, organization and interrelation of the event/fact to existing

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[21] Attributed to English eighteenth-century writer Oliver Goldsmith

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knowledge, frequency and manner of rehearsal—but others are not—the number of times

the event is repeated or a fact is repeated by another person, the actual importance of the

event in our lives, the extent of our pre-existing knowledge. Errors can occur at all stages

of declarative memory (encoding, storage, and retrieval). Whether we view forgetting as

an error is another matter altogether; as we have seen, it may be a normal declarative

memory process.

In addition to the general miscarriages described above, declarative memory is

subject to several distinct, named errors. These include false memory (Squire and

Kandel, 79-81; Campbell) and its subset of source-monitoring errors (Gonsalves et al.;

Davidson; Squire and Kandel, 79). False memories are memories which are recalled in

the same manner as true memories; nothing about the memory, itself, gives any

indication that it is false. Upon further investigation, the belief about the past resulting

from the memory is shown to be certainly or probably false. Thus, the memory is said to

be certainly or probably false.[22]

A major contributor to false memory is the phenomenon of source-monitoring

errors (AKA reality-monitoring errors). We commit such errors frequently, but they have

also been deliberately induced by engaging study participants in vivid imagery and

allowing time to pass. Upon being prompted to recall the visual image, many people are

able to recall the source from which they acquired it, e.g., an imaginative exercise.

However, others are not; those persons commit source-monitoring errors (Gonsalves et

al.). Because they do not correctly recall the source of the image—either failing to

monitor it and thus never encoding it in an engram or having failed to store that

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[22] As we shall see in Section 3.4, determining whether a memory is false has been fraught with complications that bear strongly on social and political philosophy.

engram—they wrongly attribute the source to reality and create a false memory. Individuals are more or less prone to commit such errors, either innately or through habit. We are popularly familiar with several phenomena that psychologists believe result from source-monitoring errors. Individuals who can be hypnotically induced to believe they had a past life after being presented with a biographical narrative under hypnosis prove to be more highly prone to source-monitoring errors in tests such as recalling whether an image of a painting was seen as a slide projected on a wall or in an actual museum. Persons who can be induced to believe—and have already concluded that—they have been abducted by aliens are also more prone to source-monitoring errors on laboratory tests of visual and word memory (Davidson). "More prone" is by way of comparison with people who do not come to such conclusions, either naturally or under hypnotic induction. In Scooter Libby's legal defense against the charges of perjury and obstruction of justice in the Valerie Plame case, he claimed to be suffering from a bad memory rather than prevarication, and in fact gathered witnesses to testify to that fact including his assistant, John Hannah: "On certain things Scooter had an awful memory… I would meet with Mr. Libby [after briefing him earlier on the day's issues] and he would very excitedly repeat back to me what I had briefed him on and have no idea I had just told him that that same morning… It would often be the case that he would be good at remembering ideas and concepts, not so good at remembering where those ideas came from." (O'Reilly) This seems to be a textbook description of source-monitoring error and can serve as such for our purposes. What's more, it also demonstrates a connection between false memories and source-monitoring errors, for in forgetting where and when Libby had actually heard of Valerie Plame's covert status, he was thus liable to create a

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false memory of the source thereby leading to his giving false testimony under oath. This he did, allegedly believing it to be true (O'Reilly; MSNBC.com; VandeHei A14); he may not have committed the legal transgression of perjury, but if not, he neither remembered rightly nor well. So we see that both false memories and source-monitoring errors are related: errors in memory cause something to be recalled that does not correspond accurately to prior real events.

An additional memory error is fading-affect bias (Skowronski et al.; Walker et al.), a phenomenon of memory in which a negative initial affect associated with events fades more rapidly than positive initial affect associated with events. Though this is not generally classed as an error, it probably ought to be as it is sometimes referred to as "retrospective distortion" (Skowronski et al., 286) and clearly involves different recall of emotions experienced during an event than was reported at the time of an event. We will hear more about this shortly because fading affect bias is one feature of memory that is altered by the collectives within which individuals reside.

Declarative memory's accuracy can also be affected by stereotypes, false suggestions, or leading questions. Avoiding these can improve accuracy as demonstrated in a study in which a stranger introduced as "Sam Stone" visited a preschool classroom. The fact of the matter is that he walked around the room, greeted the children, and then left.

> In one condition of the study, the children were given a negative
> stereotype about Sam Stone before his visit, which suggested that he
> was very clumsy. In addition, during four separate interviews after his
> visit, the children were given suggestive questions concerning two
> fictitious events: "When Sam Stone got the bear dirty, what was the

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stuff on it?" And "When Sam Stone ripped the book, did he do it because he was angry, or by mistake?" The result was that when the children were eventually questioned by a new interviewer, 72 percent of the three- and four-year-olds claimed that Sam Stone had done one or both of the bad deeds, and 44 percent of them said that they had actually seen him do these things... professionals watching the videotapes of the final interview could not determine which children were describing Sam Stone's visit accurately (Squire and Kandel, 80-1).

External biasing of memory through stereotyping has been found in other studies of children, including one by Carol Lynn Martin and Charles F. Halverson, Jr. Martin and Halverson showed children pictures of males and females performing sex-consistent and sex-inconsistent activities. One week later, tests of recall showed that the subjects tended to "distort information by changing the sex of the actor in sex-inconsistent pictures and not by changing the sex of actor on sex-consistent pictures." (Martin and Halverson 563) Similar results of the effect of external information on memory and the resulting production of memory errors have been found in studies of adult eye-witness testimony under different styles of police and lawyer questioning which shape recollection and reconstruction of memories (see fn 11). Defense requests to exclude such questioning from consideration by the court are liable to be granted when the interrogator asked leading questions or provided information that would prejudice the testimony.

Another source of memory error is actually a type of memory known as "screen memories." This concept arises from the Freudian tradition, but there seems to be

something to it. Screen memories are "memories which may be composites of real events and fantasy" and "may enable us to forget effectively." (Hall, 31) As originally put forth by Freud in 1899, the idea of screen memories "holds that recollections of early childhood experiences are often distortions that protect people from a more unpleasant reality hidden behind the superficial "screen" image that is presented to consciousness." (Schachter 1995, 7) Put another way, "one remembers something in order to better able to forget something else." (Assman 2007a, 16) This way of approaching screen memories indicates an interesting feature thereof: the issue is not that the screen memory is false—it may in fact be true—but that it allows for other engrams to be ignored and thus more likely to be subject over time to ordinary forgetting. Catherine Hall has applied this in adults to the issue of British national identity and the degree to which public exhibits such as that at the Cadbury chocolate family's factory *cum* museum, Cadbury World, retell British history so as to shape individual and collective memories of the British Empire. In particular, the entire museum's initial instantiation ignored the negative aspects of empire and the fact that the entire Cadbury corporation relied upon them through the acquisition of chocolate, tea, and coffee. Rather, displays at Cadbury World emphasize the Cadburys support for "the industrious peasant farmers of Ghana... and the ways in which they have fostered West African development... Cadbury took the most enlightened version of 'the civilizing mission' to West Africa, and are proud of that legacy." (Hall, 38-9) The resulting blend of fantasy and reality becomes the memory that visitors take with them, and functions as a screen memory, a source of error that prevents remembering another "more unpleasant reality" about the history of British Empire. Thus, screen memories are also a source of error in declarative memory.

False memory, source-monitoring errors, fading affect bias, the presence of biasing external information, and screen memories can all result in memory errors and are rarely heard of in popular discourse. However, it is worth addressing one of the most pervasive pop-culture—or "folk"—conceptions of memory errors: amnesia. We tend to think of amnesia as a gross error of memory but, in fact, two different kinds of amnesia work on two different processes of memory: retrograde amnesia, which primarily affects recall, and anteretrograde amnesia, which primarily affects storage. Retrograde amnesia is the classic dramatic form: a person, through psychosomatic trauma or organic damage, can no longer recall his life prior to a particular event. Non-declarative memory is generally retained such that the person recalls how to speak, hold a fork, use a knife, walk, fasten pants, shave, etc. However, the person lacks retrospective memory. It is unclear whether the error is in storage or retrieval, but it is certainly not in encoding, for those memories were once encoded.

Retrograde amnesia is illustrated in the documentary *Unknown White Male* about Doug Bruce, who woke up on Coney Island with no apparent autobiographical memory but no known loss of non-declarative memory or of some propositional memory. Examples of retrograde amnesia like that of Doug Bruce are to be found throughout literature and film. A less realistic but more widely known example is to be found in the film *The Bourne Identity* in which a man named Jason Bourne, or one of several other aliases which he discovers, is picked up floating in the ocean with very little propositional memory or autobiographical memory. Nonetheless, he retains non-declarative memories and progressively demonstrates a series of rather bemusing and increasingly frightening skills: he speaks numerous languages fluently, reflexively reacts

with remarkable martial skill to physical threats, and appears to have been trained to kill. He never recovers autobiographical memory, although does discover facts about himself which become new propositional memories. His new autobiography allows him to create a new identity, a new character, and a moral sense that his previous self appears to have lacked.

By contrast with the pop-culture familiarity of retrograde amnesia, there exists a second form of amnesia which is the most famous in psychological and neuroscience literature, but relatively unknown in folk conceptions of amnesia: anteretrograde amnesia. This is the form suffered by H.M., whose case has resulted in over 1,000 peer-reviewed journal articles and provided the basis for effective study of the biological basis of memory. Characteristic of anteretrograde amnesia was H.M.'s ability to vividly recount autobiographical memories and propositional memories from prior to the surgery including detailed discussions of history. Also characteristic was his subsequent inability to create long-term declarative memories. The problem appears to be in storage, specifically in the transition from short-term to long-term memories: H.M. could remember sequences of numbers or letters for minutes at a time by devising mnemonic devices, so encoding was not a problem, but simple distractions caused him to forget he had ever been asked to remember a sequence as well as to forget the sequence and the mnemonics he had devised (Corkin). Even amnesia is more complex than it might appear to be, being unrelated to ordinary forgetting of memories and related instead to retrieval or storage of memories.

Let us consider another source of memory errors recently become too-familiar to the American public: traumatic brain injuries (TBI). Though some TBIs can result in

straightforward retrograde or antretrograde amnesia, the memory errors they cause are often far more complex. These have become familiar to Americans because TBIs have been suffered by so many veterans of the current war in Iraq, in part because the key mode of attack on American troops is explosives, causing injury from the pressure wave, shear forces inside the skill, and simple impact injuries as the soldier's head (helmeted or unhelmeted) meets solid objects at high velocities. Memory damage from TBI is quite common and short-term memory loss is actually a key diagnostic tool for the possibility of TBI (Robinson, 48). More in this war than in any other, vets are returning with TBIs which require them to relearn facts about themselves and the world, and skills as simple as buttoning shirts, walking, or talking (Glasser, B01). These impairments cover a range of memory including skill memory, propositional memory, and autobiographical memory. The implications are clear in the words of a neurosurgeon at a combat support hospital in Iraq: "We can save you. But you might not be what you were" (ibid.).[23] Loss of skill memory and propositional memory are clearly errors in memory, albeit here from an organic cause rather than a malfunction in basic memory processes in an otherwise normal brain.

We have seen that declarative memory—and sometimes skill memory—are subject to errors because of organic malfunctions in the brain as with amnesia and TBIs.

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[23] In the context of considering how traumatic brain injuries (TBIs) affect memory, we might consider not only veterans of the current war in Iraq, but also telejournalist Bob Woodruff. Recall the neurosurgeon who tells soldiers that he can sort of fix them, but that they may not "be what you were." Similar claims were made to journalist Bob Woodruff's wife after Woodruff sustained a type of injury known as a penetrating brain injury. Woodruff later woke from his coma and was retrained into many of his old skills, including sophisticated language skills he could not access in the aftermath of his accident (Woodruff and Woodruff). Some particularly sophisticated uses of words may depend on propositional declarative memories of the meaning of terms, thus the origin of the occasional philosophical referent for some declarative memories, 'semantic memory'. Like many brain injury victims who later recover, Woodruff initially lacked the ability to convert short-term memories into long-term memories, repeatedly asking basic questions about where he was and what had happened (Woodruff and Woodruff).

However, these are rare. What is perhaps more concerning if we are at all concerned about the accuracy of memory is this: declarative memory is subject to error at every stage and particularly subject to certain false memory errors resulting from vivid imagination. But Sue Campbell cautions us to avoid conflating the constructionist reconceptualization of memory with the inaccuracy of memory.

Campbell suggests that many memory researchers[24] who want us to follow them through this reconceptualization are asking us to "repudiate our faith that memory is reliable and accurate and to replace this faith with concern that memory is malleable and prone to distortion... that we are moved to think simultaneously of reconstructed and distorted memory is, I contend, symptomatic of their actual conflation in some scientific writing." (Campbell 2004, 127) It would indeed be hugely problematic if we were to conclude from the existence of particular memory errors, and especially from the constructionist nature of memory, that there is no accurate or "good memory" nor any standard for assessing it[25]. This does appear to be stated explicitly in a number of authors' works, though none of them analyze it as having smuggled in values. Consider this bald statement by Michael Schudson: "Distortion is inevitable. *Memory is distortion* since memory is invariably and inevitably selective." (348, my italics) But some leaders

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[24] Campbell is particularly concerned with Daniel Shachter and Elizabeth Loftus. Shachter has written a number of influential nonspecialist books on memory, some of which have had a big influence on organizations and management, including in the military (Haraburda). These books include *The Seven Sins of Memory* (2001), *Searching for Memory* (1996), and *Memory Distortion: How Minds, Brains, and Societies Reconstruct the Past* (1995). Loftus has had a major role to play in establishing false memory and thereby repudiating sex abuse victim testimony, as well as generating some of the most influential—and widely used—research on the unreliability of eyewitness testimony. Her books include *Eyewitness Testimony* (1979) and *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse* (1994).

[25] Elsewhere, Sue Campbell (2003) has pointed out that this sort of inherent distrust of memory tends to play out primarily in the way that the memories of women, minorities, and children are treated because they are subject to "epistemically damning stereotypes" (8). This poses serious, and clear, problems when allegations of sexual abuse come down to a matter of personal testimony on the part of accuser and accused. If all memory is suspect, whose memory will be trusted? The memory of the person with the most epistemic or social power, often not the alleged victim.

in memory studies make sure to state unambiguously that memory—even under the constructionist model rather than the archival storehouse model—can be accurate, "especially as an accumulator of general knowledge and as a recorder of general meanings, gist, and main points" (Squire and Kandel, 81). Philosopher John Sutton puts this claim explicitly in terms of memory as a construction: "To say that a memory is a constructive process is not to focus unrealistically on cases where it goes wrong, for there is not reason to think that 'constructed memories' must be false." Constructed memories may be particular to the individual—to what she finds significant, to connections with that person's particular existing set of memories and knowledge and beliefs, to her brain's individual ability to encode, store, and retrieve—but they need not be false.

So we ought to heed Campbell's concern, Squire and Kandel's reminder about the general accuracy of memory, and Sutton's analysis of memory construction as not inherently inaccurate. It is fortunate for us that we can coherently do all three. Indeed, let us focus on errors on memory rather than assuming that memory is inherently inaccurate. And while amnesia is the most well-known and least avoidable of memory errors, it is by far the least likely. The miscarriages in basic memory processes that we have discussed are not only more common, but also more preventable by reasonable interventions such as training persons in source-monitoring and avoiding prejudicial information.

Having seen how individual memory goes well and awry and something more of its constructionist nature, let us consider how it is affected by inevitable interactions with the collectives in which individuals reside.

2.3. When Individuals and Collectives interact

Recall Nabokov's butterflies, which demonstrate the impact of attention and knowledge interconnectivity on encoding of declarative memories, and the errors of memory induced by stereotyping which offered a preview of the impact of collectives on individual memory. Such impacts are often stimulated by "scaffolding" provided during conversations and many other ways in which the collectives within which individuals reside influence individual memory.

Let us consider first the way in which conversational "scaffolding" can affect individual memory. Recent investigations into maternal-child conversational impacts on memory have resulted in a clear consensus that when parents engage young children in conversation during events, children remember the events better. Furthermore, the nature of this conversation matters greatly. Children exhibit much better event recall when parents ask children open-ended what-where-why-when-how questions about the event as it occurs (Fivush and Nelson; Ornstein et al.). In this way, the parents direct the child's attention. Children also remember better when parents conduct "follow-in", where the parents help the child to connect this experience to existing knowledge held in declarative memory, whether propositional or autobiographical (ibid.). The impacts of collective/social interactions do not apply only to memory in children, however.

Adult memory is also affected by interactions with others. Robyn Fivush and Katherine Nelson have found that culture is a significant determinant of the *kinds* of questions that parents ask their children, and that this not only alters how individual declarative memories are encoded, but how the grown child *qua* adult conducts his or her own memory construction based on self-questioning and self-follow-in. In particular,

different parental styles of helping children to construct narratives correlate with persistence of that pattern though adulthood. This differs substantially between "Eastern" and "Western" cultures. Consider Fivush and Nelson's description of the cross-cultural differences in childhood *and adult* styles of autobiographical remembering:

> Mothers from Western cultures talk about the past in more elaborated and more emotional ways than do mothers from Eastern cultures; Western mothers focus on the child's own activities and emotional reactions, whereas Eastern mothers place the child in a more communal setting, playing down emotions, such as anger, that might separate the child from the group and highlighting moral emotions and lessons.... Indeed, as early as middle childhood, children from Western cultures tell more elaborated, more detailed, and more emotional narratives of their past than do children from Eastern cultures, and this pattern persists through adulthood. In addition, adults from Eastern cultures have a later age of first memory than do adults from Western cultures and much sparser memories of childhood in general, again suggesting a less elaborated, less differentiated autobiographical self. (Fivush and Nelson, 576)

Fivush and Nelson, Skowronski et al., and Campbell (2003) have all independently noted that social gender norms also plays a role in memory construction within American—Western—culture, and we might infer in other cultures, as well. This occurs both in terms of what sorts of questions parents ask male vs. female children during events and in

terms of how male and female adults are held differently responsible for remembering emotions and dates vs. actions, and how such differences in capacity to do so divide and are assumed to divide along gender lines. Women are more often held responsible for remembering information that is important for good relationships—maintaining relationships is household labor that is typically gendered feminine and is seen as woman's work—and perhaps unsurprisingly, girls are more likely to be asked about feelings and relationships and who else was present than are boys. Boys are more likely than girls to be asked about actions and mechanisms and, perhaps unsurprisingly, men are praised for remembering such things and generally not blamed for failing to remember the sort of content which is gendered feminine, i.e., birthdays, dates, favorite foods or allergies or health issues.

Collectives thus shape individual memory through direct interactions and conversational scaffolding, thereby teaching people how to construct memories and playing a major role in the construction of autobiographical memory, of personal identity, *and of the ways in which people are blamed and praised for what they remember and forget*. But there is more to the influence of collectives on individual memory than this, for the construction of narratives by individuals *for* an audience of fellow members of the collective can shape memory regardless of how one has previously constructed a memory. In the late nineteenth century, William James noted just such a pattern of influence:

> The most frequent source of false memory is the accounts we give to others of our experiences. Such accounts we almost always make both more simple and more interesting than the truth. We quote what

we should have said or done rather than what we *really said or did*; and in the first telling we may be fully aware of the distinction. But ere long the fiction expels the reality from memory and reigns in its stead alone. This is one great source of the fallibility of testimony meant to be quite honest. (in Volf 45-6)

Modern research by Skowronski et al., who have studied the effect of conversation on fading affect bias, indicates just the sort of pattern of influence to which James refers. "Affect", here, is used in the psychological sense to refer to the emotional content of psychological states, including memories. Positive affect includes happiness, pleasure, contentment, satisfaction, and so forth; negative affect includes sadness, aversion, fear, and so forth. Over time, the affect associated with memories changes and psychologists have long observed a phenomenon known as fading affect bias in which affect of memories fades over time, but is biased toward more rapid fading of negative affect and less rapid fading in positive affect. This is perhaps best summarized in the title of paper by Walker et al. (including Skowronski): "Life is pleasant—and Memory Helps Keep It That Way!" Writing on the same subject, Skowronski et al. conclude that "the fading of both positive affect and negative affect are altered by social discourse [regarding disclosure of those events to others]" (301). Skowronski et al., also consider the general impact of social norms on memory based on how norms impact disclosure of events by dictating what sorts of events and associated affects are appropriate for disclosure in certain times and places and to certain audiences. They suggest that such disclosure norms differ across cultures (304-5). So, just as culture affects how we learn to construct

memories using conversational scaffolding, narrative recounting and *disclosure decisions* are also affected by culture and all affect memory.

Another fascinating impact of culture on memory comes from recent research on repressed memory. Harrison Pope of Harvard Medical School led a research team of psychiatrists and literary scholars in a search for literary references to repressed memory, described by psychiatrists as trauma-related amnesia. The group found numerous instances during and after the 19th century, including Emily Dickinson's poetry, but none before that time. Interestingly, the group searched literary texts in European languages, Arabic, Sanskrit, and Chinese. As a result of the complete absence of characters suffering from such memory loss, Pope et al. infer that "the psychiatric disorder known as dissociative amnesia (often called "repressed memory") is a "culture-bound syndrome"— a creation of Western culture sometime in the 19th century" (Vedantam, A08). Pope emphasizes, however, that a culturally-bound syndrome is no less real for all of that, and that similar claims have been made that all psychiatric disorders, including depression, have at least some cultural aspects (ibid.). That particular expressions of pathology become possible only once a culture provides the possibility makes a memory no less repressed, a person no less depressed. In other words, socially constructed phenomena are still real constructions.

This is only the tip of the iceberg for the wide range of ways in which collectives' norms and interactions affect personal memory. Because of precisely these sorts of findings, Michael Schudson takes the rather controversial position that, "in an important sense, there is no such thing as individual memory... Memory is social." (Schudson, 346) I'm inclined to agree to the extent that we've seen the strength and sweep of social

impacts on memory, shaping everything from how an individual construct her autobiographical memory to how an individual's psychological problems manifest in the culture-bound memory pathologies available to him. So long as we exist within collectives, those collectives will shape our memories even as those memories are stored in some sort of physical archive, be it paper records, audio-visual records, or the human brain.

Something else curious happens when individual memory is not simply shaped by collectives, but leaves the individual and goes beyond her brain. It does this in external storage, and by means of sharing cognitive labor out amongst members of the collective; with memory, we have come to call this shared cognitive labor "collective memory." Let us first consider external storage and the sharing of cognitive labor before considering collective memory in and of itself.

2.4. Individual Memory Beyond the Brain

In individual humans, memory processes occur within the brain even though they can be influenced by the individual's social environment. But there comes a point when the brain's resources are insufficient. According to Merlin Donald[26], symbolic technologies allowed for a major leap in human evolution by permitting the external representation *and storage* of internal mental symbols:

> Symbols can be internal or external to the brain. For example, the words of spoken language are internal symbols stored in the brains of speakers and listeners. The same words typed on a sheet of paper become external symbols, stored on the printed page, rather than in the

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[26] Donald considers going beyond the brain for most human cognition to be so important that he refers to human evolution as "the Great Hominid Escape from the Nervous System." (149)

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brain. Symbolic technology is the enterprise of manufacturing and crafting external symbolic artifacts and devices. These have enabled us to build a vast cultural storehouse and an external symbolic storage system, which serves as a permanent group memory and includes such things as books, museums, measuring instruments, calendars, and computers. These are extensions of what archeologists call material culture. ***But unlike most aspects of material culture, they are designed specifically to help us think, remember, and represent reality....*** This book is an example of such a device... The same is true of paintings, maps, musical notations, and a huge number of cognitive machines, such as clocks and observatories. They revolutionize what we can do with our minds. (305; my emphasis)

For Donald, such symbolic technologies allow us to compensate for the limits of our brains and to go beyond what biology has bequeathed to us. External storage is a deliberate and conscious means of compensating for the flaws of brain-based memory. This leads to one of two important features for our purposes: *external storage provides a way for people to record, store, and retrieve information they have judged to be significant even if they have a "poor memory."* And the second important feature for our purposes? Donald points out that unlike the engrams produced by brain-based memory, the "exograms" of external memory storage "give us stable, permanent, virtually unlimited memory records that are infinitely reformattable and more easily displayed to awareness. Moreover, exograms are much easier to search, and we can recall them with a variety of retrieval

methods." (309-10) So, *external storage is accessible identically to the awareness of anyone* who has been trained in the symbolic system and is more easily *searched and retrieved.*

If you can read the language, you can get the content; if you desire to find externally stored information and have the right search media, you probably can. Think of what Google, combined with the internet's huge database, has done to our individual ability to find information we once knew or learn something we never knew but have judged to be salient. Of course, like constructed individual memory engrams, exograms are also constructed. Anyone who has used a Wikipedia page later discovered to be in error or a "stub"—containing hardly any information—knows this. But where exograms are accurate in any sense, they provide major advantages to collectives over merely using engrams. Long after a witness to an event is dead and her brain has ceased to function, her testimony can persist exactly as she gave it so long as it has made the leap from engram to exogram.

So we have seen how external storage of memory is a significant means for compensating for flawed individual memory and for doing mnemonic work with the collectives in which individuals function. Recall that Merlin Donald specifically referred to such external storage as part of material culture. Donald goes further in his analysis of culture and human cognition, and in a way that is of great use to us. In his view, the defining feature of human cognition—by contrast with our nearest cognitive relatives, the great apes—is symbolic culture. Why? "Culture distributes cognitive activity across many brains..." (Donald, 149) By

doing so, long-term tasks and accumulations of knowledge about the world can be performed that are otherwise impossible for individual organisms over the course of a normal lifespan. Much of the propositional knowledge that we store in our declarative memories was not derived by us at all; only our autobiographical memory is restricted to our lifespan. This is exceedingly important for memory of events we do not experience or for a wider picture of events that we experienced only in part. Without engrams or exograms of propositions derived from others, our cognition is impoverished.

We can store these propositions in our individual declarative memory systems, or we can store them in external memory or we can share out the cognitive labor amongst many members of the collective. How do these relate to the idea that collectives actually have, themselves, a distinct kind of memory?

2.5. Collective Memory

"Collective memory"—often called *la memoire publique* by the French (Callan)—is a rather nebulous term, especially when one considers that collectives are composed of individuals and only individuals appear to possess the ability to encode, store, and retrieve declarative memory from storage. As we have seen, though, it would be wrong to limit our understanding of memory storage to the purely organic medium of the human brain, for either individuals or collectives. Indeed, both individuals and collectives have recourse to externally stored accounts of the past, with collectives often collectively endorsing particular exograms. Individuals and collectives also use mnemonic objects—symbolic technologies—to encapsulate or recall, ranging from the

dried flowers of the wedding bouquet often kept by an individual bride to public memorials such as the Washington Monument. Indeed, the interplay of these "external storage" mechanisms, the "on-board storage" of individual memory in the brain, and cultural practices through which people recognize a debt to the past is a complex factor in collective memory's construction, maintenance, and revision. It is perhaps best if we begin with the early studies of collective memory.

Maurice Halbwachs[27], a French sociologist, pioneered the study of collective memory. His most influential book, *Les cadres sociaux de la memoire* (often translated as *On Collective Memory* but more accurately translated as "social groupings of memory") was widely published in 1932. Halbwachs was concerned with "the ways in which present concerns determine what of the past we remember and how we remember it." (Novick 27) As Halbwachs points out, "Most of the time, when I remember, it is others who spur me on; their memory comes to the aid of mine and mine relies on theirs" (38). In this way, the remembered event is constructed out of the personal memories of two or more individuals, a collective:

> It is in this sense that there exists a collective memory and social frameworks for memory; it is to the degree that our individual thought places itself in these frameworks and participates in this memory that it is capable of the act of recollection (Halbwachs 39).

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[27] In a moving aspect of Halbwachs' life story, his death is intimately connected to both the importance of remembering and to the Holocaust. He was a professor in Strasbourg and Paris, unobtrusive until he was arrested by the Nazi authorities. According to Richard Sennett, "He was sent to Buchenwald and murdered there for asking the police what had happened to his wife's Jewish father. He died, it is not too much to say, for the sake of an accurate account of the past." (19) It is thus altogether fitting that his work on collective memory has framed how we understand and respond to the Holocaust.

Halbwachs quite rightly notes that this conception of personal memory as dependent on social frameworks, while interesting in its own right, is insufficient to indicate the existence of anything like a collective memory. Instead, one must indicate that the group, itself, has the capacity to remember.

Halbwachs's idea that the individual memories of members of the collective are required to create an event memory is the basis of collective memory theory. We see this in the work of Avishai Margalit who distinguishes between what he calls 'shared memories' and 'common memories' (50-53). A common memory exists for everyone who stayed in the conference hotel during the Eastern Division meeting of the American Philosophical Association in 2006; all present remember the hotel fire that occurred late one night, forcing guests first into the halls and later into the cold. Each person has their own unique perspectival memory of the event based on where they were, but they hold in common the memory of the 3 a.m. hotel fire. Such a common memory is an aggregate of individual memories of the same event (Margalit, 51). A shared memory, by contrast, is archetypal of collective memory: it "integrates and calibrates the different perspectives of those who remember the episode"—some saw the firefighters, some smelled the smoke, others thought it was an overreaction because they perceived no evidence of the fire, some were afraid, others were annoyed, some took shelter in heated D.C. Metro entries and others in ATM booths—"into one version" (Margalit, 51-2). While this may never occur with the APA hotel fire because the event may be too trivial for collectives to engage in constructing the shared, collective memory, a shared memory is critical for communities because it allows other community members who were not there at the time to be "plugged into the experience... through channels of description rather than by direct

experience" (Margalit, 52). Margalit subsequently characterizes collective memory of this kind as "built on a division of mnemonic labor" (ibid.). Note how this is reminiscent of Merlin Donald's interest in the leap in human cognitive evolution spurred on by the ability to share cognitive labor, generally. Collective memory allows for the preservation of event narratives in a manner which is not strictly a historical proposition such as "Ceasar crossed the Rubicon." Rather, the event narratives in collective memory provide second-hand experiences for members of the collective via shared description far above and beyond the declarative or autobiographical content stored in an individual's declarative memory system, and it allows for their communication to non-present members of the community near the time of the event and even after all witnesses are deceased. It is this aspect of collective memory which has led to the close connection of the Holocaust with collective memory study.

For Margalit, collective memory still relies heavily on individual memory for the division of mnemonic labor. Schudson suggests that the sites for memory—read "collective memory"—are far beyond the individual brain, not unlike Donald. In fact, Schudson identifies four separate loci.

First, memory "is located in institutions rather than in individual human minds in the form of rules, laws, standardized procedures, and records, a whole set of cultural practices through which people recognize a debt to the past (including the notion of 'debt' itself) or through which they express moral continuity with the past (tradition, identity, career, curriculum)." (Schudson, 346-7) These cultural forms store and transmit information; individuals can then use that information without have to encode, store, and successfully retrieve that information from their own brains. Simply put, they do not have

to memorize it. In addition, these institutionalized forms constitute that official accounts of events and memory frameworks that are endorsed by the collective. This does not mean that every member of the collective agrees with the exogram, but it does mean that disagreement is taken to be disagreement with the collective.

Second, memory can be located in "collectively created monuments and markers: books, holidays, statues, souvenirs… these are *dedicated* memory forms, cultural artifacts explicitly and self-consciously designed to preserve memories." (Schudson, 347) The emphasis on monuments and ceremonies as a site of memorialization is made by a number of other authors including Bodnar, Humphrey (52-5, 75, 83), Connerton, and Volf (40). Savage and Schwartz have both, in particular, been concerned with how construction of U.S. Civil War monuments respectively affected black emancipation and reflected the transition from national reunification to allowing for regional pride. Again, these dedicated memory forms not only preserve memory, they preserve a particular collective memory, a particular account of the past.

Third, memory, where it can be located in individual minds, "may characterize groups of individuals—generations or occupational groups. In these cases memory is an individual property but so widely shared as to be termed social or collective." (Schudson, 347) This was referred to by Halbwachs as "the localization of memories." According to Halbwachs, the contextualization of memories requires connecting them to other thoughts, and these are shaped by the groups to whom we are currently relating. As he puts it, "it is not because memories [in the minds of different individuals] resemble each other that several can be called to mind at the same time. It is rather because the same

group is interested in them and is able to call them to mind at the same time that they resemble each other." (Halbwachs, 52)

And finally, even when individuals are the locus of memory and memories are "idiosyncratic" (have distinct content from person to person), "they remain social and cultural in that (a) they operate through the supra-individual construction of language; (b) they generally come into play in response to social stimulation, rehearsal, or social cues... and (c) there are socially structured patterns of recall." (Schudson, 347) Consider the concrete example of what to call the extermination of Jews in WWII. The term settled upon was "Holocaust". To use this term now to refer to a genocide or ethnic cleansing is to summon up a scale of six million dead and the industrialization of murder that may not be met by the event you are describing. If you cannot call such a thing a holocaust, what can you call it so as to establish it in memory and to activate the benefits of collective memory, to call into being all the associated concepts linked to the Holocaust including the obligation to rescue those being exterminated?

Thus, we see that collective memory can be perpetuated by a number of social and cultural mechanisms ranging from external storage in dedicated memory forms to the frameworks used to structure memories.

Some theorists have sought to elaborate on the nature of collective memory above and beyond its loci. Historian Peter Novick suggest that "Typically a collective memory, at least a significant collective memory, is understood to express some eternal or essential, often tragic truth about the collectivity. A memory once established comes to define that eternal truth, and along with it an eternal identity for the members of the collectivity." (27) For Novick, this explains how it is that the allegedly central memory of

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Serb identity, the lost Battle of Kosovo in 1389 during struggles with the Ottoman

Empire, came to symbolize their belief in "a permanent Muslim intention to dominate

them." (ibid.) In Samantha Power's Pulitzer Prize-winning book, *"A Problem From

Hell": America and the Age of Genocide,* Power describes the consequences of the

Serbian collective memory of Muslims as always part and parcel of Serbian losses to the

Ottoman Empire. During the 1990's, many Serbs in the former Yugoslavia under

Slobodan Milosevic began to actively seek a Serb-dominated Balkan region. Seeking to

avoid bloodshed, the state of Bosnia sought to secede from Yugoslavia, offering human

rights protections to minorities at the urging of Western diplomats. Also at the urging of

those diplomats, seven members of the Bosnian presidency (deliberately multi-ethnic:

two muslims, two Serbs, two Croats, and one Yugoslav) also organized an independence

referendum, seeking democratic means of seceding from Yugoslavia. Two other hardline

Serbian members of the shared Bosnian presidency organized a Serb boycott of the

referendum; it could no longer be said to be democratic despite having passed by 99.4

percent of the vote because few Serbs had been part of that 100 percent (Power, 248).

They and their boycotting constituents in turn declared their own separate Bosnian Serb

state within the borders of the old Bosnia, with Milosevic's support, both politically and

militarily in the form of the Serb-dominated Yugoslav National Army (JNA). In all, the

JNA contributed an estimated 80,000 uniformed, armed Serb troops and nearly all of

their Bosnia-based weapons to the new Bosnian Serb Army. Even their vehicles still

bore traces of "JNA" on the sides (Power, 249). These Serbs began to implement a

practice of targeting civilians and eliminating non-Serbs from their territory. Within days

of Bosnia's successful Serb-driven secession from Yugoslavia, Bosnian Serb soldiers and

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militiamen began rounding up non-Serbs, beating them, and often executing them (ibid.). They called this "ethnic cleansing," a campaign which used a variety of means ranging from mass relocation, as to the camps which eventually became a killing ground for Muslim men and boys and a rape camp for Muslim women and girls (Power, 269-274), to driving Muslims and Croats from their houses in the middle of winter where they might die from exposure or at least pour into surrounding countries and leave Bosnia for the Serbs (Power, 250-251).

To make matters worse for the Muslims and for what Power acknowledges were some Serbs and Croats who still supported a multiethnic Bosnia, the United Nations had imposed an arms embargo in 1991 in an attempt to prevent local outbursts of ethnic conflict, and this was still in force in 1992 when the JNA and Serb-purists began their campaign. This "froze in place a gross imbalance in Muslim and Serb military capacity. When the Serbs began a vicious offensive aimed at creating an ethnically homogenous defense, the Muslims were largely defenseless." (Power, 249)

The title of Power's book comes from a comment by Warren Christopher directly in response to ethnic conflicts in the Balkans: "The hatred between all three groups—the Bosnians and the Serbs and the Croatians—is almost unbelievable. It's almost terrifying, and it's centuries old. That really is a problem from hell." (Christopher in Power, XII) The "problem from hell" might well be redescribed for our purposes as the way that collective memory can distort relationships between groups of people, as it did between Serbs and Muslims. The process of ethnic cleansing that stemmed from Serbian collective memories of being permanent enemies with Muslims and other non-Serbs went beyond destroying non-Serb humans in a way that was clearly aimed at altering a

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collective memory to bolster that idea that Bosnia ought to be a Serb nation: "Bosnian Serb units destroyed most cultural and religious sites in order to erase any memory of a Muslim or Croat presence in what they would call 'Republika Srpska.'" (Power, 249)

We see, here, a manipulation of the loci of collective memory and a use of collective memory to bring about a Serb-dominated Bosnia. This extended example demonstrates concretely how *collective memory can work for good or ill*—in this case clearly for ill—and how it *corresponds to deliberate actions taken on the part of involved agents*. Recall that we began this extended example by playing off of Peter Novick's analysis that, "Typically a collective memory, at least a significant collective memory, is understood to express some eternal or essential, often tragic truth about the collectivity. A memory once established comes to define that eternal truth, and along with it an eternal identity for the members of the collectivity." (27) For modern-day Muslims and Croats, the Serbian attempt to create a Republika Srpska has become their defining collective memory, just as that attempt was driven by another defining collective memory. And it has shaped their actions profoundly (see the relevant Case in Chapter 1).

But what kind of thing is this collective memory? Novick, who clearly sees it as a very real thing, nonetheless is not sure what to make of it in the modern world with our well-developed external storage of information and rapidly changing political landscape. Novick sees collective memory not as a metaphysical entity with ontological status, but as an organic metaphor for the relationship between individual memory and community, specifically a community which is very stable and "one in which consciousness, like social reality, changes slowly." (28) Because Novick believes that communities are no longer very stable in this sense, and because consciousness and social reality seem to

change so rapidly in the globalized information age, Novick challenges the idea that

collective memory still exists in most of the modern world. Instead, he situates it as a

pre-modern or rural concept, one inappropriate for analyzing heterogenous societies.[28]

Perhaps he is onto something here. After all, Serbs, Croats, and Muslims who emigrate

to the United States or elsewhere in Europe do not seem to bring their conflicts with them

to the extent that they fought in the Balkans. And yet, in 1998 I noted the existence in

Milwaukee, Wisconsin, of a Serbian Social Club. Driving past it on the street, the sign in

the window reading "Serbs Only" was clearly readable. Perhaps communities are still

stable, to the extent that the collective memory which defines them is that of the old

community rather than the new one.

What if Novick's characterization of collective memory is incomplete, and it does

not quite require stable homogenous communities and relatively unchanging social

realities? Clearly these are good conditions for collective memory. But are there others?

At least one concrete example gives us reason to believe so: a collective memory of the

Holocaust has been created despite the wide and varied distribution of the European

Jewish diaspora—Canada, America, Israel, South America—and the wide and varied

nature of the many nations which now share this collective memory of the Holocaust.

That it is shared is evident in negative international, and especially European and

American, reaction to Iranian President Mahmoud Ahmedinejad's repeated denial that

the Holocaust occurred as we have come to believe that it has occurred, calling it "a

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[28] Perhaps we should not be surprised to find Novick challenging conventional notions of historical frames, for he famously did so in his book *The Holocaust in American Life*. In that book, Novick questions, among other things, why the Holocaust became a dominant theme in American thinking about Jewishness only around 1967 rather than after the war and why American society would spend millions of dollars on the Holocaust Museum to commemorate a genocide that occurred half a world away and in which it was in the role of rescuers rather than on a museum to commemorate black slavery and America's history of racism in which American society was the perpetrator.

myth." (BBC) Aleida Assman replies directly to Novick, asserting that collective memory can also derive from constant face-to-face exchanges and impressions between family members and community members, a point also made by Halbwachs and a fact that makes collective memory "not a mysterious fusion of individual minds or souls but the product of continuous social interaction." (2007b, 33) And what's more, the heterogenous, globalized, information rich modern world does not necessarily undermine the possibility of collective memory but may expand it: "If we replace face-to-face interaction with symbolic communication via media such as newspapers, television, history textbooks, museums, monuments, and commemoration rites, the range of participation in a collective memory widens considerably." (Assman 2007b, 34) In fact, this seems to nicely explain how we have constructed, stored, and can so easily retrieve the collective memory of the Holocaust. Assman takes this insight and goes on to discuss collective memory constructions as often, though—importantly—not always, deliberate acts which can be subjected to standards that would govern such a "cognitive practice." (ibid., 35) This has particular bearing on attempts to assign moral agency and more responsibility to memory behaviors, for it presents a point of connection between conceptions of agency and the neurologically and socially complex functions of individual and collective memory.

With respect to what standards might be in play, here, for judging moral desirability and moral responsibility for memory, there is another issue that must be teased out: how to identify the actual collective memory in amongst all the rhetoric about it. Assmann and Novick agree that:

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"…with regard to collective memory constructs, we can never

clearly distinguish between what is imposed and what is really

accepted… Much of what politicians and self-appointed memory

activists proclaim is of no concern whatsoever to a wider public

and barely touches the minds and hearts of individuals… We know

from the Kosovo War how Slobodan Milosevic

'instrumentalized'… age-old national myths for his aggressive

warfare, but we still know very little about the reasons he

succeeded so well with these strategies and found public support."

(Assman 2007b, 37-8)

While true, it remains the case that without those age-old national myths such as the 14th-

century Battle for Kosovo so effectively instrumentalized by Milosevic were in fact

essential to his campaign against Albanian muslims. What's more, we have already seen

how individual memory alters over time as it is taken out and handled, incorporating new

connections to new propositions and contexts. By attaching new political context and

propositions to the old collective myths that define Serbs as being in opposition to

muslims, Milosevic effectively altered the collective memory construct shared by Serbs

and did so within the individual memory engrams of the many Serbs who received his

message via his own state-run media. This pattern was likely reinforced by constant

exchanges between individuals within families and tightly-knit ethnic communities, a

point you may recall was identified by Assman as a key element of collective memory.

Thus, we see an intriguing pattern of relations between individual and collective

memory. Collective memory is above and beyond the individual in that it is created by

individuals functioning as members of society, reinforcing each other through individual conversation and social media. It is also distributed across individual memory engrams (as Margalit would have it) and their exograms—symbolic communication records such as books, film, interviews, and other external foci such as monuments, laws, cultural practices, and even group identity (as Schudson would have it)—such that a collective may be said to know more than any one individual, that it may at times be utterly shared and at others distributed, and that collective memory is not bound by the biological limits of human neurology. It is, ultimately, individuals within a social context whose memory-related behaviors construct, maintain, and reconstruct collective memory. As to whether or not individuals can be held blameworthy or praiseworthy, and for which memory-related behaviors, we shall have to wait until Chapters 3 and 4 for a full answer to that question.

2.5.1. Some Mechanisms of Collective Memory

We have seen some of the nature of collective memory, but we ought now to discuss ways in which it can function. Some of these functions will be ones that contribute to inaccuracy or incompleteness. Others are initially presented as such but will later be shown to be simply mechanisms of collective memory. Let us begin with one which we have already seen, and which clearly does contribute to inaccuracy or incompleteness.

2.5.1.A. Screen Memories

Recall the way in which individual declarative memory can go awry that we have called "screen memories." These serve to obscure a harsher alternative memory or prevent one from being encoded, allowing one to remember something so as to forget

something else. Screen memories function just as effectively for collective memory if not more so, for the power of the collective can give the screen memory precedence over other more accurate memories or attempts to revise collective memory. Aleida Assman contends that, "when applied to the realm of national memory, this means that one recalls one's own suffering in order to avoid being reminded of one's own guilt." (2007a, 16) As an example of this, we might consider the French tendency to glorify the Resistance and focus on the Nazi occupation, attending primarily to the collaboration of the Vichy government when attending to collaboration at all, and largely ignoring the daily cooperation of many French not only with the occupation but with its plans. Swiss historian Philippe Burrin contends that when the Nazis requested the extradition of Jewish adults, influential French intellectuals and common folk who would have had to care for the orphaned Jewish children insisted that the children go along with their parents. As unadmirable as the Vichy collaboration may have been, such decisions were clearly worse. The combination of the Vichy collaboration on the part of the officials and the Resistance on the part of the common folk create a comfortable screen memory for the collaboration of individual French persons, allowing for a national memory that is more comfortable just as Assman suggests. Sarkosy's curriculum (Case 7 from Chapter 1) assigning fifth graders to research one of the 11,000 children their own age who died in the Holocaust was critiqued by historians on the grounds that it would essentially create a screen memory in the children, and thus in future French citizens, allowing the focus to be on the victims of the Nazis rather than on the Vichy collaboration. In both these scenarios, the alleged problem with the collective memory is that it is a screen memory, and that what is screened ought to be remembered.

Screen memories do far more for collective memory than simply allowing one to forget a role as perpetrator in favor of remembering a role as victim, or resister. Recall that screen memories are often true, but allow for incomplete remembering, for deliberate forgetting of certain claims. Thus, the content of the memory engram corresponds with past reality (is true) but is incomplete in misleading ways. This was certainly the case with French collective memory as described above. Screen memories can also allow for selective remembering of the more positive aspects of a complex history, while blocking the negative aspects. Consider the case of Cadbury World, as described by Catherine Hall, from the collective memory standpoint. By creating a screen memory of the British Empire's history that privileges the progressive uses of empire—to bring development and to provide business for "struggling peasant farmers"—which Cadbury deliberately pursued, this and other screen memories—including modern paens to globalization with empire seen as a necessary condition—make the horrors of empire drop out of the picture.

For those with such screen memories, there is a powerful reason to (a) not recall competing engrams where they have been encoded, and to (b) discount information that would result in the construction of competing engrams. The narrative captured in the collective screen memories is capable of screening out other relevant and accurate information. What's more, government or collectives can bolster the power of screen memories. This is famously the case in Soviet constructions of history. Not only were such screens—part fantasy and part reality, to cover up a harsher underlying reality—in the textbooks and museums used for teaching history, they were also enforced by the state. Utterances which testified to some other memory than the officially endorsed

collective one were then met with punishment; to say the accepted screen was false was to be a dissident; to be a dissident was to be a criminal. In theory, this same social mechanism can be used to propagate a non-screen memory, e.g. an accurate and morally desirable collective memory. But the social mechanism of how a memory is propagated and the functional mechanism of the fact that the memory is a screen are separate mechanisms.

Screen memories are by no means the only discrete mechanism of collective memory. Richard Schudson, who before gave us four loci for collective memory, provides us also with an additional four processes of "distortion" in collective memory: distanciation, instrumentalization, narrativization, and conventionalization. The reader will note that "distortion" is a heavily value-laden term. As we shall see, each of these can as easily be characterized as processes of revision rather than processes of distortion.

2.5.1.B. Distanciation

Distanciation is a process of distortion based on the simple fact that "the past recedes." (Schudson, 348). Memory grows vague, and emotional intensity abates (ibid.) This latter feature we have already become familiar with through our discussion of fading affect bias. Schudson suggests that where this does not happen and cultural traditions maintain the clarity and affect associated with memory, it is not always to the good, and he makes this point by way of the Serbo-Croatian conflict that is one of our touchstones: "Serbs, Croats, and Bosnians seem able to harbor ancient hurts in ways many other people cannot... in China, vengeance may be sought for wounds inflicted well beyond living memory." (348-9) One of the problems with monuments, Schudson says, is that they quickly become background for the people who pass by them in part because "there

is nothing in the world as invisible as a monument", for it marks the memory which is preserved as a dead one (349).

I am not sure this is always the case, but consider the Arc de Triomphe in Paris. It was created to memorialize the French war dead, most especially those who fought in the Napoleonic Wars, but I doubt whether it anymore serves this purpose. The traffic racing round the Place d'Étoile which encircles the Arc is some of the most dangerous in all the world. For these drivers, the Arc has to be background. Does it any more serve to remind the French of their Imperial aspirations under Napoleon, of the thousands upon thousands of soldiers who died in his campaigns from Germany to Russia to Egypt, and on the high seas? Those who had an immediate connection to these events are long dead. In fact, Napolean's victory over the Russo-Austrian army at Austerlitz in 1805 was memorialized every year in France and, since 2005, is no longer officially observed (Bickerton). For Schudson, the building of monuments rarely alleviates the effects of distanciation for very long. We shall see what happens to the Holocaust as the last of the survivors pass on. Certainly the forms in which the event have been memorialized are many and varied, often visceral and aiming to evoke intense emotions in the viewer, unlike the Arc de Triomphe. But Schudson points out that distanciation, though undeniably a distortion, can be both bad—memories of the past fade away, even those of important events which perhaps ought to be remembered—and good. The major gain, he suggests, is perspective:

> With time, not only does emotional intensity diminish but individuals can increasingly view from multiple perspectives events they originally could see only from one... In the era of

liberalization and the cultural enfranchisement of groups denied a voice in the past, a history told from the viewpoint of elite white males is rewritten from multiple viewpoints. Often new information becomes available about events experienced at the time through a veil of misinformation and ignorance. (Schudson, 349)

This benefit of distanciation—as much a process of revision as it is of "distortion"—is precisely why Miroslav Volf is deeply concerned about a recent tendency towards what he calls "immediate memorialization": "Debate about the appropriate monument for the victims of '9/11' was running full speed only a few weeks after the terrorist attack, when we could not possibly have had enough time to absorb the impact of the disaster and reflect on its meaning." (41) Long-standing monuments at the World Trade Center site have yet to be built seven years after the fact, but it was a matter of weeks before a great industrial memorialization machine had geared up to produce translucent window decals depicting the twin towers or the Fire Department of New York badge coupled with the words "Never Forget." In downtown Lansing, a twisted piece of the World Trade Center lies embedded in concrete in the purpose-specific Remembrance Plaza as part of a program of sending pieces around the country to serve as memorials. The monument was dedicated on September 11, 2002, merely a year after the events; planning clearly began even earlier. There could have been no perspective, only an appreciation of the immediate impact of the event.

Perspective as a benefit of distanciation is not to be underestimated, though the loss of intensity and attention is clearly an issue on a number of fronts[29]. As Schudson observes, "It is no wonder that anniversaries or commemorations of events forty or fifty years in the past become especially significant, as the possibility of living memory fades and the only memories that remain are those culturally institutionalized." (350) This brings us to the next way in which collective memory can be "distorted", according to Schudson, though we now have reason to begin referring to them as "revisions," for it may be that they can result in a *more* accurate picture of the past as he has already indicated with the value of perspective.

2.5.1.C. Instrumentalization

Instrumentalization is the idea that memories which are taken out and used, at all, are put to work. They will be altered by this work (Schudson, 351). After coming to understand individual memory as a construction, we should find this phenomenon familiar. Schudson provides us with a telling example of the instrumentalization of the American collective memory of World War II as a "just war" to rescue the persecuted Jews from the evil Nazis, and one which we won. During the run up to the first Gulf War, President George H.W. Bush "self-consciously evoked the consensually pleasing, grand memory of World War II… in an effort to prevent comparisons to the more recent and wounding Vietnam war." (Schudson, 352) This makes for a fine example not only of how collective memory can be instrumentalized, but specifically of how collective

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[29] In fact, Schudson himself raises the possibility that distanciation is a moral issue: "The moral character of memory is implicated in distanciation. As Iwona Irwin-Zarecka observes, distance in time is invoked as an argument both for and against attention to Nazi (and other) war crimes." (350) Her analysis is that distanciation appears to reframe remembrance "from that of concrete individual actions to one of general cultural background." (in ibid.) Schudson also invokes Carl Degler who provided the injunction that historians are obliged to rewrite history as social values change; this is not unlike the benefit of prespective as described above, especially with regard to the example of slavery.

memories can function as a screen memory, blocking out recollection of the harsh reality that was Vietnam. During the current war in Iraq, the administration of President George W. Bush was careful to avoid using words or phrases that would remind people of the Vietnam war such as "quagmire" or "civil war", and instead has recast what was a war of pre-emption (to prevent Saddam from using weapons of mass destruction) into a war of liberation ("They will greet us in the streets as liberators").

Halbwachs made a point very similar to Schudson's instrumentalization in his last work, *La Topographie Legendaire des Evangiles.* Therein, Halbwachs studied the places from Christ's biography that were important in different periods of the church. He noticed that they shifted according to significant doctrinal and political developments. From this, he concluded that "changes in our knowledge of the past correspond to changing organization needs and to transformations in the structure of society." (Schwartz, 375) How collective memories of the past are instrumentalized is clearly a critical aspect of their function. What's more, such uses are arguably voluntary and thus potentially subject to praise and blame. And even Schudson admits that instrumentalization can be controlled, "so long as living memory, available written records, the integrity of journalists and historians, and a pluralistic world where different groups make competing claims about the past endure." (355) Aleida Assman adds to our critique of the pejorative uses of instrumentalization, noting that it is an empty term "that does not express anything but the moral bias of its use... one person's use is another person's abuse." (2007b, 35) Describing Milosevic's use of media and the Battle of Kosovo as "instrumentalization" says nothing more than that he used it. Though we may require no well-worked out theory of moral worth to say that rape and mass murder are

wrong, we do require one to determine whether Milosevic's instrumentalization of collective memory is not mere use but abuse, and therefore wrong in its own turn. This is intriguingly reminiscent of Sue Campbell's analysis that those who speak of constructed memories as inherently distortions are smuggling in value judgments.

We have, now, further reason to refer to Schudson's mechanisms as processes of revision of collective memory. In some cases, they may be corrective, as both the perspective derived from distanciation and the instrumentalization of memory can create richer pictures of the past; not all revisions are distortions. To assume that they are is to assume—as Campbell pointed out that many who speak of memory distortion do—that the original memory, whether individual or collective, was most accurate. And now this brings us to Schudson's third process of the revision—*née* distortion—of collective memory.

2.5.1.D. Narritivization

For Schudson, narrativization is the mechanism by which the past is made interesting. It shapes the collective memory into the mold of the classic Aristotelian story-telling: a beginning, middle, and end; an original state of equilibrium, a disruption, and a resolution; a protagonist and obstacles in his or her way, and efforts to overcome them (Schudson, 355). To illustrate this, Schudson provides us with the collective memory of Watergate, the story of which begins with the Watergate burglary and ends with Nixon's resignation from office. But "that burglary was one of several, that particular flouting of law one of many," and the White House cover-up was probably more aimed at covering up involvement in other more heinous misdeeds than in that one burglary. So the story could have begun elsewhere, and ended elsewhere, as well. It

could also have had different protagonists. Bob Woodward and Carl Bernstein have become two of the heroic protagonists in the narrative, but it could easily have been one or more of the staff members who publicly testified against Nixon and his staff, perhaps even former White House Counsel John Dean. But Woodward and Bernstein met covertly with gravelly-voiced informants in parking garages, and "Narrativization is an effort not only to report the past but to make it interesting." (Schudson, 355)

There are at least two ways that narrativization of collective memory make the past interesting. First, they tell a story about the past. And second, they tell "a story about the past's relation to the present." (Schudson, 357) Without such a narrative, it is often difficult to know what to make of the present. As Schudson points out, making sense of America's international affairs becomes more difficult after the Cold War (358). We might add that making sense of the current conflicts in Iraq and Afghanistan is easier or more difficult depending on which narrative of past relations with the Middle East you choose: liberation or neocolonialism; the war on terror or the dissemination of democracy. Clearly, as with screen memories, distanciation, and instrumentalization, narrativization can distort collective memory. But it can also provide a useful venue for revision that can open up different possibilities for present and future action (for making sense of foreign policy in the Middle East, say) depending on the narrative you choose. A useful question when contemplating distortion vs. revision is this: is the resulting collective memory inaccurate, merely different but accurate, or more accurate? All three are possible, but only in the first case are we dealing with distortion. This brings us now to the fourth and final mechanism for revision of collective memory but forth by Schudson.

2.5.1.E. Cognitivization and Conventionalization

Conventionalization refers to the fact that adults often remember not what actually happened to them but what ought, conventionally[30], to have happened to them. This does not pertain to particular content of memories ("I was a successful entrepreneur") but to particular categories of memory content which organize a person's autobiographical memory: time and place of birth, religion, residence, education, employment, relationships, number and birthdates of children, the academic or athletic performance of the children, income, sickness and death. (Schudson, 358). Schudson suggests that this is "a vital process in social or collective memory" as well (ibid.) One of the reasons for this may be that these conventional frames for memory cause rehearsal of memory within these frames more often than outside of them, and more likely to be preserved. The conventions are somewhat different from collectives than for individuals, but it is the social framework that dictates preparation, planning, and rehearsal of what will become collective memories:

> Experiences attended to by powerful social institutions are likely
> to be better preserved than experiences less favored by rich
> institutional rememberers.[31] Recorded or archived materials are
> more likely to enter into public memory than materials that are
> never recorded or stored, or poorly recorded or stored... people
> and institutions with their own tape recorders, minutes, file

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[30] This feature may be highly particularized: conventional childhood in middle-class America is very different from conventional childhood in urban areas with high crime; conventional childhood in Darfur, Sudan, these days is very different from conventional childhood even in high-crime, urban America. Will children who did not experience atrocity grow up to remember atrocity if it was conventional in their neighborhood? Or does this only work for conforming to aspirational conventional memories?

[31] Think of Andrew Carnegie, and the Carnegie Museums and Libraries he established.

cabinets, and institutionalized, legally pertinent reasons for keeping records are more likely than others to produce materials that will one day be made part of a public record. Culturally valued and memorialized activities are more easily retrievable than culturally denigrated, repressed, or stigmatized activities. Whatever past is remembered or commemorated, it must be drawn from the available past; and availability of the past... is socially structured. (Schudson, 359)

As you might have guessed, we can consider memorialization to be a form of conventionalization. When an event can fit into the framework of commemorative ceremonies or the construction of monuments, it is more likely to be collectively remembered. When those with the power to effect such memorialization choose an aspect of events to memorialize, it is more likely to become part of collective memory. When such processes are handled by only a few, collective memory may well be distorted. But when there is active debate over how collective memory should be formed by memorialization, collective memory can be revised to be as accurate as prior versions or more accurate.

Schudson raises this point without consciously acknowledging it, clinging to the frame that his four mechanisms of collective memory are all distortive. He does so when he raises several examples of productive contention over monuments: how to preserve Auschwitz, efforts to create a national holiday or name streets honoring Martin Luther King, Jr., and activists in 1987 using the Hungarian Communist government's official commemoration of Hungary's 1948 nationalist revolution to instead protest and question

the government's legitimacy (Schudson, 360). There was similar debate over the Vietnam Memorial when it was built, and now over the planned Martin Luther King, Jr. monument on the National Mall in Washington, D.C. In this latter case, some watching the debate are concerned about the role the monument will play in our collective memory of Dr. King. Professor James E. Young, whose work deals with Holocaust memorials, says that "the important thing is not allowing the King Memorial on the Mall to be the last word." (Dewan) In having this debate over how King ought to be depicted, or whether he would have approved of his statue being sculpted by a Chinese national, we may well revise our collective memory. The monument itself will conventionalize a particular version of our collective memory Dr. King. These could be distortions. Or they could be revisions.

2.5.1.F. Testimony and Tribunal

No account of the mechanisms of collective memory would be complete without some discussion of the role of testimony and tribunal. It is a tricky task to separate testimony and tribunal as mechanisms from those laid out above, for these often utilize multiple loci of collective memory and draw on a number of the mechanisms listed above including narritivization and conventionalization. However, testimony and tribunal also have unique features of their own. Let us first be clear by what we mean.

By "testimony and tribunal" I mean the public giving of testimony by witnesses who are bystanders—whether innocent or not—or participants in an event. This can be done in the context of a Truth and Reconciliation Committee (TRC) as famously was undertaken and headed by Bishop Desmond Tutu in South Africa after the end of Apartheid and the *Nunca Mas* (Never Again) projects in Brazil, Argentina, Chile, and

Uruguay which were undertaken after their respective government's oppression of the populace. The TRC aimed at social renewal through an accurate account of the past, while the *Nunca Mas* projects were intended primarily to produce an accurate memory of events that ought never to be forgotten and to use these accounts as a shield against the return of such terrors (Humphrey, 108). Like all such truth commissions, both generated extensive records. The key difference between the TRC and the *Nunca Mas* projects is that the TRC offered a guarantee of immunity from criminal prosecution in exchange for testimony while some of the *Nunca Mas* projects, particularly in Argentina, were meant to produce both a public memory and a basis for prosecution of the Argentine junta (ibid., 109)

Where testimony is intended to lead to criminal prosecution and will be introduced by live witnesses rather than depositions, we may encounter the tribunal. Examples of this include the well-known Nuremberg Trials after World War II in which members of the Third Reich were held criminally accountable for their actions. In a tribunal, many of the conventions of legal proceedings hold, including the right to cross examine witnesses.

Wherever testimony is given, Michael Humphrey asks us to remember that witnessing is a double-edged sword in the case of traumatic experiences or atrocities. One edge of this sword is that witnessing is what gives the atrocity power to terrorize: if no one knows that the tortured have been tortured, that the murdered have been murdered, or that the raped have been raped, the power of those crimes is restricted to the incidents. Only when shared in witnessing do such events have the power to terrorize. And this terror actually further dehumanizes the victim: "through the terror engendered in

victims and audiences... victims are silenced... atrocity selects victims and reduces them to de-humanized objects." (Humphrey, 91) The other edge of this sword is that "witnessing is the vehicle for reversing the de-humanising effect of atrocity and recovering the humanity of the victims and their social worlds. Through witnessing victims' suffering and hearing their testimonies social connections are created between victim and witness, establishing a basis for moral responsibility." (ibid.) As we shall see in Chapter 4, this double-edged nature of victim testimony is a key part of the defeasibility of the moral worth of contributions to collective memory, and can make a victim less blameworthy for refusing to take on an otherwise obligatory role in constructing a morally worthy collective memory.

Having gained a basic understanding of how collective memory is more than just a social framework for individual memories, how it nevertheless relies on individual memory, on language, and on social structures for its creation, storage, and retrieval, we must now end our consideration.

2.6. Summary of Individual and Collective Aspects of Memory

While most investigations into memory prior to the late 19th century focused on personal memory in the absence of much empirical evidence, the late 19th and early 20th century saw the advent of empirical psychology and cognitive science. Even these focused on memory within individuals, on individuals *qua* repositories or storehouses of remembered knowledge. The mid-20th century saw a cognitive science revolution as the concept of memory as a construction was introduced as a result of empirical studies of declarative memory. Still, and especially with new understandings of the biological basis of memory, memory research remained focused on individuals. Social determinants of

memory were only considered with the rise of sociological investigations into collective

memory, and recent psychological and cognitive science investigations into the way that

social interactions affect the construction of memory.

Considering personal memory (declarative and non-declarative), social influences

thereon, and collective memory work altogether, we will see that these findings have alter

how we might think of the ethics of memory.

But first, knowing a bit more about individual and collective memory actually

work, let us try to discern their ontology yet further.

2.7. The Ontology of Memory

We have seen that the ontology of memory is that it is a construction rather than a

storehouse of records or traces, but memory behaviors are different. My analysis of the

ontology of memory behaviors is two-fold. First, we can analyze memory behaviors on

the axis of our ability to encode, store, and retrieve memory engrams. As we shall see,

this yields three ontological categories of memory behaviors, including the familiar

forgetting and remembering. Second, we can analyze memory behaviors on the axis of

the degree to which they are subject to conscious intervention. This yields two

ontological categories of memory behaviors: those subject to direct intervention and

those subject only to indirect intervention. These apply equally to individual memory

and collective memory.

Let us begin with the axis of our ability to encode, store, and retrieve memory

engrams. There are three things we can do with memory, each of which corresponds to an

ontological category of memory behaviors.

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First, there is remembering. This occurs when we successfully encode, store, and retrieve a constructed memory. Jill Price (A.J.) is extremely good at all three of these, as are the other documented persons with hyperthymestic syndrome. For most of the rest of us, encoding, storage, and retrieval are a mixed bag of success and failure. It is in remembering that most elements of construction occur, specifically, what goes into the memory. When the failure occurs after encoding, we are engaged in our second category of memory behaviors, forgetting.

Forgetting occurs when we do not successfully store or retrieve a memory that was successfully encoded, something of which we might say "I used to know, but I've forgotten." This can happen because of so-called "ordinary forgetting", the sort which Squire and Kandel consider to be a normal process of memory in nearly all human brains. But it can also happen because of pathological forgetting due to organic brain damage as from TBI, Alzheimer's, or as manifested in amnesia from a variety of possible causes.

And finally, there is a third ontological category which, as it seems most appropriate, I began to call not-remembering. This memory behavior is distinct from forgetting but is logically implied by the distinction between remembering and forgetting, namely that remembering is about encoding, storage, and retrieval, but forgetting is about not storing or not retrieving engrams that were encoded and were once stored and retrievable. What I initially called "not-remembering" fills in the gaps between remembering and forgetting, and is thus failure to encode a particular construction in the first place. It has a great deal to do with attention, judgments of salience, and perception at the time a memory engram is constructed since, after all, "a way of seeing is a way of not seeing." (Schudson, 348) Though many have noted this, they tend to conflate it with

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forgetting (ibid.). This seems peculiarly inattentive to how the consensus processes of memory—encoding, storage, and retrieval—help us to define remembering and forgetting. As "not-remembering" is an awkward construction, let us call this non-encoding since this adequately identifies why this form of not-remembering is also not forgetting.

Thus, I find there to be three aspects of memory behaviors, ontologically—when it comes to encoding, storage and retrieval—not two: remembering, forgetting, *and non-encoding*. These categories will be of great use to us in discussing moral responsibility for memory behaviors, as we will find that we wish to treat remembering, forgetting, and non-encoding as separate but related behaviors with distinct moral implications.

Let us turn now to the ontological categories generated by considering memory along the axis of the degree to which we can intervene in memory. These essentially generate two relevant categories: those where deliberate agency has a direct impact, and those where deliberate agency can have only an indirect impact.

Memory behaviors subject to direct impact are numerous and therefore interesting for our purposes. They occur in regard to both individual and collective memory. Individuals may attempt to encode an engram in numerous settings so as to remember it in numerous settings, or in the setting in which they are most likely to need to recall it successfully, thereby taking advantage of encoding variability. Individuals may also attempt to make numerous interconnections between one engram and others to facilitate recall of that engram when others are retrieved. Individuals may memorialize significant autobiographical events through the making or keeping of keepsakes. And individuals may make numerous opportunities to "remind" themselves, thereby strengthening storage

of the engram by repeated re-encoding. This also allows opportunities for adding new interconnections to existing engrams. By constructing and re-constructing memories, individuals can deliberately affect encoding, storage, and retrieval. Such deliberate agency can also intervene with collective memory. One example is attempts currently underway in the European Union—mediated by the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research—to create a carefully designed collective identity for the new and expanding EU by deliberately constructing collective memory (Assman 2007a, 14-16). While much debate is occurring over the appropriateness of the Holocaust as a basis for the collective European identity, it is nonetheless clearly subject to deliberate agency. Other means of deliberately affecting collective memory include acts of commemoration, the procedures involved in designing and building monuments, careful choice of the language that comes to be commonly used to describe events, and deliberate integration of certain aspects of the past into public education. This latter tack was, for a time, pursued in Sarkosy's education program to compel children to identify with victims of the Holocaust. So we see that the category of deliberate interventions that directly impact memory is quite large. What of those which can only do so indirectly?

Many functions of memory are simply not subject to direct intervention. These must be addressed indirectly. While ordinary forgetting might be staved off in regard to some particular incidents which individuals strive to remember, the human brain is such that—for most people—some engrams will be forgotten and there seems to be no way to prevent ordinary forgetting, itself. Post-Traumatic Stress Syndrome (PTSD) often occurs after individuals have been exposed to traumatic events in which grave physical harm

occurred or was threatened (National Institutes of Mental Health). The condition is characterized by vivid and uncontrollable remembering of the traumatic events when prompted by environmental stimuli that may be only tangentially related—as when a military veteran with PTSD hears a hard object dropped onto a hard surface and this prompts a memory cascade of combat with gunfire—and by persistent anxiety as a result of frequent stimulus. Treatments for PTSD do exist, but tend to treat the symptoms of PTSD. The National Institutes of Mental Health lump treatments for PTSD together with treatments for anxiety disorders, using such indirect treatments as psychiatric medication and family support. I do not mean to belittle these mechanisms which may be necessary for improvement, but they are clearly not directly aimed at the traumatic memory.[32] Training people to be aware of the problems we are sometimes subject to with errors in memory, including screen memories and source-monitoring error, may allow for better use of memory. But it will also still be indirect intervention, albeit deliberate and productive.

We have seen that the ontology of memory is that it is a construction rather than a storehouse of records or traces, a view that has come to be the scientific and philosophical consensus. But we have also seen that analyzing the ontology of memory

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[32] Recent research indicates that it may be impossible to attenuate fear memories by disrupting memory retrieval and reconsolidation during stimulation of the memory. Frequent retrieval of memories reconsolidates those memories. Rats conditioned with fear responses which have those responses stimulated show activation of specific synaptic connections in the amygdala, ones not activated when other condition responses are evoked. These rats were given a substance known to disrupt retrieval and reconsolidation, and then given the stimulus for the fear response. Some time later, they were again given the stimulus and showed decreased activation of the relevant synapses in the amygdale. Other conditioned responses that had not been stimulated while the rats' retrieval and reconsolidation was chemically disrupted maintained the same signal strength (Doyere, et al.) These findings "lend some validity for therapeutic use of agents that disrupt reconsolidation to reduce the fear-arousing aspects of emotional memory in post-traumatic stress disorder, as such treatments may have highly specific and potentially permanent effects." (ibid, 415). Only such specificity would be a direct intervention with the traumatic memory. Existing therapeutic techniques are, by contrast, clearly indirect interventions.
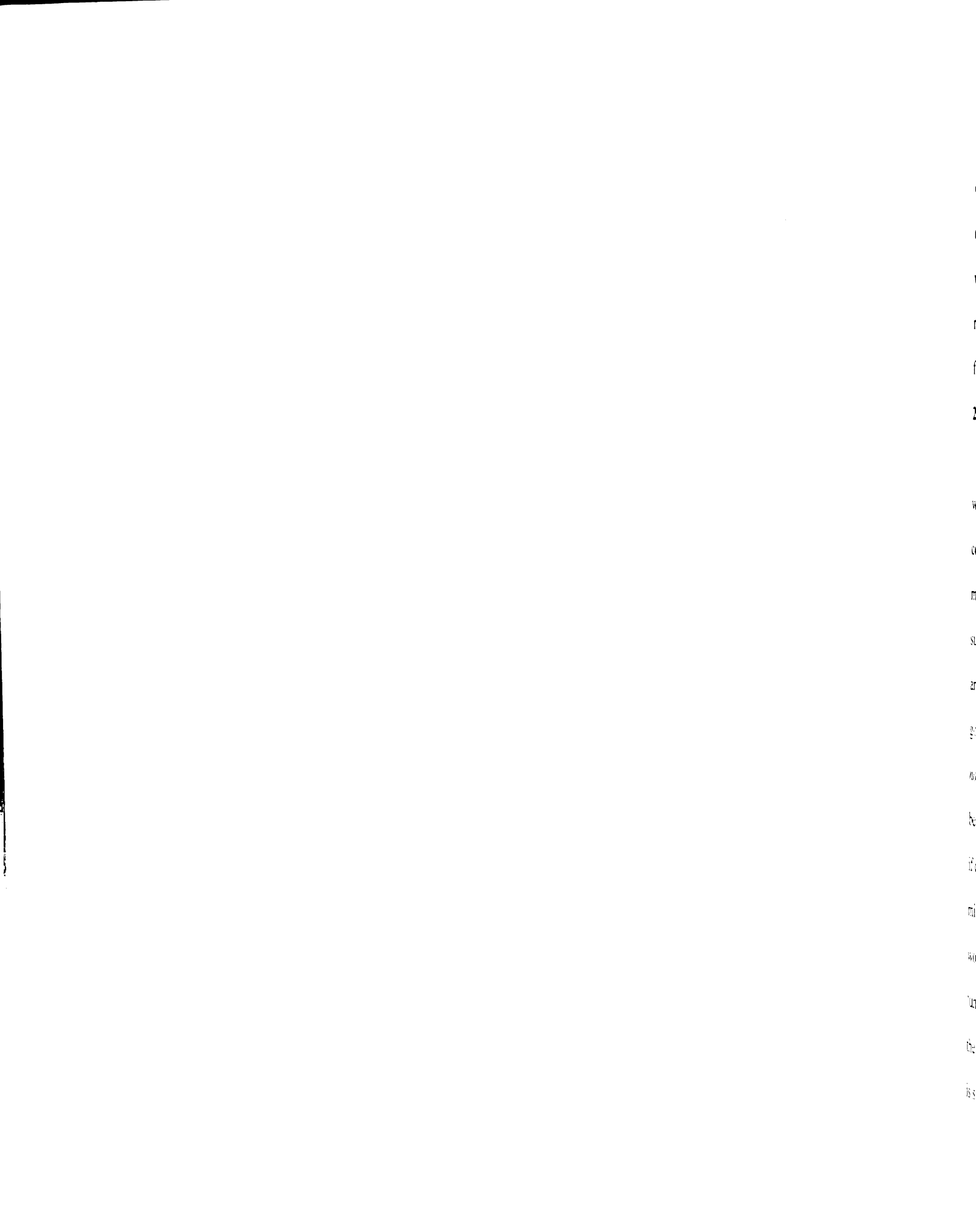
along the axis of encoding, storage, and retrieval yields three ontological categories: remembering, forgetting, and non-encoding. And we have seen that analyzing the ontology of memory along the axis of deliberate interventions yields an ontological distinction between direct interventions and indirect interventions. These distinctions will prove important if we are to make a meaningful account of what we are morally responsible for with regard to memory, and how blameworthiness and praiseworthiness fall out.

2.8. Conclusion

The nature of memory is that it is a complicated faculty which is sometimes within our control and sometimes entirely beyond our control. This is true of both collective and individual memory. This has significant implications for attributions of moral responsibility, which often turn on assumptions of control and the underlying supposition of free will. Since Baron d'Holbach's classic argument against free will, the argument has been made that if we ourselves are simply made of matter and matter is governed by the laws of physics then we, too, are governed by the laws of physics *and not by ourselves*. Investigations into the biological basis of the mind, including memory, bear on the philosophical questions of whether we are free creatures or determined ones: if our minds are simply our brains/bodies, then perhaps d'Holbach had it right. If our minds are not material but our mental events are caused by events in the brain, that, too, would mean that our minds would not be 'free' in the classic sense where 'free' means 'undetermined'. A third option is to consider the mind to be independent of the body in the classic Cartesian sense, in which case there is some hope of free will even as the brain is shown to be governed by mechanistic biological, physical, and chemical laws. For all

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three of these views, inquiries into biological or social determinants of memory are problematic for free will.

In her own work on memory, Mary Warnock rejects both the brain-causes-mind and the Cartesian mind-separate-from-body views. She adopts a version of Identity Theory: "that mental events and events in the brain are in some sense identical events, not that one kind causes the other, nor that each happens coincidentally or in parallel with the other, but that they are the same happening" (3). She acknowledges that this is problematic because declarative remembering in particular does not appear to be a discrete, time-restricted, localized physical event. Thus, it seems difficult to establish an identity between the subjective experience of remembering and any particular physical occurrence. This remains the case even with today's sophisticated neuroimaging techniques—fMRIs, PET scans, and the like—which can measure some but not all neurological events occurring simultaneously with the subject's self-reported remembering, but cannot distinguish which of these events constitute remembering. Nonetheless, biological studies of amnesia and some other memory errors give reason to believe that the body substantially determines the mind or is identical to it. By contrast, studies of memory and some memory errors give us reason to believe that we, as individuals and collectives, can intervene in our memories and thus have control over memory in several discrete ways even if identity theory is correct:

- o by what we attend to and the sorts of interconnections we make between memories as experiences and propositions are presented to us

- o by degree and nature of memory rehearsal, and the kinds of conversations we have about the content of our memories

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- o by the questions we ask of others and ourselves

- o by cultural shifts in the narrative styles used to teach individuals to construct and recall memories

- o by pooling our mnemonic resources into shared collective memories to preserve what is most important about events

- o by letting certain memories pass away through ordinary forgetting, and not putting them into shared collective memory

In these ways (and others not discussed here), we have the ability to remember well and avoid memory errors, to do so *sometimes at will and certainly for particular reasons.*

Of necessity, our survey of empirical studies of memory and their philosophical implications has been cursory in nature. Nonetheless, it is apparent that a good understanding of memory requires consideration of the biological basis of memory at both the molecular/cellular and structural/systems levels, of memory as evaluated within cognitive science and psychology, and of sociological studies of personal and collective memory. It would be false to say that philosophy has ignored memory. However, many areas of philosophy would benefit from renewed attention to memory's role in human life, and especially to the vast body of empirical literature that bears on such considerations. What we, like Fanny Price, think we know of memory is a fraction of what remains to be known, but it is certainly not past knowing. Only by knowing it can we assess moral responsibility for memory, and blame and praise for memory behaviors.

Thus, it behooves us to bear in mind that with respect to memory, we can be governed by the laws of physics, by social interactions, and by ourselves. While this complicates issues of moral responsibility, it does not eliminate moral responsibility

unless we are strict determinists in the d'Holbach sense and accept only a free-will, choice-based theory of moral responsibility. If we are to meaningfully address the degree to which we are morally responsible for memory, we will need a theory of moral responsibility which can meaningfully assess how blame and praise should be assigned to the functioning of such a complex, constructed faculty. Let us see if there exists a theory of moral responsibility which has that capacity.

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Chapter 3: Moral Responsibility, Praise, and Blame

Moral agency is traditionally considered a necessary condition for moral responsibility, an idea that is itself inextricable from determinations of moral blameworthiness or praiseworthiness. But can we have classic moral agency with a constantly constructed memory determined in complex ways by social context and neurobiology? While there do exist some morally significant direct interventions in memory behaviors that might fulfill the traditional conception of agentic behaviors— creating a collective memory for the European Union, commemoration, memorialization by individuals of significant autobiographical events, deliberately trying to remember by making interconnections and reminding oneself so as to allow more opportunities for re/construction of memories—other morally significant facets of memory seem not to be subject to this kind of direct intervention on the part of individuals or collectives. These indirect interventions include but are not limited to accidental forgetting, source-monitoring errors, and the vivid uncontrollable remembering characteristic of Post-Traumatic Stress Disorder. For these, we can intervene only indirectly.

Does this mean that we are not morally responsible, and thus neither blameworthy nor praiseworthy, for functions and malfunctions of memory which are beyond our control or for which we can only have indirect intervention? Or are we morally responsible for all functions and malfunctions of memory so long as they originate in us and are morally significant? Is there perhaps some relevant difference in moral responsibility between different functions and malfunctions of memory that nonetheless makes us responsible even for those which are substantially beyond our direct control?

How important are control and its corollary, autonomous choice, to the issue of moral responsibility?

Nearly all answers to questions of control and moral responsibility react against or concur with a dominant view holding that people are morally responsible only for actions that they choose to undertake. Thus, we cannot blame John for failing to rescue Alice as she tries to avoid falling off of a cliff if John does not choose to let her fall. But there are at least two interpretations of "choose": (1) that John did not choose to let her fall because he is literally incapable of rescuing her, and thus John cannot be held responsible because he could not have acted otherwise than to let Alice fall even if he relished the prospect; (2) that John did not choose to let her fall because his intention was to rescue her. Even once moral responsibility has been determined, there are several ways to conceive of the relation to moral praise and blame. Blame and praise can accrue as what P.F. Strawson calls "reactive attitudes" conveying approbation or disapprobation for an action, and thus moral responsibility becomes a matter of determining whether the moral agent is an apt candidate for reactive attitudes. In addition, blame and praise can accrue because we are not merely saying that John is responsible for his behavior and thus certain reactions are appropriate, but that we are *holding* him responsible for his behavior. This amounts to not only saying that John is responsible for his performance of (or failure to perform) a morally significant action, but also that he is responsible for acknowledging the force of our judgment or explaining his motives and thus he ought to behave differently in the future. Regardless, placing blame properly is critical not only because of the damage that can be done to the blamed agent by incorrectly placing blame, but because doing so can "shield from responsibility" those who truly are to blame, who

are most responsible (Benson, 184). Similarly, granting praise properly lauds the agent and, done improperly, strips recognition of good actions from others who have been equally or truly responsible for those actions and their outcomes.[1]

Thus, we see that there is a wide array of patterns by which one can determine moral responsibility and dole out blame and praise, and that the stakes are high for doing so correctly. I shall focus on several forms, one representing the classic choice-based conception of moral responsibility and stemming from Frankfurt's work on the Principle of Alternate Possibilities (PAP). Like most choice-centered conceptions of moral responsibility, it revolves around the matter of whether agents are autonomous. If this were the best theory of moral agency one could have, it would present significant difficulties for the autonomy of memory behaviors, given how influenced they are by individual neurobiology and social context. Alternatives to classically appealing choice-based autonomous conceptions of moral responsibility are not as limited as they once were. An excellent alternative is found in the work of Nomy Arpaly, especially when considered in light of Angela Smith's work on responsibility for dubiously volitional states of mind such as noticing and what occurs to us and Robert Merrihew Adams's work on what he calls "involuntary sins."

This chapter aims to discover the nature of moral responsibility for both individual persons and collectives of persons. The next chapter (4) applies these conclusions about moral responsibility to individual and collective memory, to both acts of memory and to memory behaviors. What we need is a theory of moral responsibility

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[1] Judgments about the appropriateness of praise and blamed are often framed in the context of fairness (c.f. Fischer), and thus we might say that there is a theory of justice which pertains to judgments of moral responsibility. As we will see, Nomy Arpaly believes it is possible that there are ethical reasons for saying that blame and praise may be inappropriate even when an agent is praiseworthy or blameworthy.

that can help us to assess blameworthiness or praiseworthiness for the whole range of cases—from Jill Price's hyperthymestic memory to Joe's forgetting of his mother's birthday and Scooter Libby's forgetting of his betrayal of trust, from the Bosnian feud to PRIME program and the French attempt to remember the Holocaust.

The moral responsibility of individuals classically rests on concerns about whether actions must stem from free will in order for persons to be blameworthy or praiseworthy. One reason that it is particularly important to account for this in any theory of moral responsibility which is to be workable for memory is that individual and collective memory are, as we have seen (Chapter 2), so heavily influenced—perhaps even determined—by the functions of the human brain and by social interactions. In the following arguments, I conclude that freedom of the will is neither a necessary nor a sufficient condition for blame and praise, albeit for theoretical reasons that go above and beyond utility for determining responsibility for memory and which help to explain moral responsibility for other faculties and behaviors which are not obviously "free."

Secondly, the moral responsibility of individuals rests on concerns about whether persons who perform behaviors which are not subject to direct control can be considered blameworthy or praiseworthy for those behaviors. In the following arguments, I conclude that persons can be held blameworthy and praiseworthy for behaviors when indirect action could have increased the likelihood that morally desirable memory behaviors would be performed and morally undesirable memory behaviors would be avoided. Attempting to take such action—direct or indirect—constitutes acting from good will, while failing to do so constitutes a morally blameworthy indifference. These

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are features of being responsive to moral reasons or failing to be responsive to moral reasons, a key criterion of praiseworthiness or blameworthiness.

In Chapter 4, I will go on to argue that our moral responsibility for collective memory most sensibly resides not in some nebulous collective agency, but in the ability of individuals to intervene in the loci of collective memory (monuments, tribunals, and so forth) as they can intervene in individual memory, whether directly or indirectly. Therefore, the analysis of praiseworthiness and blameworthiness made for individual memory largely holds for collective memory, though what is morally desirable or undesirable differs in kind.

Let us begin by considering what classic conceptions of moral agency require of individuals before establishing why these ultimately are too simple and cannot account for moral responsibility as effectively as the work of Nomy Arpaly and others who seek alternative accounts.

3.1. The Principle of Alternate Possibilities: A modern version of the classically appealing choice-based autonomous theory of moral responsibility

Theories of moral responsibility that rely on autonomous choice stretch back into the long history of philosophy. Indeed, as far back as the earliest recorded Greek epics, both Gods and men—and by extension, women—have been held responsible for their actions only when they could have done otherwise. The Greeks, in particular, excused agents from responsibility for the consequences of their actions where said consequences were thought to be fated and thus unavoidable (factors that undermined the agent's control) but happily blamed and praised moral agents on the basis of their behavior in other circumstances (Eshleman). In modern philosophy, Kantian ethics famously holds

that "ought" implies "can", and thus that moral responsibility implies capability. *This*

has often been interpreted to be a bilateral relationship, meaning that capability implies

moral responsibility and in particular that lack of capability implies lack of moral

responsibility. Angela Smith describes such accounts of moral responsibility as

"volitional," based on prior commitments to "choice or voluntariness as a precondition of

moral responsibility." (237) Such ancient and modern intuitions about responsibility and

autonomy are present in a volitional principle of moral responsibility *still under*

contention today: the Principle of Alternate Possibilities (PAP).[2] I could not rightly argue

for an alternative to volitional views on moral responsibility if I did not first fairly present

this prominent form. As we shall see, PAP has a certain intuitive appeal but lacks robust

applicability to moral agency. What we need is a theory more applicable to subtle

complexities of real-world moral agency and one which does not engage in PAP's

misplaced emphasis on the relative importance of whether we are autonomously free to

choose amongst alternatives, which I argue is simply on the wrong track in explaining

moral responsibility, praise, and blame.

When considering the principle of alternate possibilities, it is best to begin with

one of its earliest formulations as presented by one of its critics, Harry Frankfurt:

> PAP: a person is morally responsible for what he has done only if
> he could have done otherwise (Frankfurt, 286).[3]

As you might have inferred from the earlier mention of Greek fatalism, PAP's approach

to moral responsibility is closely tied to debates in philosophy of mind regarding free will

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[2] Copp, Widerker, Schnall, Speak, McKenna, Baker, Levy, Woodward, Fischer, and Zagzebski are some of the debaters currently involved in contesting or refining PAP.

[3] Though I take this from Frankfurt's "What We Are Morally Responsible For", originally published in 1982, he addressed this first in 1969 in his article "Alternate Possibilities and Moral Responsibility." "What We Are..." is a well-developed reply to Peter van Inwagen's critique of the earlier work and Inwagen's defense of PAP.

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and determinism. Indeed, much of the recent debate on moral responsibility turns on

determinism, libertarianism, and compatibilism with regard to the human will. Because

these three positions on whether the human will is free serve as premises in many debates

on moral responsibility and particularly inform considerations of PAP, it behooves us to

refresh our memories about each as I elucidate their connection with issues of moral

responsibility raised by the PAP debate.

Determinism is the thesis that classical free will, the thesis that our reason and

will are undetermined, is false because we are determined. This is advanced canonically

by Baron d'Holbach:

> The will... is a modification of the brain, by which it is disposed to
> action... This will is necessarily determined by the qualities, good
> or bad, agreeable or painful, of the object or the motive that acts
> upon his senses, or of which the idea remains with him, and is
> resuscitated by his memory. In consequence, *he acts necessarily*
> (351, my italics).

The essential idea is that our selves are entirely material, that matter is governed by laws

of nature and the effect of other material objects, and thus our actions are necessary. For

determinists, there *are* no alternate possibilities. If PAP is the correct interpretation of

moral responsibility, then determinism means that the necessary conditions for moral

responsibility can never be met.[4] This makes the concept of moral responsibility

vacuous at best, and woefully misleading at worst. That said, if determinism holds, how

can we do otherwise than to persist in believing there is such a thing as moral

responsibility if we have been determined to believe it all this time? If we can desist,

then it would seem that to an important degree, the arguments we raise can alter the

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[4] William James noted that determinism raises problems for the common-sense view of regret: our wish that something might be otherwise. It becomes non-sensical or terribly depressing to say, "the universe would have been better if only it could have been some other way, but (per determinism) it could not have been any other way."

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content of our minds. We do thus exert some agency over the contents of our minds

which in turn determine our actions. This smacks of free will, though perhaps not classic

libertarianism of the will.

Libertarianism in the debate over human will is to be distinguished from political

libertarianism, though the two are sometimes related. Whereas political libertarianism *à*

la John Stuart Mill holds that individuals should be free from state authority as much as is

compatible with the state's protection of their liberty, libertarianism of the will holds that

humans have free will in the classic sense: our will is undetermined, and so the choices

we make are open, thus our actions and/or their outcomes can be our responsibility

regardless of whether they always are our responsibility. Linda Zagzebski, writing

recently in the context of moral responsibility and alternate possibilities, describes a

condition which captures the classic libertarian insistence that an act is not causally

determined if and only if there are no conditions existing prior to the act that are

sufficient for the agent to perform the act. She calls the preceding formulation the

Temporal Contingency Principle (TCP), but goes on to suggest that is too strong because

not every event prior to an act is part of its causal history. Thus, what most faithfully

captures the salient aspects of libertarianism is a Principle of Causal Contingency (PCC)[5]:

> (PCC) An act A is non-determined (causally contingent) if and
> only if there is a possible world W in which all the events
> in the causal history of A in the actual world occur and in
> which A does not occur. (Zagzebski, 232)

In other words, acts are non-determined if history remains exactly as it was up until an

action choice occurs and yet there are alternate meaningfully possible choices; *things*

could have been otherwise. We've seen this idea before, and it is encapsulated in PAP,

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[5] Philosophers working on free will and responsibility in the last 30 years seem to share a collective
obsession with acronymic formulae. I can practically feel it coming on, myself.

itself. This assumption—that things could have been otherwise—is returned to again and

again in the literature as a way of testing PAP and its contenders. The connection with

moral responsibility for any libertarian position is fairly clear as in this observation by

Lynne Rudder Baker, whether or not PAP is the theory of moral responsibility in

question: "what libertarians insist on… is that moral responsibility for an action requires

that the agent be the source or originator of the action in a way that precludes

determinism" (Baker, 308) This interpretation is also advanced by Peter van Inwagen

who insisted on a tight connection between issues of free will and issues of moral

responsibility: "Even if PAP is false, it is nonetheless true that unless free will and

determinism are compatible, determinism and moral responsibility are incompatible" (in

Frankfurt, 288). If Baker and van Inwagen are correct, only libertarianism is compatible

with moral responsibility. Determinism is right out and, alas, so is compatibilism.

Compatibilism is an attempt to acknowledge the apparent power of determinism

while still preserving some conception of free will, albeit not pure libertarianism.

Modern compatibilists acknowledge that the human mind and all its faculties, including

moral reasoning, are influenced by the law-governed physical world in terms of both

limited options for action and a limited array of possible brain activities based on prior

brain activity and other aspects of neurology. Thus, they do not argue against

determinism. This means that compatibilism is, well… incompatible with Baker and

vanInwagen's idea of moral responsibility, and apparently also with PAP. After all,

according to PAP, "an agent is morally blameworthy for performing a given act A only if

in the circumstances he could have avoided performing it" (Widerker, 292). Some of the

most telling attacks on PAP, fundamentally a libertarian position, have come not from

determinists but from compatibilists, as we shall see when we come to Frankfurt's critique and the debate around it. There exists a subset of compatibilists which advances the thesis that moral responsibility is compatible with causal determinism even though this causal determinism is probably incompatible with the freedom to do otherwise (Woodward, 540). This group, which includes John Martin Fischer and Mark Ravizza, self-designates as "semi-compatibilists." I flag this here as we will see semi-compatibilists again, and it is useful to already grasp how semi-compatibilists differ in kind from compatibilists. Before we try to understand the semi-compatibilist position or compatibilist attacks on PAP, let us move on from the blame-denoting version of PAP mentioned above to clarify the relation of all this to the matters of praise and blame.

Regardless of what moral blame and praise are taken to signify (reactive attitudes or holding-responsible), each has been taken to correspond to different kinds of morally responsible actions[6]. Blameworthy actions are those which one ought not to do. Praiseworthy actions are more complicated. If you are Kantian, praise does not accrue to actions required by duty—actions which one ought to do—but only to supererogatory actions. Under some other conceptions of praise, praiseworthy actions are simply those which one ought to do. Keep an eye out for these conceptions of praise and blame as we proceed for much is still unclear.

Indeed, several clarifications are required of how blame, in particular, may relate to PAP. According to David Widerker, there is a broad consensus in moral philosophy

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[6] Fischer and Ravizza have suggested that we really ought to think not in terms of responsibility for actions, but responsibility for consequences. This ambiguity over what is blameworthy or praiseworthy crops up frequently: is it actions, consequences, or intentions? Many debates seem to conflate two or more of these possibilities all unawares. There is not space here to do more than flag this issue, but it is particularly relevant to blame and praising in the real world, if not so much in the carefully delimited thought experiments discussed in this paper.

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that "PAP does not hold in cases of *derivative* or *indirect* culpability" (292) This is a tricky distinction, and one which I think makes PAP particularly inadequate as a conception of moral responsibility. In abstract terms, the distinction goes as follows: an agent has sufficient foreknowledge and moral reasoning skills to understand that performing action A at some future time t would be morally wrong. In advance of t, the agent deliberately places himself in circumstances in which he knows he will lose his power to act otherwise than A. Although he would not be blameless, he is considered only "derivatively blameworthy" for action A. Thus, when philosophers who adhere to PAP say that someone is blameworthy for an action, they mean that the agent has "direct culpability" or "non-derivative culpability" (Widerker, 292).

This idea is best grasped when instantiated. Consider once again John and Alice—introduced at the beginning of this chapter—with Alice clinging to the cliff for dear life. Suppose that John knows he will be going climbing with Alice and that she is a bad climber. He does not act so as to bring about her vulnerability—no cutting of harnesses or fraying of ropes or anything quite so mundane. Rather, in advance of going climbing with Alice, John makes sure his gear is good, hopes for a failure on Alice's part to check her gear properly, and ingests a muscle relaxant, narcotic and—for good measure and because he is a lout—a shot of tequila as a chaser and in toast to his impending act. Thus, when Alice does get into life-threatening trouble, John is physically incapable of saving her even when he reaches out to grab her hand, being neither fast enough nor strong enough to do so when he otherwise would have been. Under PAP, John is only derivatively responsible because at time t, even if he chooses to genuinely render aid, that path is no longer open to him; he does not have an alternate

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possibility that will help Alice. And yet he is to some degree responsible even under PAP because his deliberate action prior to *t* knowingly eliminated the alternate possibility—thus, the concept of derivative culpability.

So how might derivative culpability reveal a weakness in PAP? It is problematic that derivative culpability allows John a lesser degree of blame than the concept of direct culpability while it appears to me that John's decision prior to time *t* is *born of the very same intention* as would have been behind choosing not to help Alice when he otherwise could have done so at time *t*. This key flaw can be illustrated by considering a common real-world problem, namely deadbeat dads. Consider Bob, a married man with two pre-teen children and a decent job, who is contemplating a divorce from his wife. He sees his lawyer about drawing up divorce papers and a settlement. He knows that he will be assessed for child support as well as alimony, and arranges with the lawyer to have a standard wage garnishment of support inserted into the agreement. Bob does not care much for his wife (obviously) and is sick of the kids. What's more, he has something of a vindictive streak. He and his wife and their lawyers agree that the divorce is fair and sign it. Bob promptly gets himself spectacularly fired from his job (if we had more space, I'd tell you how, but let me assure you that it is tragicomic and not nice for anybody except Bob). In this way Bob is unable to pay up at time *t* when the first support payment is due and there are no wages to garnish. But *it is by his choice that he is unable to pay*. Again, his decision prior to time *t* is born of the very same intention as would have been behind choosing not to help his ex-wife and children when he otherwise could have done so at time *t*. This approach to considering intention rather than mere alternate possibilities is one avenue of approaching moral responsibility as being not about your

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alternatives but about whether you would have taken advantage of an alternate possibility even if it had been available. In a sense, though John-on-drugs and fired-Bob had no alternate possibilities, *it could have been otherwise.*

This gets at the most basic element of choice under PAP: it could have been otherwise and it was not, because of John's deliberate and knowing course of action. Either PAP must accommodate this and the consensus that derivative responsibility is different from direct responsibility is an incorrect interpretation of PAP, or the consensus is correct in which case PAP is incorrect. A similar but distinct issue lay behind Harry Frankfurt's critique of PAP, although the consensus on PAP and derivative responsibility seems to have arisen since then.

Frankfurt held that PAP is a poor account of moral responsibility because it ties moral responsibility to non-determinism and that this connection is false. Centrally, Frankfurt holds that even if a person lacks alternatives, this does not preclude his being morally responsible for his behavior even when the lack of alternatives, alone, accounts for his behavior (286). In the case of John and Alice, let's imagine a different scenario: John has behaved normally, but sure wouldn't mind if Alice dropped dead (hah), and behold, she gets into trouble. John is within reach but does not reach out for her. Alice, who is a stout woman, gets sweaty hands when she is nervous, and John is only strong enough to support his own slight body weight. Even if he had reached out for her, she would have slipped out of his grasp and fallen. She falls to her death; he wished her to fall to her death; there was nothing he could have done to stop her from falling to her death. This is my version of what has come to be known in the literature as a "Frankfurt-style" counterexample. According to Frankfurt, what characterizes such

counterexamples to PAP is "a certain kind of overdetermination"[7] that allows these counterexamples to point out a key divergence between PAP and the Kantian formulation of ought-implies-can: that Kantian doctrine concerns the agent's ability to perform the right action or avoid performing the wrong action, whereas PAP concerns the agent's ability to do *something other than* the right action or avoidance of the wrong action (287). Thus, rejecting PAP does not appear to entail rejecting the widely accepted doctrine of ought-implies-can. But Frankfurt's aim is not to defend ought-implies-can.[8] What Frankfurt says is this: "People merit praise and blame *for* what they do, and not just *on the basis of* what they do" (291). John is thus responsible for the movements of his body. As a consequence, he is unambiguously morally responsible for Alice's death even though he is not "fully responsible" in a causal sense for Alice's death. So, the fact that there was no alternate possibility under which John could save Alice is completely irrelevant. John is responsible for not having tried, and refraining from a right action is as culpable as committing a wrong one. The classic formulation of Frankfurt's proposition is that *there may be circumstances* (Alice is sweaty and John is weak) *that make it impossible for a person to avoid performing some action* (letting Alice fall to her death), *even though those circumstances do not in any way bring it about that he*

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[7] Note that this kind of overdetermination is not a result of the agent's action as it was in the case of so-called derivative responsibility. Rather, the overdetermination is a result of the world. This makes it a kind of determinism. Thus, *Frankfurt is attempting to offer a theory of moral responsibility that holds people responsible for their actions even when the world determines their actions.*

[8] A good thing, too, as several recent attacks on Frankfurt have specifically argued that ought-implies-can certainly entails an entailment of PAP called PAP2: an agent is blameworthy for performing action A only if she could have not performed A (Schnall, 336). Similarly, Daniel Speak has argued that a moderately refined version of PAP makes it considerably more difficult to extricate PAP from ought-implies-can, and that counterexamples to one are counterexamples to the other. This is a failed defense of PAP, at least against all the critiques I am raising. Since Frankfurt's aim is not to preserve ought-implies-can but to show that moral responsibility can occur in the absence of alternate possibilities, this critique (while effective against this portion of Frankfurt's argument) neither can nor intends to defend PAP against Frankfurt-style counterexamples.

performs that action (he lets Alice fall to her death of his own accord rather than because she is sweaty and he is weak).

Defenses of PAP against such critiques are widespread and current, tending to come from libertarians who believe that if Frankfurt is correct, then determinism and moral responsibility are compatible. P.A. Woodward notes that "semi-compatibilists" like Frankfurt and his defenders John Martin Fischer and Mark Ravizza are "giving an account of [moral responsibility] that does not require Freedom,"[9] where Freedom is defined as including both the ability to perform some other action and to refrain from performing the action in question (540). The thesis that moral responsibility requires a robustly free will is one that most libertarians can ill afford to give up, as the interdependence of meaningful moral responsibility and free will is a key part of most libertarian arguments.[10] Libertarian defenses of PAP often focus on debunking Frankfurt-style counterexamples (where overdetermination is consistent with moral responsibility) because these are the crux of the compatibilist position. Woodward attempts to do this by claiming that Frankfurt-style counterexamples are not really successful as counterexamples to PAP because in order to be such, those who present Frankfurt-style counterexamples need to assume a proposition that no adherent of PAP would ever agree to: that actions performed by an agent who lacks Freedom are morally

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[9] As Fischer and Ravizza put it, "It is natural to think of the future as a "garden of forking paths," in Borges's phrase… But if it turned out that there were just one path into the future, it would *not* follow that we could not sometimes be morally accountable and that we could not have pride, indignation, or dignity. We could take pride in the way in which we take the path into the future" (347). As stated, this is little different from the standard Frankfurt-style compatiblism, but it nicely illustrates this position on moral responsibility in the face of causal determinism.

[10] This goes back as far as Corliss Lamont, whose 1969 work "Freedom of the Will and Human Responsibility" makes this connection in a canonical Libertarian defense. Lamont does not believe it is possible "that the term *moral responsibility* can retain its traditional meaning unless freedom of choice exists" (368). It is worth noting that Lamont's piece was published the same year as Frankfurt's original attack on PAP, in a completely different genre.

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responsible actions. In other words, one cannot criticize PAP on the grounds that there are examples in which people can lack Freedom and still be morally responsible because no PAP-adherent would agree that this is possible; first, one must convince PAP-adherents that such a thing is possible before they will see Frankfurt-style counterexamples as examples of such. If I am fairly interpreting this defense of PAP, it seems to loop endlessly back to the fundamental libertarian commitment to the inextricability of free will and moral responsibility (recall Baker's and van Inwagen's characterization of moral responsibility). Indeed, Woodward's critique in particular smacks of the fallacy of arguing in a circle: moral responsibility cannot exist without Freedom because it is the case that moral responsibility requires Freedom. This is particularly ironic as Woodward is accusing Frankfurt-style examples of the related fallacy of begging the question.

However, it may not be that simple. In Neil Levy's reply to Woodward, he claims that Frankfurt-style examples don't beg the question as accused, but that the force of Frankfurt's argument "is almost entirely due to its power to invoke certain intuitions in us. We shall be convinced by Frankfurt's arguments only to the extent to which we share his intuition," that counterfactual alternate possibilities don't necessarily diminish the responsibility of agents (212-3). This seems to run quite close to begging the question *if* indeed the most telling critique of PAP in 40 years, much argued and supported and debated, is simply relying on the reader to already buy Frankfurt's proposition. Woodward would then be correct that Frankfurt-style counterexamples fail because they are logically fallacious, assuming as Woodward apparently does that intuition tests such as Frankfurt-style counterexamples have no logical contribution to theory.

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Levy refutes this, defending the non-fallacious rationality of being "moved by intuition" in the absence of arguments by reference to John Rawls, who points out that most theories in moral philosophy are not arrived at by deduction or induction from foundational principles. Rather, they are "constructed by people attempting to *systematize their intuitions*" (Levy, 213). By these lights, "a moral theory is an inference to the best explanation of our intuitions" (ibid.). But like scientific theories which encounter anomalous cases, we continue to test our moral theories against possible cases[11] and face a difficult choice when our theories yield counterintuitive results. Just as scientific paradigms when encountering an anomaly must give way to a paradigm that can account for it or find a way to discount the anomaly, the difficult choice for moral theorists is to "modify the theory to accommodate the recalcitrant case or attempt to alter our intuitions" (Levy, 214). When our theory fits our intuitions, we've achieved Rawlsian reflective equilibrium (ibid.). Thus, what Frankfurt-style critiques of PAP are doing is not begging the question but pointing out a weakness in that paradigm of moral responsibility. It follows that the only way to defend PAP against Frankfurt-style counterexamples is to show how PAP can accommodate such cases (which it apparently cannot as they are antithetical) or why we must alter our intuition that these counterexamples do indeed demonstrate moral responsibility even in the absence of alternate possibilities. If our moral intuitions have any weight at all, as reflective equilibrium requires they do, then freedom of the will and alternate possibilities are neither necessary nor sufficient for moral responsibility and the assignment of praise and blame.

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[11] There is, of course, great merit in testing against actual cases, but then we are out of the realm of moral theory and into the realm of moral psychology which is closely tied to modern empirical psychological methods of study. This is not a bad thing, but it is a different thing. See my discussion of Arpaly.

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However, we ought to consider another way we might think about the connection between praise and blame, and the moral responsibility conceptions of PAP and its close cousin, ought-implies-can. This conception also indicates that we might still reasonable assign praise and blame in the absence of freedom of the will. John Martin Fischer explains the importance of determinism and the ought-implies-can maxim as follows:

> What motivation could be given for the 'ought-implies-can' maxim? I think the most natural justification for acceptance of the maxim is that, if it were not valid, then there could be cases in which an agent ought to do X but cannot do X (and never could do X [because of the determinism thesis]). Thus, given that if an agent ought to do X, then he would be blameworthy for not doing X, there could be cases in which an agent is blameworthy for not Xing and yet he cannot X. And this seems objectionable—even unfair (248).

On this view, blame is only appropriate if moral responsibility is possible in a sense incompatible with determinism—i.e., if it had been possible for the agent to do something to have avoided being blameworthy. Others have proposed that even in the presence of determinism, blame is still appropriate insofar as praise and blame, themselves, become determinants of future behavior.[12] This is much like the criminal justice response to determinist arguments which holds that punishment is still justified as a deterrent to criminal behavior. Fischer and several others share a related critique of PAP in response to the recent libertarian defenses of PAP: that there may be cases where it is objectionable to blame an agent for her actions even though she had alternate possibilities because what she lacks are not alternative possibilities per se but "morally significant or sufficiently robust alternative possibilities" (Widerker, 295).

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[12] Recall Arpaly's distinction between blameworthiness and praiseworthiness as opposed to when we should blame or praise. I will elaborate on this further later in the chapter. For now, suffice it to say that if we blame or praise to determine future behavior, that aspect of whether we ought to blame or praise is non-identical with the question of whether the action in question is *worthy* of blame or praise. After all, blaming or praising then becomes about future actions, not the action for which we blame or praise.

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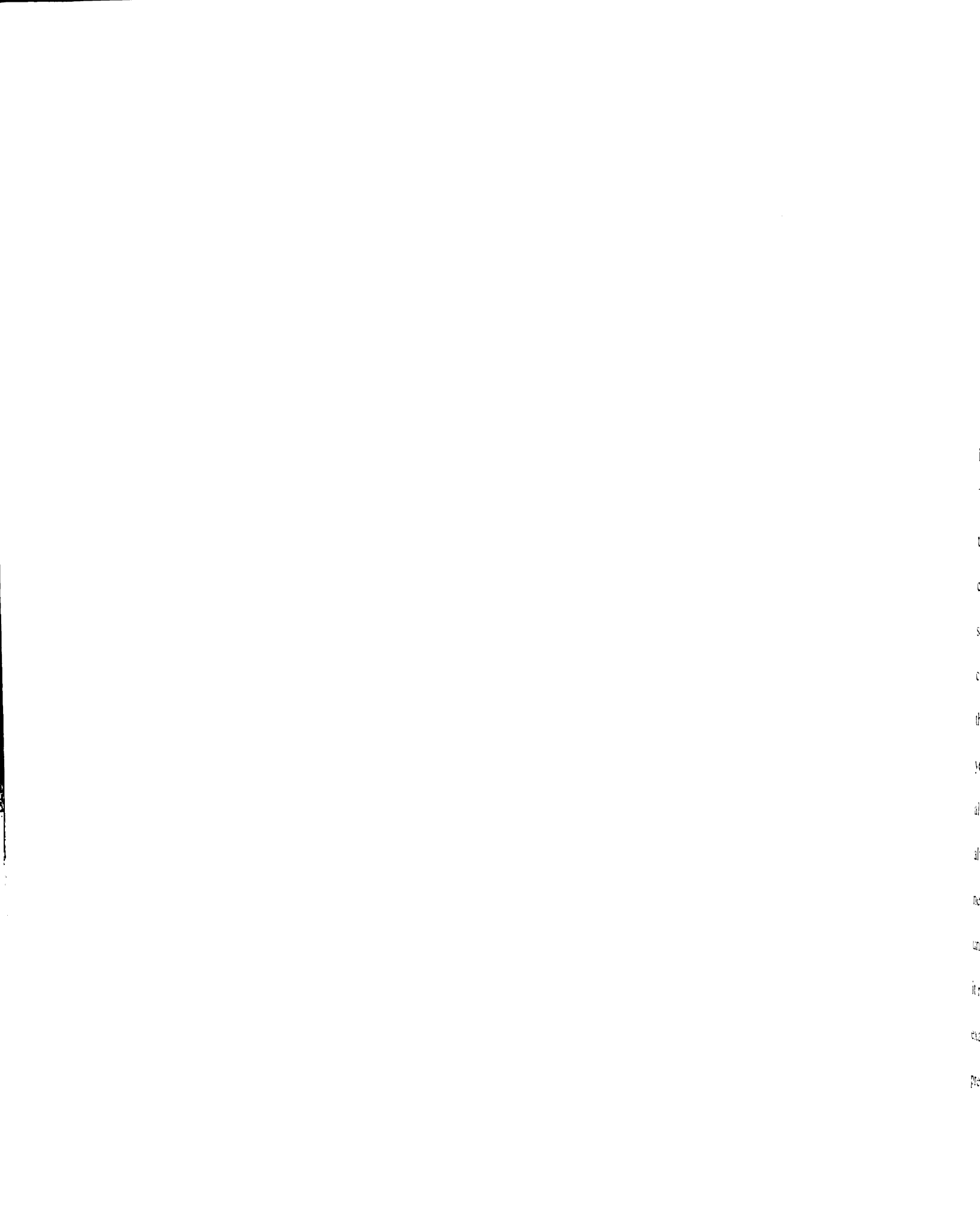
What might this look like? Consider that the standard form of PAP simply states that a person is morally responsible for what he has done only if he could have done otherwise. Now, lest we once more put poor Alice in harm's way, consider the classic fictional case of Sophie's choice (Styron). Sophie is a Polish woman who was incarcerated in Auschwitz during World War II not for being Jewish or for aiding the resistance, but for trying to smuggle meat to her mother. She arrives at Auschwitz with her 7-year old daughter, Eva, and her 10-year old son, Jan. Upon arrival, she is told that she must choose between them, that only one of them may remain with her, the other probably soon for the mass graves. She makes a hasty decision in favor of her son Jan. The guilt over this governs her life, all the more terrible because she loses track of Jan in the end, anyway. Sophie has several realistic alternate possibilities: she can refuse to choose in which case it is possible that all three of them will die, she can choose Jan, or she can choose Eva. She cannot choose to no longer be in this situation nor can she choose to take back the power in this situation (she is surrounded by the infrastructure of the camp). According to PAP, Sophie is fully morally responsible for her actions. And yet I suspect John Martin Fischer would say that Sophie has no morally significant alternatives—certainly none with a moral valence other than "bad"—and no robust alternative possibilities—the distinction between these three choices, while not negligible, is so narrow as to make them choices of the same type, e.g., morally unacceptable by anything other than a utilitarian view which would call an action good if it results in the best possible outcome. This test of intuition, like Frankfurt-style examples, reveals a flaw in PAP which its adherents must accommodate if they wish to preserve PAP, one which raises serious doubts about whether alternate possibilities are

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sufficient to establish moral responsibility (regardless of whether it would end in blame or praise).

We have seen that PAP, while a longstanding tradition still with many defenders amongst libertarians, appears prone to many different forms of critique. One pertains to the degree of moral responsibility PAP allows to be assigned when one has deliberately eliminated alternate possibilities for action at some future time. A second pertains to the intuition that there are cases in which a person may have no alternate possibilities and still be morally responsible for her actions. The third pertains to the intuition that a person can have alternate possibilities but that they must be the right sort of alternate possibilities (morally significant or sufficiently robust ones) in order for the person to be judged morally responsible. PAP's defenders seem unable to accommodate the second critique despite many years of trying, and the first and third critiques are quite recent. All are potentially applicable to any choice-based conception of moral responsibility that requires autonomy (freedom of the will) because they share what Smith describes as "a common assumption, namely, that choice, decision, or susceptibility to voluntary control is a necessary condition of responsibility." (238) On these grounds, I judge volitional conceptions of moral responsibility to be unacceptable because they so poorly account for a wide range of moral intuitions about responsibility, praise and blame. They are thus particularly bad for use in assigning blame and praise given how high the stakes can be for doing so. Since the structure of PAP is held in common with many other libertarian theories which rely on freedom of the will, the arguments raised here against PAP are liable to bring down any libertarian theory of moral responsibility. Is there anything better?

3.2. Beyond Volitional Accounts of Moral Responsibility

Angela Smith has suggested that the flaws in volitional accounts of moral responsibility are largely due to their emphasis on the activity of choice and volition therein. It is such an emphasis on activities of choice and autonomy of action that befuddled PAP in the critiques levied in the prior section. Smith wishes to redirect us toward another aspect of moral responsibility, emphasizing not freedom of action or autonomous choice, but what goes on in making our moral judgments and evaluating reasons. By contrast with activity of choice, she calls this activity of evaluative judgment (237). This bears a curious relationship to Nomy Arpaly's well developed theory of moral responsibility which relies on responsiveness to the right reasons in determining praiseworthiness or blameworthiness, and a critical distinction between moral desirability of actions and the moral worth which we assign to them and, by extension, to moral agents. Using the two together, I put forward an alternative to classically appealing volitional approaches to praiseworthiness and blameworthiness, one which we shall find most useful in considering praise and blame for memory behaviors in the next chapter. Let us begin with an overview of the most basic elements of Arpaly's work before beginning to incorporate it with Smith's.

3.2.1 Nomy Arpaly's Distinction Between Moral Desirability and Moral Worth

Nomy Arpaly's *Unprincipled Virtue: An Inquiry Into Moral Agency* begins in a critique of how theories of moral agency have been hobbled by overuse of "unreal" agents like poor doomed Alice and loutish John, above. It ends in a very different place from any of the libertarian, compatibilist, or determinist approaches to moral responsibility. Arpaly suggests that we start looking at fuzzy, realistic cases where

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judgments are not clearly positive or negative, where the unconscious finally "gets its

due" (2003, 29). Only then may we make some headway towards a new theory of what

she calls "moral worth." Where Arpaly wants to end up is at a new conception of "moral

worth" which can accommodate for situations such as how cyclist Lance Armstrong—

whose numerous wins on the Tour de France largely came after his battle with testicular

cancer and were a result in part of determined retraining—might be admirable despite his

documentably being "superhuman physical prodigy from birth." (Arpaly 2006, 3) This

can serve as a critique of the method of classic moral theory of worth, of the truth of the

premises which support such classical theories where they are supported by

argumentation, and of the value of reflective equilibrium when we testing our intuitions

and theories against bad cases.[13] Indeed, Arpaly is searching for a version of moral

responsibility that addresses the following concerns: "What, however, if determinism

turned out to be true? Would that mean that suddenly we would have to treat such

qualities as drive and determination as pure matters of luck, on a par with such things as

being born a physical prodigy, and therefore no more significant?" (2006, 3) Any theory

of moral worth might address the moral worth of actions, the moral worth of

consequences, or the moral worth of intentions (see footnote 7). In point of fact, Arpaly

ends up at a theory of moral worth that is not about autonomy, an issue central to PAP

and its critics, and which functions even in a deterministic world. In the process, she

makes several novel and critical distinctions that would well inform any consideration of

moral worth and fail to inform discussions of PAP in any meaningful sense. I introduced

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[13] As Arpaly puts it more generally, there is "reason to wonder how far we can possibly get by studying simple or simplified cases" (30). Note: Arpaly explicitly condemns Sophie's choice as a bad case (ibid.). She would certainly find my Bob, who "doesn't care much for his wife and is sick of the kids", to be psychologically simplistic.

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the distinction between moral desirability and moral worth in the Introduction and elaborate upon it, here.

Indeed, that critical distinction between moral desirability and moral worth is one of Arpaly's greatest contribution to clearer thinking about the gap between responsibility for actions, behaviors, or attitudes, and whether we hold moral agents blameworthy or praiseworthy for them. Moral desirability is a characteristic of an agent's action, and it is what we mean "when we ask whether it is right or wrong, or how grave a wrong it is, or whether it is the best possible action" (Arpaly 2003, 69) Moral desirability is a kind of judgment thus made under any action-based moral theory, including both deontological theories and consequentialist ones. At the risk of returning to simplistic cases by way of example, I will note that we are assessing moral desirability when we ask whether John does a wrong thing by letting Alice fall. There are, of course, non-moral judgments of desirability and undesirability, made for moral, prudential, or aesthetic reasons or for still other kinds of reasons (Arpaly 2006, 9). We would do well to distinguish desirability judgments from judgments of warrant. As an example, "Pascal's wager is an argument for the *desirability* of believing in God, while the ontological argument tries to establish that belief in God is *warranted*." (ibid., 10) So, judgments of moral desirability are essentially judgments of what others have called "moral valence": murder would have negative moral valence and be morally undesirable, whereas killing-in-self-defense might have a neutral or even positive moral valance and be morally desirable. What we are assessing with *moral desirability* is the action or state of affairs that obtains or is under consideration.

By contrast, *moral worth* is tied to the judgment of agentic responsibility and thus to blame and praise for the agent, and furthermore judges the extent of blame and praise which ought to accrue to the agent as a result of the action or state of affairs. Moral worth and moral desirability are necessarily related: "...the event to which an agent deserves moral praise or blame for her action depends in part on the action's moral desirability" (ibid.). Alas, though related, the two are often inappropriately conflated. We see the need to tease them apart when we consider how to address the distinction between a charitable act performed by a person who is moral and the very same charitable act performed by Gustave Flaubert's complex fictional character of Madame Bovary, who Arpaly diagnoses as knowing the charitable act is good and desiring to be moral (2003, 68). Bovary sews clothes for the poor, nurses the sick, sends wood to women in childbirth, and invites tramps to eat in her home. Yet the author, Flaubert, describes Madame Bovary as "indulging" in "excessive charity." She has performed morally desirable services. So why does she warrant this judgment of her moral worth, given her actions' moral desirability? What is wrong with knowing the charitable act is good (morally desirable) and desiring to be moral? In the narrative, Bovary has taken up this pattern of charity only after a long illness which was, itself, the end of a traumatic extramarital affair. Charity is simply a new obsession. As Arpaly puts it, Bovary is like a woman who is in love not with her lover, but with the idea of love; she desires to be moral, but is not. Indeed, she very shortly ceases to "be good" in this way as soon as her next love interest comes along. Flaubert and the reader judge Bovary for this not because of the moral desirability of her charitable actions—they were good—but because of something else. This gives rise to the matter of moral worth—"why the same actions

prompt us to morally praise (or condemn) some agents more or less than others" (Arpaly

2003, 68-9)—and leads Arpaly to the conclusion that the same charitable action has the

same moral desirability where it is performed out of goodness and to aspire to goodness,

but that there is something morally salient in the difference between the two. That is

precisely the moral worth of each action. As she puts it, "two actions that are equal in

moral desirability may be of different moral worth" (2003, 69).

Arpaly is quite right when she says that though this distinction may appear to be

trivial, it is often ignored in philosophical discussion (ibid.). Consider our discussion of

PAP. In the Frankfurt-style counterexamples in particular, this conflation is committed to

ill effect.[14] Frankfurt explicitly says that we do not blame people for their psychology but

for their actions even while he attempts to show that people can be morally responsible

for their actions even when they could not have done otherwise. Arpaly can be used to

do to Frankfurt what Frankfurt does to PAP: she provides a case and a proposition which

intuition grasps as capturing some morally salient element of how we assign

responsibility, and one which specifically casts doubt on Frankfurt's claim that actions

are the appropriate basis of blame and praise because it is actions which are right or

wrong. While it is clearly true, as acknowledged by Arpaly, that moral worth depends on

moral desirability—we would not praise someone for committing a morally undesirable

action—it is also true that moral worth is not equivalent to moral desirability. And moral

desirability focuses on actions, so actions along cannot be the appropriate basis of blame

and praise despite Frankfurt's solution to the problem of PAP. What, then, is the

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[14] I noticed this problem—Frankfurt's attention to the internal goings-on of his protagonists while claiming to be doling out moral responsibility and praise/blame only for action—at first reading of Frankfurt, but lacked the conceptual apparatus to diagnose the nature of the problem until bringing Arpaly to bear.

remainder, that critical space between moral desirability and moral worth? For that, we must look to another factor altogether: reasons-responsiveness.

3.2.2. Reasons-Responsiveness and Moral Worth: The Key To Responsibility

For Arpaly, the moral responsibility of an agent, and thus the moral worth of actions, behaviors or other agentic states, cannot be determined without assessing responsiveness to reasons. Indeed, we need to understand Arpaly's address of responsiveness-to-reasons in order to grasp the answer to this question: why does our intuition support Arpaly's judgment that Madame Bovary's charity is saliently different from the charity of the person who is moral? Though reflective equilibrium gives a privileged role to intuitive testing of moral judgments and thus supports our judgment of difference, any practical and rational theory of moral worth must lead us to an understanding of the nature of the difference and *why* there is a difference, not just that there is one. Reasons-responsiveness is the ticket.

In her 2006 work, *Merit, meaning, and Human Bondage: An Essay on Free Will,* Arpaly discusses Andrew Carnegie's well-known comment that "the only reason that you are not a rattlesnake is that your parents were not rattlesnakes," a claim that Arpaly takes to mean that we are creatures of circumstance. And yet, "even if one is a creature of circumstances, there must be some point at which the creature is treated as separate from the circumstances that created her. Your parents might have created a saint, a person who is full of good will for his fellow human beings, while your neighbor's parents created a monster, a person who wants to do nothing but hurt her fellow human beings. But now that the creating has been done, you and your neighbor are full-blown moral agents, and you are a saint and she is a monster, which means that you and she would

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choose to act quite differently." (2) For Arpaly, the difference between us and the rattlesnake is not in freedom from determination by our circumstances or that we have rank autonomy of choice given alternative possibilities. Rather, the difference is in the ability to respond to reasons including, but not limited to, moral reasons. (Arpaly 2006, 5) This idea of responsiveness to reasons as a ground for moral responsibility is by no means advocated only by Arpaly. R. Jay Wallace has also done so, explaining that one is a morally responsible agent when one's behavior is rooted in the moral reasons one grasps. (in Wolfendale, 28). So, suggests Jessica Wolfendale, "responsible moral agents are therefore those agents who are capable of understanding and acting on reasons..." (ibid.) By this simple criterion, Madame Bovary is a morally responsible agent whereas in infant or a very cognitively impaired person would not be. But what explains how Bovary, capable of responding to reasons and who is responding even to moral reasons, does so with respect to a morally desirable action and is still not praiseworthy?

Arpaly concludes that what is really going on in the case of Madame Bovary is not that her psychology is all wrong, but that her psychology is not simply about her intention. Recall that she is like a woman in love not with her lover but with the idea of love. In other words, she likes the idea of trying to be good after having had a terrible failure of goodness with respect to her failed extramarital affair, but she does not actually care for doing good.

For Arpaly, to be praiseworthy for actions requires minimally that an agent must be responsive to moral reasons such as that the action is morally desirable (rather than non-moral reasons such as that the action makes me feel good or I will receive some sort of external reward for performing it, such as a Good Citizen award and the plaudits and

status that accompanies it). This only partly helps to explain our response to Madame Bovary and does explain current judgments that the high participation rate of young people in charitable activities is not necessarily morally praiseworthy even though the actions themselves are morally desirable. Such a judgment is rooted in the fact that the vast majority of those students claim that they engaged in charitable activities because engagement is often a requirement for graduation from high school or for a passing grade in particular courses. Thus, their reasons-responsiveness is not to moral reasons even though their actions are morally desirable. And so, they do not deserve praise.

For Arpaly, there is a disjunct between being morally responsible for morally desirable actions and being praiseworthy. Similarly, there is a disjunct between being morally responsible for morally undesirable actions and being blameworthy. Responsiveness-to-*moral*-reasons is a minimum requirement of praiseworthiness on Arpaly's view, and moreover those moral reasons must be the right moral reasons. She refers to this pre-requisite for praiseworthiness as "the *right reasons* clause." In Arpaly's analysis, Kant's prudent grocer—who sets his prices low to create a business-enhancing reputation for honesty—does a morally desirable thing but for the wrong reasons. What matters is that "his *reasons for action* do not correspond to the action's *right-making features.*" (Arpaly 2006, 13) This is also the case where an agent might take a course of action because of the very features that make it wrong. This is not amorality in the sense that the prudent grocer is being amoral. Rather, it is fully immoral. As Arpaly puts it, if Shakespeare's Iago from *Othello* commits an act not only that does make a human suffer but *in order* to make a human suffer, "then he does not simply fail to respond to moral reasons but 'antiresponds' to them." (ibid., 14) However, this does

not yet explain Madame Bovary's lack of moral worth, for she is not antiresponding to

the right-making features of charity nor even ignoring them and responding to non-moral

reasons. Indeed, she wants to be good and do right, so she is responding to the right-

making features. Something more is going on.

Indeed, in addition to reasons-responsiveness, the *degree of concern* with which

the agent responds to moral reasons affects the moral worth of the resulting action and

the agent, herself:

> *Praiseworthiness as Responsiveness to Moral Reasons (revised
> version)*: For an agent to be morally praiseworthy for doing the
> right thing is for her to have done the right thing for the relevant
> moral reasons—that is, for the reasons for which the action is right
> (the *right reasons* clause); and an agent is more praiseworthy,
> other things being equal, the deeper the moral concern that has led
> to her action (the *concern* clause). Moral concern is to be
> understood as concern for what is in fact morally relevant and not
> as concern for what the agent takes to be morally relevant (Arpaly
> 2003, 85).

Concern is taken to be possession of "an intrinsic desire (*de re*) that morality be followed

or that the courses of actions that have those features that make actions right be taken"

(ibid.) Suppose, Arpaly suggests, a person has moral reasons to call 911 but does not do

so because, perhaps, it is more convenient not to do so. What is at play here is "a

deficiency of moral concern, or a measure of moral indifference." (Arpaly 2006, 14)

This violates the concern clause. All the conceptual distinctions so far elucidated come

together in a fairly tidy little package: for me to be praiseworthy for performing a morally

desirable action, I've got to have performed it in response to the right reasons and

because I want to do it for the right reasons. Finally, we have an account of why

Madame Bovary's equally-morally-desirable and morally-motivated actions are less

praiseworthy than those of the charitable agent who is, herself, moral. Unlike Kant's

prudent grocer, Bovary arguably was responding to the action's right-making features: she did charitable acts because they were right. But Bovary did not *want* to do it for reasons of moral concern; she did not truly feel for the women in childbirth to whom she sent wood or for the tramps whom she fed. Rather, she wanted to make up for her past actions—potentially a moral concern if seen as reparations, but in this case bearing not on the right-making features of acting charitably such as rendering aid but upon the wrong-making features of her past infidelities and selfishness—and to make herself feel better. The intrinsic nature of the desire encapsulated by the concern clause leads us to *consider the agent* herself, rather than simply her reasons or her actions, *when assessing blameworthiness and praiseworthiness*. Thus, the upshot of Arpaly's theory is that the full scope of blameworthiness and praiseworthiness lies not in autonomous agency nor in the moral valence of actions, but in a certain kind of character or virtue, namely that one is responsive to reasons in the correct way, having good will and ill will, moral concern, and moral indifference as means of assessing responsiveness to moral reasons.

Arpaly's starting point was the observation that many of the cases used to test our moral intuitions about responsibility, praise, and blame have been faulty. This casts doubt on previous uses of reflective equilibrium (using cases in conjunction with moral intuitions to test moral theories) to support volitional theories of moral responsibility such as PAP, and on attempts to contradict such theories by the same means. It may even cast doubt on the tight connections between freedom of will and moral responsibility insofar as these appear quite so sensible because of the kinds of cases we have chosen. Even on the old model of the kinds of cases we use in order to test our moral theories, volitional explanations of moral responsibility cannot keep up with the criticisms of their simple

equation of responsibility and choice. Arpaly's work not only stems from and thus survives testing against more psychologically complex cases, it also yields philosophically fruitful distinctions and a philosophically fruitful analysis of praise and blame. In the final analysis, I suggest that Arpaly's carefully worked out analysis of moral responsibility casts doubt on the tight connections between freedom of will and moral responsibility, and on entire debates which turn on those connections, because *she holds that moral responsibility is about a particular kind of responsiveness to reasons and moral concern and not at all about whether one could have acted otherwise.*

We have seen that Arpaly already wants us to be held responsible for more than our actions, more than our reasons, but rather responsiveness to certain reasons and out of good will with moral concern. But how does reasons-responsiveness play out? For what can we be held responsible?

3.2.3. What We Are Responsible For

To flesh out what we can be held responsible for under Arpaly's theory of moral worth and responsibility, we will need to bring in some other philosophers who have also wrestled with non-volitional explanations of moral responsibility. Consider this example raised by Angela Smith, one which would be seriously problematic for PAP and for Frankfurt's judgment that actions are the basis of responsibility judgments. Smith begins with an anecdote in which she forgets a close friend's birthday, one particularly well suited to our consideration of the ethics of memory. A few days later, Smith realized that "this important date had come and gone without my so much as sending a card or giving her a call... What kind of friend could forget such a thing?" (236) Smith calls to ask for

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forgiveness and is forgiven, an act on the part of her friend which, itself, assumes there is some moral transgression that must be forgiven. What went wrong, here?

As Smith puts it, the problem is not one of straightforward volitional failure. She ought to have remembered, but did not even though she never directly and deliberately chose to not remember. For Smith, this reveals that we often intuitively hold each other and ourselves responsible—and rightly so—for "spontaneous attitudes" as well as actions or behaviors that more directly fit the classic conception of choice. Here, Smith is in the tradition of P.F. Strawson in drawing attention to the moral salience of attitudes and intentions. Among these spontaneous attitudes are included noticing and neglecting, two different ways of paying attention which are often taken to have, as Smith says, "an enormous amount of expressive significance": they express the underlying attitudes held by individuals, attitudes for which we would hold them responsible. Smith claims that failures to acknowledge each others' likes and dislikes, or to recognize and to appreciate factors which bear upon each others' welfare, cast doubt upon the depth or genuineness of our professed concern for each other. (243) Though Smith does not do so, let us consider as an example the classic family faux pas of the Christmas gift that is wildly inappropriate for the recipient. In this case, while it is "the thought that counts," it is the thought that is found wanting. Suppose that my children are given realistic replicas of guns for Christmas gifts by a gun enthusiast who ought to be fully aware based on past conversations that I do not wish to have guns in my house and am deeply concerned about toy guns that resemble real guns because of the potential for terrible accidents should children come across a real gun. In this case, "the thought" behind the gift is wildly inappropriate. It fails to consider my likes and dislikes. Angela Smith would say

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that this reveals a morally suspect level of valuation for me as a person, a level I judge to be morally undesirable and thus potentially morally blameworthy.

What's more, this goes beyond personal relationships. Consider the realm of public ethics, in which consideration of a certain group's particulars is necessary to achieve justice. Suppose that male senators who make healthcare policy for male and female constituents fail to adequately include "female complaints" such as pregnancy, contraception, and abortion in coverage. In senate debate over the healthcare bill during the late summer of 2009, Senator John Kyl famously said "I do not need maternity care" and therefore employers should not be required to provide it. Senator Debbie Stabenow interjected with the comment that she suspected Kyl's mother needed maternity care (CSPAN). Kyl's utterance and Stabenow's response reveals that Kyl holds a morally undesirable underlying attitude towards women's health and reveals that the Senator finds his male self to be, well, the measure of man being fundamentally unconcerned with women's health. The Christmas present faux pas and the Senator's utterance both reveal attitudes which we tend to judge as both morally desirable or undesirable and as something for which individuals can be held blameworthy or praiseworthy. In such ways do we hold persons morally responsible for what the notice or neglect, for what occurs to us, and even for involuntary reactions such as disgust as when people have extreme emotional reactions to seeing those with visible scarring, amputated limbs, or other obvious physical abnormalities.

Robert Merrihew Adams makes a similar point in his article "Involuntary Sins" in which he includes desires and emotions in the catalogue of things for which we are morally responsible: "...good motives and other good states of mind rather than bad

ones... what we should be for and against in our hearts, what and how we ought to love and hate. It matters morally what we are for and what we are against... even if it was not by trying that we came to be for or against it." (12) Adams contends that we must take responsibility, and are responsible, for our own emotions and motives. Only by seeing this can we hope to acquire what Arpaly would call morally desirable emotions and motives. Indeed, Adams, like Smith, recognizes "cognitive sins" such as the failure to notice other people's feeling as faults that nonetheless lie within the domain of ethics. (18) We are, he suggests, responsible not only for actions but also for states of mind that have intentional objects and in which "we are responding, consciously or unconsciously, to data that are rich enough to permit a fairly adequate ethical appreciation of the state's intentional object and of the object's place in the fabric of personal relationships... whereas the traditional theories [are concerned with voluntariness], my criterion demands only that the data to which we are responding be rich enough to *permit* recognition of the relevant values." (Adams, 26-7) In both the Christmas faux pas case and Senator Kyl's utterance, there was sufficient information available to permit recognition of the relevant values. Indeed, Stabenow's reminder that Kyl's mother once needed maternity care had no impact upon his conclusion whatsoever and that information was always present, regardless, whether or not he noticed it. Senatory Kyl did not respond to the right reasons; he responded to entirely different ones. In Arpaly's terminology, he failed both the "right reasons" clause and the "concern" clause, being insufficiently morally concerned with the effect of insurance reform on women and with the right sort of reasons, reasons that Adams would say were available to Kyl. The gun enthusiast likewise did not respond to the right reasons available to him, nor was he adequately

morally concerned with the effects of his actions. Neither action had much in the way of moral worth, for though the thought counts, in both cases it was flawed from poor reasons-responsiveness.

For such cases, volitional explanations of moral responsibility give us little aid when considering what occurs to us, what we pay attention to, emotions, or intentions. Yet Arpaly's account of moral responsibility relies on notions of good will and ill will, moral concern, and moral indifference (2006,6) and gives us a way to think about when and how we might be blameworthy or praiseworthy for more than actions but also for states outside of our control include cognitive states which may be significantly determined. This is immensely useful in considering responsibility for memory, though our tool set is not yet complete.

3.2.4. Blameworthiness and Praiseworthiness Are About Warrant, Not Whether It Is Desirable to Blame or Praise

There is yet one more distinction in Arpaly's work that bears discussion, one that is useful once grasped. One point often made by determinists and libertarians alike is that blame and praise are desirable because they help to shape action, incentivizing right behavior and disincentivizing wrong behavior, much as Pascal's wager is desirable. Others, however, will rightly ask whether what might be desirable is also warranted. (Arpaly 2006, 10) Thus, we come to this final distinction: between praiseworthiness and whether others ought to praised, between blameworthiness and whether others ought to blame.

Whether one is blameworthy or praiseworthy is a matter of warrant. Whether one should be blamed or praised, however, is a matter of what is right or effective or

appropriate on the part of others: "When I say that an agent is praiseworthy (or blameworthy) for an action, I do not mean to imply that the agent should necessarily be praised (or blamed) for this action: what people deserve is not always what they should be given" (Arpaly 2003, 71). Arpaly gives the example of an armed criminal who demands that a crowd give her moral praise lest she rain down bullets upon them: "it may be morally imperative to praise her, but that alone does not make her praise*worthy* for her action" (ibid). I analyze this as an example of a kind of case in which we might find someone unworthy of praise or blame but render them praise or blame, nonetheless—a kind of inauthentic playing at praise and blame, to be sure—*and for ethical reasons* not just practical ones.

But I suspect that this distinction is useful for another kind of case in which we might find someone worthy of praise or blame but fail to render them praise or blame, nonetheless, and for ethical reasons. The distinction between rendering praise and someone being praiseworthy can thus shed light on certain moderately confusing cases with respect to blame, praise, and responsibility. Consider feminist arguments, such as those raised by Sarah Lucia Hoagland, which hold that blaming the victims of oppression for participating in their oppression is counterproductive. Hoagland specifically argues that blame cannot be doled out in a community of the oppressed—namely lesbian communities—by some of the oppressed towards each other. She does so on the basis that the characteristic effects of blaming someone are "unsuitable for lesbians' central ethical tasks of supporting women's sense of their power and status as moral gents, enabling women to maintain integrity, and protecting women's sense of self in relationship to communities of other women" (Benson, 186). Paul Benson points out that

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targeting the oppressed for blame also allows those whom oppression privileges to escape responsibility (187). Again, there is a distinction between desirability of blaming and warrant (blameworthiness). Under both Hoagland's and Benson's interpretations of the problem with rendering blame, we need some way to account for how it could be sensible to claim that we ought not to blame people who are nonetheless at least partly responsible for a morally undesirable state of affairs. The answer lies in Arpaly's distinction between rendering blame and judgments of blameworthiness, and in particular the way that she captures the possibility that the moral desirability of rendering praise and blame for an action is distinct from the moral worth of that action. This important distinction is impossible without some means of distinguishing between moral desirability and moral worth.

3.2.5. Different Degrees of Praiseworthiness and Blameworthiness Exist

All that has come so far yields a particularly interesting fact: that different degrees of praiseworthiness and blameworthiness exist. Recall that I earlier suggested that Arpaly's moral desirability is like the term used by other philosophers, "moral valence." Moral desirability functions on a sliding scale. Similarly, reasons-responsiveness functions on a sliding scale: it matters not only which reasons are responded to and whether they are the right ones or were available to the agent, but also the degree of moral concern. Thus, judgments of moral worth which are to be composed of judgments regarding moral desirability and reasons-responsiveness are also on a sliding scale. Different degrees of praiseworthiness and blameworthiness can be assigned[15]. Unlike

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[15] That there are degrees moral blameworthiness and moral praiseworthiness is not a novel proposition. Jessica Wolfendale suggests that it is possible to hold an agent "fully responsible, partially responsible, or not responsible for her actions" and that pharmaceuticals or physiological states that modify an agent's

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science fiction weapons which are set to "kill" or "stun", moral worth has many possible values and not simply "worthy" or "unworthy."

That said, there are of course poles on the scale of degrees of blameworthiness and praiseworthiness. These correspond in large part to good will and ill will, concepts constituted by responsiveness to reasons and moral concern, and ones that rely on having already established the moral desirability of an action.

Good will behind a morally desirable action leads one to be highly praiseworthy; one is less praiseworthy where morally desirable actions are done out of a lack of good will. Good will is present when one responds out of moral concern to the right-making features of the morally desirable action. Lack of good will is displayed when someone fails to do the right thing or performs a morally undesirable action out of a failure to respond to pertinent moral reasons. Ill will behind a morally undesirable action leads one to be highly blameworthy. This is a much simpler case than good will and lack of good will. Ill will is displayed when a person performs a morally undesirable action or fails to perform a morally desirable action *in response to the very reasons and features that make the course of action wrong.* (Arpaly 2006, 14-15) Thus, we have three relevant categories of the will for assessing blameworthiness and praiseworthiness, determinations of which rely on determinations of moral desirability, reasons-responsiveness, and moral concern: good will, lack of good will, and ill will.

"capacity to respond to and assess information relevant to rational decision-making… would arguable affect the degree of moral responsibility we could assign to them." (30)

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In the later of her two works on which I have here relied heavily (*Merit, Meaning,*

and Human Bondage), Arpaly[16] summarizes the whole shebang in a statement she calls

"PRAISEWORTHINESS AND BLAMEWORTHINESS IN A NUTSHELL":

> A person is praiseworthy for taking a morally right course of action out of
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> good will and blameworthy for taking a morally wrong course of action out of
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> lack of good will or out of ill will. Furthermore, (1) other things being equal, a
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> person is *more* blameworthy for a given course of action if she acts out of ill
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> will than if she merely acts out of lack of good will; and (2) other things being
>
> equal, a person is *more* praiseworthy for a given good course of action the
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> more good will she demonstrates in taking that course of action, and an agent
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> is more blameworthy for a given bad course of action the greater the failure of
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> good will she demonstrates in taking, or, if applicable, the more ill will she
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> demonstrates in taking it. In that way blameworthiness comes in degrees.
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> (Arpaly 2006, 15)

3.3 The upshot

Let us take this summary with us into our consideration of whether, and to what

degree, we can be held blameworthy and praiseworthy for memory. In so doing, we

leave behind requirements of strict autonomy and control which I have argued were not

well-founded, to begin with. Such classic volitional explanations of moral responsibility

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[16] I realize there is some risk to adopting Arpaly nearly wholesale without substantial critique just because her theory provides a rich non-libertarian account of moral responsibility. It is worth noting that Julia Driver reviewed Arpaly's *Merit, Meaning, and Human Bondage* as "refreshingly sensible" and appreciated an alternative to grounding non-libertarian conceptions of moral responsibility in what she views as "dubious" Strawsonian reactive attitudes. John Martin Fischer called her view of moral responsibility "attractive and distinctive" and especially lauded Arpaly's use of realistic examples of moral psychology. However, as James Pratt (2007) noted in his review of the book in *Metapyschology*, Arpaly's view will not convince a committed libertarian. For this reason, I first argued against libertarianism. Where difficulties with Arpaly's view arise in application to memory behaviors, I address them in Chapter 4.

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would likely have led us to conclude that individual and collective memory—so heavily

determined by human neurobiology, culture, and community—are not subject to

determinations of moral responsibility. While the many cases in the Introduction

indicated that we do consider memory morally salient and often blame and praise each

other for it, Arpaly's distinction between blame-and-praise as matters of desirability and

blameworthiness-and-praiseworthiness as matters of warrant mean that we have yet to

make our case for whether the fact that we do blame and praise each other for memory

means we are warranted in doing so.

Chapter 4
Moral Responsibility for Memory

*And lest things which **should be remembered** perish with time and vanish from the*

memory of those who are to come after us, I, seeing so many evils and the whole world,

as it were, placed within the grasp of the Evil One, waiting among the dead for death to

come, have put into writing all the things that I have witnessed.

--Brother John Clyn, 1348 (my emphasis)

In the 14th century, the Black Death swept through Europe, ravaging Britain in the

years 1348 and 1349. In England, alone, manorial records indicate that mortality ranged

from 19% to 80% (Ibeji). In Ireland, Brother John Clyn watched the plague's progress

through rural Irish communities near his abbey in Kilkenny and preserved it on paper. In

short order, the monks began to fall ill as a result of their ministry to the locals. By the

time Brother Clyn wrote the words above, he was the last of his order and had buried the

most recently deceased with his own hands. At the end of the paragraph excerpted,

above, the original text bears writing in another hand which reads, "Here, it seems, the

author died." (Ibeji)

Although Emmanuel Levinas declared memory to be amoral (Herzog), Brother

Clyn's testimony bears on the issue of moral responsibility for memory because it

captures one of the oldest recorded instances of a widely acknowledged obligation to

remember—"lest things which should be remembered perish with time and vanish from

the memory of those who are to come after us"—namely a duty to bear witness for

tragedies. This same duty is laid out in non-fiction literature on the Holocaust (Margalit;

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Wiesel 2006) and is given form in fiction and memoirs about the Holocaust (Levi; Mendelsohn; Wiesel 1982). This translates as a moral responsibility to remember. What is the nature of this moral responsibility to remember? When does it apply? And can there be a moral responsibility to not remember—to not entrench memories of an event? Can there be a moral responsibility to forget? These are the questions that drive this dissertation and are finally addressed in this chapter, just as the answer to one of them drove Brother Clyn. They are questions whose answers affect human lives not only in times of great tragedy but also of normalcy, and thus ones whose consideration will benefit us all.

. Recall that in Chapter 2, we established that individual memory is heavily influenced by both biological determinants and social determinants. These, in turn, affect our individual agency over memory, yet there are still significant points of intervention in individual memory including what we pay attention to, how often we recall memory engrams and reconstruct them, and how we do so. We also saw that collective memory is best conceived of as residing in the individuals who compose the collective but also in their "off-line" storage sites such as documents, monuments, and other means of preserving—memorializing—the collective's memory constructions. We can intervene in both the construction of individual memory and of these storage sites. Thus, we have significant agency with respect to individual and collective responsibility despite the degree to which memory is biologically and socially determined. But how do we apply moral responsibility to this agency for memory? After all, the complicated mix of determinism and agentic control over memory is incompatible with strictly libertarian conceptions of moral responsibility.

Fortunately, we are not stuck with strictly libertarian conceptions of moral responsibility. As established in Chapter 3, the best framework for considering moral responsibility is that offered by Nomy Arpaly in her 2005 book *Unprincipled Virtue: An Inquiry into Moral Agency*. You will recall that she makes an important distinction between moral desirability and moral worth, one which has critical implications for the ethics of memory. We begin here in attempting to understand the ethics of memory which were so apparent to Brother Clyn, but which go far beyond his understanding of the harms avoidable and the goods achievable by proper use of memory.

4.1. Moral Desirability, Moral Worth, and Moral Saints with Respect to Memory

Before we begin in detail, it is necessary to clarify the standards for moral desirability and moral worth with respect to memory and to address the specter that I may be about to require all moral agents to become "moral saints" with respect to every single proposition or event that might be remembered or forgotten. Let us begin with establishing a rough standard for moral desirability, without which we cannot judge moral worth.

I take as the most basic foundation of judgments of moral desirability that actions which tend to do harm—either proximally or in the long view—are morally undesirable. I realize that this smacks of consequentialism and therefore creates problems for unstinting deontologists who may be unable to judge the moral desirability of an action on the basis of harm, as with the famous Kantian application of the duty not to lie even in cases where one is harboring a potential victim from a murderer and is compelled by duty to reveal the victim's location. However, I nonetheless intend here to engage in a rough

form of rule consequentialism, with room for exceptions where circumstances provide reasons for deviating significantly from the rules. This sort of thinking has its roots in Margaret Little and Mark Lance's moral particularism, which acknowledges that the particulars of situations may "defease" generalized duties or principles that are otherwise ascendant. Indeed, Lance and Little argue (2004) that many of our most accepted generalized duties or principles have exceptions; exceptionless generalizations of any kind, moral or empirical, are relatively rare. In the case of moral rules, consider the following example. I will argue later in this chapter that in the construction of memories about particular persons or groups, we ought not only refuse to reinforce those which are negative, but also attend to those which are positive, as reinforcing negative constructions of memories tends to lead to holding grudges which is generally a wrong memory behavior for it produces negative consequences for the welfare of persons. However, such a generalizable rule is defeasible in cases where what is produced by attending to positive memories as well as negative ones is, itself, harmful, as would likely occur were survivors of the Holocaust required to balance their memories of cruelty by concentration camp workers with memories of even a miniscule act of kindness or of mitigated cruelty.

What I am most concerned with in combining rule consequentialism with the defeasibility aspect of moral particularism is not constructing a novel synthesis of moral desirability. What I am concerned with is taking a plausible criterion for moral desirability and applying it to determine the moral worth of individual and collective memory behaviors. Indeed, Arpaly (2005) successfully deploys just such a vagueness in standards for moral desirability in her pursuit of assessing moral worth, assuming without argument that we are all in agreement that Madame Bovary's charitable works in

Flaubert's classic novel and Kant's Prudent Grocer—who prices his merchandise fairly

solely to gain profit by creating a reputation as an honest vendor—are examples of a

person doing the morally desirable act, albeit in these cases in an unimpressive way of

less worth than other ways of doing the same morally desirable act (ibid. 68-70). As

Arpaly, says, many particular ethical theories allow us to find it "perfectly consistent to

view the moral desirability of actions as depending... on their expected consequences,

and the moral worth of individual actions as depending to some degree on the agent's

motives." (ibid., 70) Even Aristotle, in his *Nicomachean Ethics*, allowed a certain

productive vagueness in his consideration of eudaimoneia, virtue, and vice, "for precision

cannot be expected in the treatment of all subjects alike." (Aristotle, 1094b) Indeed,

"when the subject and the basis of a discussion consist of matters that hold good only as a

general rule, but not always, the conclusions reached must be of the same order." (ibid.)

In Aristotle's claim, we see not only a productive vagueness, but also an example of

moral rules as Lance-Little style defeasible generalizations: "matters that hold good only

as a general rule."

So, I focus here on moral worth as it bears most intensely on whether we are

praiseworthy or blameworthy for memory behaviors that are respectively, and *prima

facie* as a general rule, morally desirable and morally undesirable. In the process, I

necessarily gloss over the precise criteria for assigning desirability, but attend to those

sorts of considerations and circumstances which defease generalizations of moral

desirability. By this fairly simple standard—that *those actions are morally desirable

which tend not to do harm and morally undesirable which tend to do harm, broadly

conceived and specifically exemplified, with exceptions which may defease the general*

rule—we can proceed to analyze the moral desirability and the moral worth of certain behaviors relating to memory. To violate the generalized rule without good moral reasons is, itself, a wrong and not merely a harm, though the rule is derived from concerns over harm. Unnecessary harm, especially when paired with a lack of moral concern for the harm done, makes an action wrong. Where our intuitions about why certain rules are defeasible themselves appeal to rules—such as that it is wrong to ask Holocaust survivors to also remember good aspects of their captors because that is profoundly insulting—we would do well to consider whether those rules are, themselves, generalized from concern over the harm done by violations of the rule.

Now, aside from the particular cases introduced in Chapter 1 and soon to be dealt with in order to refine our understanding of moral responsibility for memory, I must make it absolutely clear that while there are memory behaviors which are morally desirable and those which are morally undesirable, there is a vast array of those which are simply permissible and which have a neutral moral valence. I do not ask that we all be moral saints with respect to our memories, as not every memory behavior is subject to praise or blame, whether the judgment of moral worth is internal or external. For instance, remembering or forgetting what I ate for dinner last night is not *generally* a matter of moral significance because its consequences are very limited. Because there is not moral desirability (pro or con) to the memory behavior, it has no moral worth. However, suppose my spouse were to cook dinner for my children and for me after I've worked a particularly long day whenever I work particularly long days, and I were then to forget this, coming to blame him and be angry at him for never doing anything to contribute to the care and feeding of our family. This would be a harm, indeed, as a

result of my forgetting and because of the memory engram I have constructed due to my forgetting. Such remembering, such forgetting, is wrongly done and for ill. Thus, the question of moral worth depends on the determination of moral desirability—which may be neutral in degrees of desirability and undesirability—and is always an open question until we have also determined whether agents are reasons-responsive in the right ways. What, then, does this require of the agent? What judgments are made of her? Both the now-foreclosed possibility of all instances of remembering, forgetting, and non-encoding being desirable or undesirable, and the possibility that I must always act perfectly with respect to memory, raise the issue of whether moral agents are expected not only to be morally praiseworthy and to avoid being blameworthy, but also to be moral saints.

Indeed, we would do well to look with suspicion on any discussion of moral responsibility that would require moral saints, a point well made by Susan Wolf. Wolf describes a moral saint as "a person whose *every* action is as morally good as possible, a person, that is, who is as morally worthy as can be." (419, my italics) Such ideals, suggests Wolf, are terrifically unappealing because "the happiness of the moral saint would lie in the happiness of other." (420) There is never any exception to acting in accord with duty, virtue, or the maximization of utility. No errors are permitted, few compromises allowed. Indeed, though the concept of a moral saint summons a sense of virtue and high character, the moral saint is even out of step with Aristotelian notions of virtue which would take into account the course of a moral agent's life and allow small, and even occasionally significant, morally undesirable actions. The difficulty with moral saints is not with the happiness of others, but with this as the sole permissible source for the happiness of the moral saint. Indeed, moral saints are those who simply never stop

following demanding duties and whose every tiniest decision raises a demanding duty. I do not wish to require all agents to be moral saints with respect to all that can be forgotten or remembered, rightly or for ill. As I have suggested, not all memory behaviors have dramatic moral valence, thereby alleviating some of the burden of moral sainthood on we rememberers and forgetters and non-encoders. It is worth noting that, even with respect to actions which do have dramatic moral valence—are morally desirable or undesirable to a high degree—Wolf does not wish to require perfect self-sacrifice and moral sainthood because absolute adherence to duty would tend to "crowd out the nonmoral virtues, as well as the interests and personal characteristics that we generally think contribute to a healthy, well-rounded, richly developed character." (ibid., 421) Moral sainthood is simply contrary to the concept a good life, and requiring this of ourselves or others may plausibly be wrong in and of itself as it tends to do harm.

Because of these very valid concerns over moral sainthood, we must keep in mind two factors. First, that while there are morally desirable and morally undesirable memory behaviors, there are also morally neutral memory behaviors; not every functioning of memory raises a duty or a rule. Second, even when we conclude that a person is morally blameworthy for morally undesirable memory behaviors, we ought to keep the risk of requiring moral sainthood in mind. I neither wish to, nor will I, nor does my scheme, demand that we must all become "memory saints." Thus, I reserve my harshest judgments for those persons who either habitually engage in morally blameworthy behaviors of memory or seek to entice others into doing so. These are the persons who fall to the other end of moral sainthood, not just those who commit sins of memory but who are sinners as a rule. In the middle lie those who still are blameworthy or

praiseworthy for individual memory behaviors, but whose behavior should not reflect on their whole life given the ever-present specter of the moral saint. Let us see how this plays out.

4.2. Moral Blameworthiness and Praiseworthiness for Individual Memory

Before a detailed examination of blame and praise for individual memory can take place, it behooves us to look further into prior attempts to address the ethics of memory. We can then consider where gaps have been left, how these bear on the cases as detailed in Chapter 1, and begin to construct a complete picture of the moral worth of individual memory behaviors.

4.2.1. What Came Before: literature on the ethics of memory

Most of the existing philosophical literature on ethics and memory comes out of discussions of the holocaust and related issues of testimony and witnessing, as mentioned earlier when discussion the duties of memory conceived by Brother Clyn. The consensus in such work seems to be that there is a duty to remember atrocities and transgressions (Katz and Rosen). A more recent exploration by Avishai Margalit, *The Ethics of Memory*, suggests that obligations to remember go beyond witnessing and testimony. Margalit also raises an intriguing possibility: that it might not always be praiseworthy to remember, that sometimes, perhaps... we *ought* to forget. This is a contention I wish to support, though perhaps not precisely as Margalit lays it out. I briefly explain both positions to indicate what work has been done and what remains to be done.

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Let us turn first to obligations of remembering. As Elie Wiesel says, "the urgent obligation to bear witness remains constant. It is quite simple: a witness who does not give his or her testimony may be considered a false witness" (158). Wiesel interprets this as "a commitment to memory. A loyalty to the dead" (160). For Wiesel, such a generalized rule as loyalty to the dead ought to be preserved. Indeed, violating it would be wrong regardless of whether it did any harm to the living. Of course, we might argue that loyalty to the dead can be couched in terms of harm to the living, for we who remain expect and ask that we are honored after our death. This is similar to secular arguments for why the decisions we make for organ donation or funeral arrangements while alive should be honored after we are dead: it is the right of the living and the living's obligation to the living, which is at stake. In this sense, our loyalties to the dead are extensions of our loyalties to those-who-are-now-dead-but-once-were-living, loyalties which must be preserved in order to create societies in which we do the least harm to each other while we live with each other. Thus violation of these loyalties are in fact about avoiding harm.

Indeed, Margalit goes further than Wiesel's loyalties to the dead which are only implicitly about the living, explicitly suggesting that the truth is not only about loyalty to the dead but also about the living. Margalit puts this in the context not only of the Holocaust but of South African apartheid, noting that the heart of the Truth and Reconciliation Committee is a belief in the power of healing when truth is ensconced in communal memories (5), a subject we shall consider in depth in our section on collective memory.

Even in individual cases of remembering, Margalit argues strenuously for a duty to remember important events. He illustrates this with the example of a commanding officer under whose command a soldier was killed in a friendly fire incident. This very publically-known incident was the subject of a press interview with the CO in which it became apparent that he had forgotten the soldier's name. Public outrage followed. In analyzing why, Margalit contends that asking whether the soldier's name is remembered stands in for asking whether the soldier himself is remembered. Margalit suggests that if the CO had been able to recall some definite description of the soldier, he would have done just as well. But he had forgotten it all, and remembered only the event of a soldier's death in the friendly fire incident (Margalit, 18-20). Margalit makes this an obligation to remember because remembering itself is an obligation—not just derivative of obligation to the dead—that achieves "the primary concern of both ethics and morality": regulating and thereby preserving human relations. (8) "Memory is the cement that holds thick relations [between persons] together," and it is because of this crucial role in cementing thick relations that memory is "an obvious concern of ethics." (ibid.) By Margalit's standard, harm occurs only when these thick relations between persons are ruptured, or when they fail to be cemented. The CO's failure to remember even a definite description of the soldier killed under his command is disruptive of relations between the living, and though accidental, Margalit points out that Biblical punishments include that the lord shall "blot out his name from under heaven." (21) The very translation of the Yad Vashem monument to Holocaust victims in fact means "*a place and a name* [yad vashem]." (22) Margalit also reminds us of Edward Albee's *The Play about a Baby* in which a young man is hard-pressed to introduce by name an elderly

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woman standing hear him. As his companions turn way, the woman says to him "So my dear boy, you don't remember your mother's name?" What is at stake in this case, says Margalit, is precisely what is at stake in the CO's case: the son's caring and the officer's caring, not their mental capacity. "The point of the story about the officer's forgetfulness is that we take it as a strong indication of not caring about the young soldier" or about the deeds done under his command for which he is arguably responsible. Margalit's version of ethics—that right actions cement relations between persons and wrong ones disrupt them—is thus not unlike the ethic of care which also values relationships between persons and thus holds as virtues traits such as compassion and fidelity which tend to be beneficial for relationships. It is in this, and this alone, that Margalit bases his duty to remember. And it is this conception of why memory is ethical that is the root of Margalit's theoretical insufficiency, for it does not encompass other kinds of harm such as to identity, or causing suffering and pain, or producing happiness, or undermining fairness, but only to relations between persons. We need more than what he has to offer to make an account of why the cases introduced in Chapter 1 present ethical issues for memory, though harm to relationship and lack of adequate moral concern for others are surely important harms for which we will wish to account.

Recall my extension of Wiesel's loyalty to the dead as a loyalty to respect the living and extension of our relations with the dead while they still lived. Elie Wiesel himself suggests at least one way that the moral value of remembering is indeed not just to the dead, though that is part of it, but also to the living, and it is not all and only about Margalit's preservation of human relationships. For Wiesel, remembering does go beyond preserving relationships. Indeed, it can prevent the occurrence of similar

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misdeed: "Some of us know that only the tale of what happened before can prevent not

identical but similar tragedies from happening in the future: only the memory of

Auschwitz can save the world from another Hiroshima." (Wiesel 1997, 13) If the ethics

of remembering are such, can there ever be a duty to forget? If forgetting or

remembering poorly can be held blameworthy, and remembering well with public

testimony can be held praiseworthy, can forgetting be held praiseworthy and

remembering be held blameworthy?

By Wiesel's lights, it seems not (though we shall see soon that Margalit has room

for praiseworthy forgetting). Wiesel explicitly addresses this issue by way of the greek

myth of Lethe, who makes the damned souls in hell forget their suffering. But, he says,

in real life, forgetting is "a curse." (ibid., 14) He goes on to argue for this in no uncertain

terms:

> "...to remember is to relive a past if not in its totality then
>
> at least in some of its fragments; it is to bring back people
>
> and events that have vanished eternities earlier; it is to say
>
> no to the sand of time covering the landscape of our being,
>
> it is to say no to forgetfulness, no to death. To remember is
>
> to allow the past to move into the future and shape its
>
> course... To remember is to reconcile justice to dignity, to
>
> affirm man's faith in humanity and to convey meaning on
>
> our fleeting endeavors." (ibid., 15)

Indeed, "to forget is to violate memory, and deprive human beings of their *right* to

memory." (ibid., 16) Clearly, the stakes are high and so, for Wiesel, is the moral

desirability of remembering. It is not clear whether there are instances where we might experience ordinary forgetting and look to Wiesel for guidance only to find him shrugging to indicate that, in this case, forgetting is not undesirable. I imagine Wiesel cares little whether I remember what I had for breakfast. However, given his claims, I cannot credit that he would find forgetting desirable even if he might find it sometimes permissible. Still I ask, can there ever be a duty to forget? Is there some system—not Wiesel's—by which forgetting might be seen as morally desirable and so perhaps praiseworthy, remembering as morally undesirable and perhaps blameworthy?

Recall that in Wiesel's characterization of the many merits of remembering, he said that "to remember is to allow the past to move into the future and shape its course." (ibid.) This is true, but it may not always be for the good. Where remembering does harm, and forgetting alleviates harm, perhaps the fact that forgetting violates memory is not a deprivation but a gift. Margalit eloquently observes that "memory breathes revenge as often as it breathes reconciliation" (5). Thus, for Margalit, "an ethics of memory is as much an ethics of forgetting" as it is an ethics of remembering (17). This point is well made, and one I wish to preserve, though a major deficiency in Margalit's ethics of forgetting is that it is restricted almost entirely to the subject of whether it is necessary to forget in order to forgive (to reconcile and avoid revenge). Margalit distinguishes between forgiveness as "blotting out" (forgetting a sin altogether) and as "covering up" (forgiving without forgetting); he decides upon the former (188-9). Forgiveness is a conscious ethical decision which "makes one stop brooding on the past wrong, stop telling it to other people"—clearly *contra* obligations for testimony—"with the end result

of *forgetting it or forgetting that it once mattered to you greatly*" (193, my italics).

Margalit, unlike Wiesel, does allow a morally desirable role for forgetting.[1]

Theologian Miroslav Volf similarly advises forgetting for forgiveness, also to enable right action in the future with respect to reconciliation and revenge: "Victims will often *become* perpetrators precisely *on account of* their memories. It is *because they remember* past victimization that they feel justified in committing present violence." (Volf, 33) In this way, remembering tragedies—one of the oldest of memorial obligations—can cause harm where the tragedies have involved victims and perpetrators and the memory is used to formulate and justify harm. Like Margalit, Volf draws our attention to how remembering can lead to revenge as much as to reconciliation. Again, the account of forgetting is about forgiveness and avoiding revenge, not also about other kinds of harms. But Volf, unlike Margalit, goes further than forgiveness, asking what kind of world would be made, what kind of harm would be done, by remembering all wrongs done. After all, he suggests, "Remembering horrendous evils and experiencing joy… are irreconcilable… If wrongs suffered are permanently inscribed in the minds and identities of citizens of the world… would this not represent a peculiar triumph of evil rather than its complete defeat?" (213) Though Volf's question is rhetorical, I take his point to be that harm can be done by a slavish duty to remember, especially to remember

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[1] This consideration has bearing on debates over whether we ought sometimes to give up believing some true propositions to be true. For instance, one might give up believing that it is true that Bill Clinton had an affair with Monica Lewinsky (true) because one cannot recall the source of this truth claim and lacks the ability to confirm it. I might give up believing a (true) claim by my five-year old son about what happened in school not because I distrust him but because I have insufficient evidence to say I "know" it. Indeed, W.K. Clifford, in his 1877 work "The Ethics of Belief," made an extraordinarily strong connection between justification and what we ought to believe. He argued that it is morally wrong to believe on insufficient evidence, or to nourish belief by suppressing doubts and avoiding investigation. The fundamental basis of Clifford's argument is that believing falsely can do extraordinary harm, and that as a generalized rule, we ought never to allow ourselves to believe without justification with respect to even the most inconsequential of matters lest we fall into habits that serve us ill when the stakes are high. This is similar to the ethical standard of value I use to construct my considerations for the ethics of memory.

wrong acts, irrespective of the need for forgiveness. At the least, maintaining the ability to recall wrong acts done by yourself or others interferes with the possibility of taking joy in right acts. As Volf puts it, "…under certain conditions the absence of the memory of wrongs suffered is desirable." (Volf, 148) Note that he is not suggesting we forget all wrongs; simply that we need not remember all wrongs. Which wrongs should be remembered? Which should be forgotten? The answer turns on both the way in which we remember, certain manners such as grudge-holding being prone to do harm, and the use to which our memories are liable to be put. We shall explore this shortly.

Margalit and Volf see the ethics of remembering and forgetting as about memories, themselves. But in their work—as seen in the role that remembering past transgressions can play in justifying revenge acts—and elsewhere (Silber, 55), it is apparent that we rely on memory to formulate intentions, or actions, or duties. There is more to the ethics of remembering than preserving human relations and more to the ethics of forgetting than enabling forgiveness or the possibility of joy. Indeed, remembering and forgetting are both *matters of ethics*—fit subjects for determinations of moral worth—and *necessary for matters of ethics*. I contend that the moral desirability of memory pertains to both of these axes of judgment: remembering or forgetting wrongly done is wrong (A) because its harm is directly and proximally a result of memory—we ought to have remembered or forgotten, or remembered in a certain way, and did not—or (B) because it allows further harm to be done through poor ethical decision-making due to unethical memory, harm that is distally but still caused by memory.

Let us now consider other forms of harm that might be done by memory behaviors by reflecting on the cases introduced in Chapter 1, and how others may avoid

harm. Thereby, we shall arrive at general rules accounting for the moral desirability of

individual memory behaviors. We shall then move on to accounting for the moral worth

of individual memory, and then to the moral desirability and moral worth of collective

memory.

4.2.2. The Moral Desirability and Worth of Individual Memory

Let us begin with Case 1, the forgotten birthday, recapitulated here for your

consideration.

Case 1: The forgotten birthday

This happens often, and it is perhaps best to take a real-life incident than

to create a realistic fictional one. Consider this description by Angela

Smith:

> I forgot a close friend's birthday last year. A few days after the
> fact, I realized that this important date had come and gone without
> my so much as sending a card or giving her a call. I was mortified.
> What kind of friend could forget such a thing? Within minutes I
> was on the phone to her, acknowledging my fault and offering my
> apologies... I did not *intend* to hurt my friend's feelings or even
> *foresee* that my conduct would have this effect. I just forgot. It
> didn't occur to me. I failed to notice. (236)

In Chapter 1, I used this case to illustrate the moral salience of memory, and that the very

fact that Smith felt compelled to offer apologies indicates the sense that forgetting in this

case was morally undesirable. But why was this?

In part, we might consider Margalit's contention that ethics is about preserving

relationships—a view of ethics which is also found in the literature on the ethics of

care—for what is ruptured here is, in large part, the friendship: "What kind of friend

could forget such a thing?" It is part of being friends to remember and celebrate what is

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important to our friends. In this framework, forgetting the birthday is morally undesirable because it damages the relationship between Smith and her friend by undermining the nature of friendship, itself. This does seem plausible.

And yet, recall that I am primarily deploying a system of value which holds as a defeasible generalization that types of acts that are morally undesirable are those which, as a rule, cause more harm than not performing them; conversely, types of acts that are morally desirable are those which, as a rule, cause more benefit than not performing them. Where this is not the case, the rule is defeasible by particularities of the situation. For instance, suppose that, as a general rule, a person is harmed either emotionally or materially when we forget something that is important to them be it a shared wedding anniversary or a severe sensitivity to spicy foods. In particular instances where two spouses do not care about celebrating anniversaries, the rule that we should remember this event which is important for most people is defeased; where a friend has no preference or sensitivity with respect to spiciness, we need not spend now-undue effort remembering a person's eating habits. Let us apply this now to the case of the forgotten birthday.

The primary harm here, as implicit in Smith's discussion, is the hurt experienced by her friend. This hurt could be unique to her friend, but we do tend to have what some might call "well-grounded expectations of friendship" that are violated in this case. When our expectations are not fulfilled, we doubt that the friendship is real and so this is part of our hurt. Such expectations include getting in touch for well wishes when important events occur (the birth of a child) or recur (a birthday), and that those important events will be noted, recalled, and acted upon appropriately. Of course, we may adapt

our expectations of what friendship or other intimate relationships entail based on the individuals with whom we are in relation. For example, if I have a friend with recurring mental illness, my expectations of her adapt accordingly if we are to remain friends and I may not make plans that rely on her to behave as most people do. Nonetheless, if we remain friends, I retain at least adapted expectations of our friendship.

Let us return to the case of the forgotten birthday. While Smith's friend's hurt may be partly from not receiving the expected birthday call, it is also directly because Smith forgot the birthday. For instance, imagine Smith had remembered the birthday, but had misplaced her friend's contact information and had to spend a few days searching for it. Calling her friend in this scenario would have involved admitting only failure to rapidly locate a phone number, and Smith's apology for taking a few days to call would have been a very different thing—assuming her friend reacts as most people would—from an apology for forgetting the friend's birthday in the first place. It is the forgetting, itself, that hurts here, at least as much as not receiving the call on time. Now, Smith acknowledges that she did not intend to hurt her friend's feelings. Indeed, to be taken as intending to hurt her friend, she likely would have had to remember the birthday and deliberately not call to wish her friend a happy one. Given the actual facts of the case, and the counterfactuals described above, it is doubly clear that the forgetting is the primary morally undesirable act, here: it caused or would tend to cause harm. In a culture where birthdays are less valuable, or with a friend who is well known to place little emphasis on birthdays, or with one afflicted with early on-set Alzheimer's, the harm would be less or non-existent and forgetting the birthday would be a non-issue, morally. But in our culture and for most people, important dates such as birthdays or wedding

anniversaries should be remembered, all the more so when we can reasonably expect people to be harmed if we fail to do so.

Since the harm of forgetting is based in the fact that what is forgotten *mattered* to the other person, and remembering is composed of the three stages of encoding, storage, and retrieval, we can construct two generalized[2] rules:

Rule #1: We ought to encode events and occasions which matter to others

who can be harmed by our forgetting

Rule #2: We ought to retrieve them in time decide whether and how to act

Several factors ought to be considered here that go to the matter of defeasibility.

First, let us consider rule #1 more closely. Note that it formalizes the fact that events and occasions matter to others, and that this is the basis of the harm done by forgetting. It is entirely possible that some things matter to people which either ought not to matter, or at least ought not to matter so much. For instance, consider expectations of how clean one's house must be before having friends over. It would be reasonable to expect that a host would make some effort to clean and straighten his house for company, but one of the great expectations of friendship is that certain guards can be let down. If a house guest is a "neat freak" and it matters immensely to him that the host has finger prints on the television from young children living in the household, or a few crumbs on the floor, the fact that the guest experiences extraordinary distress need not incur an extraordinary obligation to clean. Not all things that matter should matter as much as they do to some people, and when the degree of concern is inappropriately intense, no correspondingly intense obligation is incurred. Of course, what determines

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[2] I will continue to introduce the rules as "generalized rules" throughout this chapter to remind the reader that, unlike Kantian absolute duties, these rules are defeasible.

appropriateness? Perhaps ordinariness is good criterion. After all, it seemed fitting to use the term "extraordinary distress", above. Suppose that my judgment that something matters "too much" to a friend, and thus I ought not remember it, is itself deeply flawed precisely because concerns which are out of the ordinary sometimes matter just as much as they should. A potential example would be if I were to invite a powerchair-bound short-statured friend to my home and make no accounting for the fact that they will have difficulty maneuvering in my home. It will matter to my friend in a way that would not matter to able-bodied persons; the degree of intensity will be extraordinary, but not inappropriate. We should be careful in judgments about what matters to those who we can harm by memory behaviors both to disallow inappropriate intensity of mattering from setting our obligations to remember and to be very cautious in our judgments of inappropriateness lest we do harm thereby.

A second concern about the first rule is that we must be wary of undesirable non-encoding, and ensure encoding by paying attention to what matters to those who can be harmed by our forgetting. In Chapter 2, we have already seen that what we attend to is significantly under our control and dramatically affects encoding. Recall Nabokov's noticing and encoding of mountainside butterflies. What's more, encoding tends to result in more successful remembering when it is elaborative and deep, and in less successful remembering when it is limited and superficial (Squire and Kandel, 71). Thus, the reason we tell our students not to cram. How we attend to material we encounter is a cognitive matter which *is* partly within our control.

Though we frequently are unaware of how we construct memories or when we engage in memory behaviors, *we need not be unaware*. Indeed, on occasion and without

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training, we sometimes deliberately reconstruct our memories, as when we think to check the content of declarative memory against historical records or the memories of others, and then to encode a repaired or enriched version. For instance, suppose I know that my grandmother's birthday is April 15 and my best friend's birthday is April 13; these are in fact true claims. One way to make sure that I recall these in a timely manner is to deliberately connect these to the fact that April 15 is Income Tax Day, a day I will be reminded of by the world around me as media coverage and peers mention its approach annually. This is another way we seem to exert individual agency over our memories, at the retrieval and re-encoding stages.

We can improve the quality of our encoding and retrieval precisely by such means. And when we do so in order to avoid harm, *we are being responsive to moral reasons*. These are the very reasons that make it right to remember and wrong to forget. Per Arpaly, we are thus morally praiseworthy for doing what is morally desirable, and morally blameworthy when we do not *if* failing to do so when we can is a *failure to respond to moral reasons*. Thus, we can be held praiseworthy for fulfilling Rule #1, and blameworthy for failing to do so.

Note that, above, I said we are morally blameworthy when we do not do what is overall morally desirable *if we can* do so, which raises the specter of capability. Rule #2, that we should recall events or facts that matter to those who we can harm in time to decide whether or how to act, implies that we can not only encode, but also store and retrieve. While storage and retrieval depend on how strongly the memories were first encoded (Rule #1), or how I re-encode and connect them to other prompts, it is hard to ensure that it happens when and as it should simply by relying on the interconnections

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between memory engrams. The example above of remembering birthdays near income tax day works because I chose a reminder function which would be provided by the external world. This is one way to satisfy rule #2, and to ensure that I can satisfy rule #1. Where the external world will not remind me, I can construct reminders for myself to prompt retrieval, and can even construct storage. That I can do so is essential to the question of whether my memory behaviors are responsive to moral reasons, or whether I succeed or fail at what is morally desirable because I am responding to moral reasons. Recall our discussion from Chapter 2 of biologist Merlin Donald's suggestion that symbolic technologies allow us to off-load cognitive functions and thereby handle tasks that our brains, alone, cannot. In fact, Donald suggests that going beyond the brain for most human cognition to be so important that he refers to the human evolution of such record-keeping as "the Great Hominid Escape from the Nervous System." (149) I can fulfill Rules #1 and #2 either through encoding something so strongly that it is always stored and retrievable, or by constructing reminders to prompt retrieval of information stored organically in my brain or outside of my brain. This can be achieved through the use of mnemonics—income tax day—which help my brain to be responsive to moral reasons due to the construction and re-construction of connections between memory engrams, or by use of external reminders and storage present in symbolic technologies: sticky notes, notes on calendar (which I must habitually check), programming my Palm Pilot to remind me of important events, etc. As we shall see in our later discussion of moral responsibility for collective memory, the construction of memorials and other loci of collective memory is similar to the external proxies for individual memory, and also

subject to evaluations of blameworthiness and praiseworthiness for both whether and how we construct such proxies.

In response to an early version of my argument in favor of using proxies for individual memory in order to become morally praiseworthy with respect to memory, Christopher Zurn of the University of Kentucky objected that, in getting my palm pilot to do it, I have not discharged my personal duty to remember a birthday. All I did was to prevent the harm that would have been caused by not wishing her a happy birthday. However, this is based on several problematic assumptions. First, the assumption that preventing harm is not precisely the objective. Second, the assumption that my Palm Pilot's reminder is not an extension of my cognition, but a cheap substitute for it. My response to this understandable confusion is that, first, preventing harm is precisely the standard of value I deploy. And, second, that I did fulfill the requirement to remember by taking measures to remind myself later, to aid my recollection. In fact, we often fulfill our responsibilities to others by proxy. A commonly seen, and generally accepted, example is the way that parents fulfill part of their caregiver responsibilities to children by employing proxies, either paid caregivers such as babysitters and daycare workers or unpaid workers such as the children's grandparents or extended family. The parents do not cease to fulfill responsibilities of care just because they "off-load" some of the implementation of those responsibilities to others. Indeed, they fulfill their responsibilities by ensuring that others perform the necessary tasks when they cannot. We do not interpret this as abandonment that is not responsive to right-making reasons, and we should not interpret external storage or retrieval prompts as not responsive to right-making reasons, either. There is a substantive, moral difference, in the ethics of

remembering between deliberately creating an aid to retrieval which helps to compensate for deterministic features such as ordinary forgetting, and not even bothering to pay attention sufficiently to encode something in a memory engram or in external storage. In the event that I write a note on a calendar or a sticky note or program my handheld to remind me, it works because I had already encoded the engram, already noted what ought to be remembered. That I do so by proxy makes it no less the case that I did so.

However, while we would not consider parents using proxies to be caregivers to their children rank abandonment, we might find it less praiseworthy than if the parents themselves provide the care. Recall that Nomy Arpaly indicates that intensity of moral concern, motivation, and cognition are important in determining praiseworthiness for a morally desirable action: the more moral concern or motivation is required for a given agent to act, the more moral worth that action has. This is why we doubly admire the dyslexic student who comes to class with a good grasp of the reading by comparison with other more neurotypical students. Perhaps this distinction in the degree of moral worth is what Christopher Zurn detected, and an apparent failure of moral concern and motivation, rather than a simple failure to fulfill the obligation. If that were the case, then I agree with him: while using memory proxies is not a failure to fulfill the obligation, it does bear less moral worth than doing so without a proxy. This assumes that the rememberer is neurotypical and could manipulate their own memory with sufficient moral concern and motivation. For a person in the early stages of Alzheimer's, resorting to a proxy to remember a birthday is the best they can do even with intense moral concern and motivation and so they are no less praiseworthy than the neurotypical person who commits their personal memory to the task.

Now let us return to Angela Smith's failure to remember her friend's birthday. When she belatedly realizes that she had failed to recall the birthday, she was not completely shocked that (a) she had a friend, (b) she has a birthday, (c) it is about now. What she had failed to do was to retrieve that memory, a common feature of what Squire and Kandel called "ordinary forgetting.' And so, what she should be held blameworthy for is violating Rule #2, not Rule #1. Satisfying rule #2 shows that it is acceptable and perhaps even necessary to use external memory storage; failing to do so when your neurology will not support adequate encoding, storage, and retrieval is, in fact, failure to be responsive to right-making reasons. If, as I am learning the birthday of a dear friend to whom it matters, I consciously decide not to bother interconnecting memory engrams or otherwise establishing some external way of reminding myself, I am not responding to moral reasons. I am thus blameworthy for my eventual failure to retrieve the memory in a timely manner.

What of those persons who cannot encode memories of this sort, such as H.M. with his inability to form new declarative memories? Are they to be blamed? Recall our brief discussion of a person in the early stages of Alzheimer's who uses a memory proxy to fulfill rules #1 and #2, and is no less praiseworthy than a neurotypical person who does the same with their own personal memory. The extreme end of such cases includes H.M. and others both real and fictional, such as the main character in *Memento*, with anteretrograde amnesia. In the film *Memento*, Leonard is attempting to track the murder of his wife. To do so, he tattoos clues on his body and leaves himself notes summarizing the narrative of his search. He is doing his best to "remember" what matters, but his entire "memory" is wholly off-line; instead of turfing prompts for retrieval of memory to

a calendar or handheld device, he has to turf encoding, storage, and retrieval. He will not even remember to look at his stored data (which itself depends on what he decided was important enough to permanently record), so he tattoos most of it onto himself so that accessing the storage medium is unavoidable. Fortunately for Leonard, he had encountered an anteretrograde amnesia patient in his prior work as an insurance agent and was familiar with the condition (recall that anteretrograde amnesiacs can remember declarative memories and skills from before the onset of their condition but cannot encode/store/retrieve new ones), so he knows that he has it and is able to take measures to prevent the condition from interfering with what he judges to be the most important memory engrams. Given his deficits, he is doing his very best to respond to moral reasons like seeking his wife's true killer. He is thus praiseworthy in other respects despite his failure to make his brain cooperate with his responsiveness to right-making reasons.

But there is at least one respect in which Leonard fails terrifically, and morally, with respect to his attempts to compensate for his brain injury. During the course of the film, it becomes apparent that one of his tattoos is a deliberate lie he stored permanently on his body in order to motivate him, later, to hunt down and revenge himself upon someone who—though not entirely innocent—was not guilty of the crime alleged in the tattoo. If a person with a normal, functioning memory had deliberately set out to reconstruct a memory in this way, he would be committing a highly morally undesirable act. Why? Not only because it is inaccurate, but because it is a deliberate manipulation of memory *the aim of which is to justify an otherwise wrong action.* This is a harm far beyond allowing oneself to forget what ought to be remembered; it is remembering in a

deliberately wrong-making way, and then relying on ordinary forgetting to have the morally undesirable memory come to be seen as truth. That what he remembers is deliberately falsified makes it a false memory engram, but no less a memory, just as an eyewitness whose memory of a criminal's appearance has altered over time with the intervening viewing of crime dramas has a false memory but a memory, nonetheless. The salient moral difference is that, unlike the eyewitness, Leonard is acting with ill will by responding to the very features of the situation that make it wrong.

This leads us to a third generalized rule of moral worth for memory behaviors:

Rule #3: We ought not to deliberately construct memories or store memory

proxies so as to do harm to others.

Because the deliberate falsification of his memory proxy violates this rule, Leonard ought not be held up as any sort of paragon of praiseworthiness. But as an example of someone who deterministically lacks the capacity to encode, store, and retrieve new memories and yet works in other instances to remember what generally ought to be remembered, Leonard works. He also works as an example of someone who works to remember what should not be remembered, and as someone who fails to remember what he should.

H.M., on the other hand, is not documented as taking such drastic measures to remember what is important to those he meets after the surgically-induced onset of his anteretrograde amnesia. To do so would require laborious note-taking, and remembering that he took notes, or placing the notes somewhere he could not miss them as did the fictional Leonard. Is H.M., then, blameworthy for failing to respond to moral reasons? H.M. is widely documented as knowing he has memory problems, but unlike the fictional Leonard, he has not oh-so-conveniently encountered a person with this problem in his life

before the onset of his condition. It may thus be impossible for him to learn how to respond to moral reasons pertaining to memory. As such, he would not be responsible for his failure to do so. He would, however, remain responsible for failing to respond to moral reasons regarding non-memory issues such as acts of violence or other harms.

Thus, we have given some significant consideration to moral desirability and responsibility already, resulting in three generalized rules:

- Rule #1: We ought to encode events and occasions which matter to others who can be harmed by our forgetting

- Rule #2: We ought to recall them in time decide whether and how to act

- Rule #3: We ought not to deliberately construct memories or store memory proxies so as to do harm to others.

As rules #1 and #2 can be fulfilled in part by using off-line memory storage where possible, those who are capable of responding to moral reasons should use off-line memory storage when it is necessary or helpful to satisfying these rules. But these rules that govern determinations of moral worth, and thus blameworthiness for failing to fulfill them, are defeasible in cases such as H.M.'s where both of these conditions obtain: first, the moral agent lacks the neurological capacity to fulfill the rules *and* second, the moral agent lacks the capacity to realistically utilize off-line adjuncts to memory to fulfill the rules. This latter condition obtains when the agent is unable to use symbolic technologies or when the agent is unable to know that he has a neurological deficit that would require him to do so. In all cases—whether using "on-line" neurological storage or off-line memory proxies—we should hold ourselves to rule numbers 1, 2 and 3 except where a convincing case for defeasibility can be made.

Let us now consider a case where it is not what is forgotten that is the problem, but what is remembered.

Case 2: The remembered grudge

Karl and his sister, Katie, love each other. However, their relationship is backgrounded in the fact that Karl is the biological child of their parents and Katie was adopted. Katie has always struggled to live up to Karl's academic example and, because she never seemed to quite be able to match him, she has given up on school altogether. What's more, when Karl and Katie, now adults, get together, Karl begins to recount some of his fondest memories of their shared youth, including roller-skating together along the sidewalk at the beach in the summers, a fond recollection frozen in his memory and on paper by an image of the two of them in their swimming suits, hugging each other while precariously balanced on matching sneaker-skates. Katie gets a strange look on her face and says that she doesn't remember that. Karl pulls out his PDA and shows her the digital copy of the picture that he has uploaded to it. Katie says that she often doesn't remember these good things about their past, but has vivid recollections of the sense of failure she felt whenever she thinks about school or Karl. Indeed, to this day she holds a grudge for the time that Karl got her in so much trouble by tattling on her that she was left out of the family vacation and stayed with grandparents while Karl and their parents went to Europe for a few weeks. She can't remember what she got in trouble for. But Karl reminds her that she had gotten so

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mad at him over a comment he'd made that she punched a hole in his door and smashed his bike. Several weeks after this conversation, Katie is vaguely unsettled by her realization that she doesn't remember the good things about their past; in contrast, Karl is deeply upset not only about this, but that she doesn't remember the bad aspects of her own actions and holds a grudge against him for something he judges to be far less significant than her own actions.

This case is complicated by the way that attributions of moral responsibility for non-memory-related actions depend on memories of those actions. However, I do not consider this to make the obligations of memory that result merely derivative of the need to properly blame or praise. Rather, the memory behaviors of holding grudges and forgetting meritorious actions, especially in combination, are harmful in and of themselves. This is not so much because they are disrespectful of the subject of the memory—though lack of respect is, as a rule, a position that makes harmful actions more palatable to moral agents— or because in certain restricted circumstances grudges and forgetting meritorious actions are harmful, but because the nature of these memory behaviors is that they tend to do harm. The autobiographical narrative that holding grudges and forgetting meritorious actions create is distorted in a way that is most clearly not beneficial, either to Katie or to Karl or to their family members. Katie is harmed by an unrealistic perception of herself that paints her life as more miserable than it has been at other people's hands, and which prohibits her from acknowledging her own faults and altering her actions. Karl is harmed by Katie's unbalanced blaming of him for tattling on her, a lack of balance that results in part from Katie failing to recall what it was that he

tattled about, which was clearly a wrongdoing severe enough to merit being left out of a family vacation. Furthermore, their family members are harmed by Katie's autobiographical narrative of mistreatment, one which shapes her perceptions of their actions now and shapes her own actions.

But does the case of Karl and Katie adequately reflect the general harms of holding grudges and forgetting personal responsibility such that we can derive from it generalizable rules? It might seem that their interaction is highly specific to events in their lives. However, consider the act of holding a grudge. Psychologists have argued that holding grudges is characterized by "rehearsing the hurt" and by a failure to empathize "with the human condition of the offender." (Witvliet, Ludwig, and Vander Laan, 117). It is the rehearsal of the hurt that enables the lack of empathy, that makes grudge-holding a memory behavior, and that leads to harm for the grudge-holder and for the one against whom the grudge is held. This is particularly ethically problematic where the way in which the moral agent rehearses the hurt deliberately or habitually leaves out evidence that might lead to empathy with the offender or even acknowledgement that no significant offense was rendered, as when Katie's rehearsal of Karl's tattling leaves out the fact that there was an egregious harm about which he tattled. In such cases, holding grudges does harm. Thus, we can create a generalized rule:

- Rule #4: We ought not to rehearse past hurts in ways that leads us to hold grudges.

It may seem that the opposite of holding a grudge is forgiveness, and that this entails forgetting a remembered wrong. This view of the relationship between forgiveness and forgetting is sometimes taken up by Margalit and by Volf, as we saw earlier. Thus,

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Rule #4 raises a potential problem, as there may be cases when we ought not hold a grudge but also ought not to "forgive and forget." However, if holding a grudge is indeed rehearsing a hurt with a lack of empathy for the offender, giving up both of these is not the same as forgiveness, nor is it the same as forgetting.

First, let us consider the distinction between giving up a grudge and forgiveness. Consider Claudia Card's paradigm of forgiveness which requires the clear presence of all five of the following characteristics: "(1) renunciation of hostility out of (2) a compassionate concern for the offender; (3) acceptance of the offender's apology and contrition; (4) remission of punishment, if the forgiver has control there, and (5) offer to renew relationship or accept the other as a (possible) friend." (2004, 211) As Card goes on to say, it is an open question whether such an act is good or even right. In Card's work, forgiveness for atrocities is an example of a forgiveness which may be wrong, as would forgiveness of abusers by survivors of domestic battery (ibid.) Note that letting go of a grudge, as plausibly defined above, obviously entails only one of her five characteristics, "(2) a compassionate concern for the offender," though Card indicates that "(1) renunciation of hostility" is logically tied to (2). Letting go of a grudge thus lacks three of the five plausible criteria that Card suggests for forgiveness. We can give up a grudge without having to forgive, so the existence of cases where we ought not to forgive—such as the holocaust or domestic battery—does not defease our generalizable rule of not holding a grudge.

Now let us consider the distinction between giving up a grudge and forgetting. The rehearsal of harm involved in grudge formation and grudge holding is a particular way of remembering, a deliberate taking out and handling of memory which reconstructs

and reinforces it. It is thus a form of remembering. However, that this form of remembering is wrong does not require that not-remembering is the same as forgetting. Rather, it involves remembering in a particular way and involves the ontological category of memory distinct from both remembering and forgetting which I introduced in Chapter 2: non-encoding. What goes into the memory depends on what is encoded, and taking a memory out and rehearsing the hurt affects what is encoded as the memory is constructed and then stored again. By contrast with forgetting ("I used to know but I've forgotten"), non-encoding is about how we see things. As Schudson noted, "a way of seeing is a way of not-seeing." (348) Rehearsing the hurt means we only see the hurt, and is composed of both remembering—we recall the memory of the hurt—and non-encoding—we rehearse only the hurt, nothing else around the hurt that might lead us to have empathy for the offender. Giving this up does not entail forgetting, as we can still recall the hurt. However, we treat it in a different way: we do not rehearse it again and again, allowing it to selectively reinforce our lack of empathy for the offender. But neither do we fail to store or recall it. Thus, we do not forget it. We simply recall and encode differently when we get rid of a grudge or refuse to form one, than when we hold a grudge. This is a very important distinction as there may be instances where it is critical for the survival of a victim of abuse or atrocity not only that he or she not rehearse a hurt, but also that he or she continues to remember the hurt. This can be protective, as when a domestic abuse victim's abuser begs her to return to him and promises to do better. In such a case, remembering the hurt can help to prevent future harm but is not the same as holding a grudge. Though the abuser may try to accuse her of holding a grudge, she is not so long as she does not rehearse it again and again to sustain a lack of empathy. So we see that

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Rule #4—though it may be defeasible by situations I have yet to consider—is not defeasible by situations under which it may be necessary to both remember past hurts and not to forgive them, since giving up or not forming a grudge is entirely distinct from both forgetting and forgiving.

Precisely because giving up a grudge and not holding one in the first place are governed by Rule #4, and forgetting is distinct from giving up a grudge, we must separately address the wrong done when Katie forgot the happiness she and Karl had shared when younger. This distortion of memory can be explained in part by fading affect bias, described in Chapter 2, which is the phenomenon which occurs when autobiographical memories associated with negative affect are more strongly encoded and stored than those with positive affect, and thus easier to recall in detail. This is morally undesirable not because it is false (though it is) but again because it does harm, and not only to Karl. As the rememberer, Katie is harmed by the fact that this way of constructing and recalling her autobiography creates a perception that she is both less loved than she is and has experienced less joy than she has. Karl and other family members (probably even acquaintances and co-workers of Katie) are also harmed by her preferential remembering of negative experiences as it shapes her poor behavior toward them. Thus, such pronounced bias in memory is undesirable.

So given that such biased remembering as evidenced by Katie (storage and recall of the bad and not the good) is morally undesirable, can she be held morally responsible for it? Can she respond to the moral reasons involved in such bias and remember rightly rather than for ill? Yes. For while fading affect bias is a real phenomenon dictated in part by our neurology, it is like many other common failures of memory: if one is not a

neurological outlier such as H.M. or Jill Price (A.J.) and one is aware of a particular vulnerability to it, decisions at the time of encoding and in iterative recall and reconstruction can help to override the tendency toward such failures of memory. Knowing that one is particularly vulnerable to this kind of memory bias, it becomes possible to work harder to pay attention to salient factors and to see events in particular ways, to attempt to use proxies (such as a journal or photographs) or repetitive recall and rehearsal of positive events to better store memory engrams that one *ought* to encode. After Karl and Katie's conversation about these events, Katie is aware of this and is at least somewhat troubled by it. Without knowing how to respond to moral reasons, here, she may have trouble doing so. But she can do so, and is thus morally praiseworthy if she works in the future to recall both good and bad actions with her sibling and others, and morally blameworthy if she continues to allow her predisposition to fading affect bias to harm her and to harm Karl. Thus, we arrive at a fifth generalized rule for memory behaviors:

- Rule #5: We ought to avoid negative bias in memory that harms us and those around us by deliberately encoding, recalling, and rehearsing positive events or aspects of our lives and those with whom we interact, in order to construct less harmful memories.

Such a rule may also serve to undermine partisan bias in which members of a political persuasion forget the wrongs done by their own cohort but remember the wrongs done by others, forget the rights done by others and remember only the rights done by their own cohort. In all, it should result in remembering rightly rather than for ill.

Let us turn now to a very real and very public case of failure to remember rightly.

Case 3: Scooter Libby and the forgotten betrayal

I. Lewis "Scooter" Libby was once chief of staff to Vice President Dick Cheney. On March 6, 2007, Libby was convicted of lying and obstructing justice during a leak investigation. The leak: that Ambassador Joe Wilson's wife, Valerie Plame, was a covert CIA operative. The alleged lie: that he did not know this and could not have revealed it to reporters. Firm evidence was found that Libby did in fact know and leaked the information to several reporters. The jury counted nine times on which he had been told of Plame's covert status, including by Cheney, himself (MSNBC.com). Libby's defense: that he had forgotten (a) that he had known, and (b) who he had told (VandeHei, A14). The person who replaced him as chief of staff to Cheney testified that Libby had a terrible memory (O'Reilly).

The case of Scooter Libby raises a number of issues related to the ethics of memory, most prominently among them whether he should have remembered that he knew Plame's covert status and that he had told others about it. In this sense, it is not unlike Katie's failure to store and recall her own wrongdoing and her happy times with Karl. A relevant complicating factor with respect to moral responsibility is that, if it was morally desirable to remember these facts, then we must ask whether Libby was able to respond to moral reasons. If indeed he had a terrible memory, for which he was apparently notorious, then perhaps he was unable to respond to moral reasons in much the same sense that H.M., with his inability to form new declarative memories, is unable

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to respond to moral reasons. In that event, his forgetting might have been morally undesirable but not morally blameworthy.

Let us begin by assessing the moral desirability of Libby recalling both Plame's covert status and that he had disclosed this. Within the intelligence community, it is generally accepted that covert status should not be disclosed as it puts individual covert operatives and entire operations at risk. On the basis of avoiding harm, this makes revealing her status morally undesirable. But this does not yet address the matter of whether he ought to have remembered performing this morally undesirable action. Unlike Katie whose forgetting of her own wrongs done was problematic in part because it caused her to disproportionately blame her brother Karl for past events, Libby's forgetting is not connected to fairness. Perhaps in general, forgetting a wrong done is akin to forgetting what you had for breakfast three years ago on a Saturday morning, or even to remembering it: it is not morally desirable to remember, so forgetting is not morally blameworthy and remembering is not morally praiseworthy. Or at least, forgetting our own past bad actions is only derivatively morally undesirable insofar as it contributes to our inability to improve our behavior in the future.

While you might have such an intuition, as I did when first I began thinking about Libby, I contend that remembering our past bad actions is something which is not derivatively but inherently morally desirable. To forget past bad actions altogether—especially our own—is morally undesirable in the extreme especially where that leads us to recapitulate them, but also because it makes us unable to mitigate the consequences of those actions. This latter point is perhaps most telling with respect to the harm criterion. It is rare that we can do nothing to mitigate the consequences of our past bad actions,

though sometimes we can do only a little. Even a murderer who cannot undo the fact of his victim's death may mitigate the harm by revealing some facts to his victim's family that could relieve their suffering to some degree. By first forgetting that Plame's covert status was still active, and then forgetting that and to whom he had revealed it, Libby did far greater harm than if he had remembered both her active status *and* that and to whom he had revealed it. Indeed, Libby's continued public and written denials (Libby) that he neither knew of Plame's status nor told anyone of it complicated the trial of reporter Judith Miller for contempt of court, a charge levied because of her refusal to testify about the content of her meeting with Libby. That forgetting our own wrongs causes harm to others and prevents us from mitigating harm already done is for not only Libby but nearlyeveryone who forgets the wrongs they have done. As such, forgetting wrongs is morally undesirable and we ought especially to remember our own wrongs. This leads us to a sixth generalizable rule.

- Rule #6: We ought to remember our own past wrong actions in order to avoid causing further harm

But we are not yet finished with Libby, for we must consider also moral responsibility. Let us suppose that Libby's memory defense was real and not a facetious legal defense to avoid liability. This seems plausible. After all, Libby's expert witnesses for the memory evidence portion of his trial were to be Richard Bjork and Elizabeth Loftus, both noted memory researchers. They would have testified for the defense had Special Counsel Patrick Fitzgerald not argued persuasively for the exclusion of their testimony. Indeed, you may recall the phenomena of source-monitoring errors and of screen memories, one of which leads to pervasively forgetting where you got your

information (e.g., who you spoke with or where you read/heard it) and the other of which leads to replacing/displacing some memories with others by virtue of constructing an alternate version of events. When complicated by a potential tendency for increased ordinary forgetting, Libby may well have found himself less able than some to respond to moral reasons about any memory behavior. Let us charitably assume this is the case. As I will show, even this does not require that we absolve Libby of moral responsibility.

Assuming Libby is less able than some to respond to moral reasons about any memory behavior leads us to two ways he might nonetheless be responsive to moral reasons. One, Libby should not place himself nor allow others to place him in situations where his predisposition for a terrible memory might lead him to make serious errors or even to compound them by forgetting his own wrong-doing. This would mitigate or avoid harm by comparison with the alternative. It is for just such a reason that physicians in the early stages of Alzheimer's would be likely to withdraw from practice before their memory problems began to do harm to their patients. Two, if he allows himself to be in such situations, he must compensate for his flaws. Recall that the use of proxies is not only permissible in achieving morally desirable memory behaviors, but in fact we ought to do so if that is what is required, and that the availability and adequacy of such proxies makes failure to respond to moral reasons for memory behaviors deeply problematic. Libby's memory problems are nothing like the scale of H.M.'s anteretrograde amnesia, a scale which makes the use of memory proxies inadequate to responding to moral reasons and even makes him unable to consistently remember that he needs such proxies. If he engages in an action he knows to be wrong (as he should have done in disclosing Plame's covert status), he ought to take means to record it. Now, this has a serious legal

disadvantage in that such a record will provide means for prosecution if his wrong is not only immoral but illegal. However, that should not override the moral concern with remembering past wrongs in order to mitigate harm. Thus, we can generate a seventh generalizable rule not so much about remembering past wrongs—Rule #6—but about how we ought to handle ourselves if we know we have memory failures:

- Rule #7: If you know yourself to have memory failures which give you serious difficulty with engaging in morally desirable memory behaviors, you ought to either avoid putting yourself in situations where this will do harm or take proxy measures to compensate for your memory failures.

In addition to helping us understand how Scooter Libby can be held morally responsible for violating rule #6 and why his actions are particularly lacking moral worth despite his memory deficits, rule #7 also helps us to understand another way in which Katie from Case #2 could have done better at remembering rightly and not for ill. What's more, it helps us to pinpoint the moral basis of much of the criticism of Ronald Reagan and his staff that arose after reporter Lesley Stahl claimed that Regan was showing some serious symptoms of senility including forgetfulness, perhaps the early stages of what was later diagnosed as Alzheimer's, while in office (Rouse). *If* this is true—and it may not be given that his physician at the time insists he did not have symptoms of Alzheimer's—we might not hold him blameworthy for failing to remember the Iran-Contra deal (assuming he was telling the truth when he said under oath that he had no knowledge of it), but still find him and his staff blameworthy for keeping him in office as it became increasingly difficult for him and those around him to compensate for his memory failures in ways

that compromised his ability to make decisions and arguably led to or could have led to great harm.

Let us turn now to a case that illustrates not so much moral desirability as moral responsibility.

Case 4: Jill Price AKA A.J.

Jill Price actually exists, and has been known for some years in the psychology by the case acronym "A.J." During her early teen years, Jill Price began to remember everything which happened to her: the weather, her meals, what she wore, what peers said to her, and so forth. Now an adult woman, she recalls all this and more effortlessly. She recalls also the day she got married, how her husband helped her to cope with being able to remember everything and gave her many good things to remember. And she remembers his death after only a few years of marriage. She cannot forget by an act of will and, since beginning to remember in this way, has forgotten nothing of which she is aware (Talk of the Nation). For her, remembering is "nonstop, uncontrollable, and automatic" (Parker et al.).

In the case of Jill Price, we have a person who cannot be held morally responsible for her memory behaviors by the classic choice-based conceptions of moral responsibility. After all, some feature of her brain makes her one of a very exclusive category of persons described in the neuropsychology literature as "hyperthymetic" with nearly perfect recall of stored memory engrams. The normal advantages of ordinary forgetting are not open to her, and he normal dulling or even reconstruction of memory

also seem to not be open to her. For Jill, the pain of her husband's death is as fresh to her as the day he died. She cannot significantly reconstruct memories as the original engram seems to be "hard-wired." As described by those who study her and other hyperthymetics, her remembering is simply uncontrollable.

And therein lies the rub, for it is not only classic choice-based conceptions of moral responsibility that could have difficulty with Jill Price. Even Arpaly's reasons-responsiveness may face difficulty, for it may seem at first glance that Jill is no more able to respond to moral reasons in a given memory situation than is H.M. She has both perfect encoding and perfect recall, and can *only* have perfect encoding and perfect recall. But this does not mean she cannot be responsive to moral reasons at all. Indeed, when her involuntary remembering aligns with right-making reasons and she wishes to respond to those reasons, she is reasons-responsive. Does she then deserve praise? And if so, how much?

Consider this comparison. Imagine a woman named Sally, of normal memory capability, who is faced with the morally desirably behavior of remembering her mother's birthday. For her, this takes some small amount of effort and attention, perhaps even recourse to proxy. Now imagine that Jill Price must do this same morally desirably memory behavior. I stipulate that both Sally and Jill know that this is morally desirable, and are responding to the right-making reasons when they set out to remember their mothers' birthdays. However, for Jill, this is easy, we might even say all too easy. Not so for Sally. I believe most people would have the moral intuition that Sally is thus more praiseworthy for remembering her mother's birthday than Jill is for remembering her

mother's birthday despite that facts that both acts are morally desirable to the same extent.

The salient difference between Sally and Jill Price is the amount of effort it takes Sally and Jill Price to perform the same morally desirable behavioar, which means that we need a way to account for effort in judgments of moral worth. You may recall the concern clause of Arpaly's Praiseworthiness as Responsiveness to Moral Reasons. According to Arpaly, there are three features associated with this: motivation, emotional makeup, and cognition (2003, 85-6). I wish to focus on motivation, for according to Arpaly, intense concern is so motivating that an intensely morally concerned person "would act benevolently even if severe depression came upon her and made it hard for her to pay attention to others." (ibid., 87) Similarly, because Sally faces a greater hurdle than Jill Price in her attempt to remember proposition X, she is more likely to have a greater motivation (though not certain to do so). I suggest that it is this element of the concern clause which accounts for the moral intuition that Sally is more praiseworthy than Jill Price even though the moral desirability of their actions is identical. Jill is still praiseworthy if she is doing it for the right reasons rather than simply because she cannot help it. After all, intention matters. But she remains less praiseworthy than Sally.

A different problem entirely arises when we consider what would happen if Jill Price ought to forget something or to reconstruct a memory, both capacities she appears to lack; once a memory engram is constructed, it is apparently perfectly recalled. In such cases, she may well be attempting to respond to moral reasons, even wish to do so but cannot in much the same way that person with Tourette's who knows she ought not to say certain words or twitch in certain circumstances nonetheless cannot respond to those

reasons. However, Jill's failure to respond to moral reasons in such a case *is not due to lack of motivation, insufficient concern, or inadequate cognition.* While Sally can use proxies to overcome her brain's tendency to forget, Jill cannot overcome her tendency to remember. And while Sally is like the intensely morally concerned person in Arpaly's example who would act benevolently even if severe depression sapped her of her usual motivation and hauls herself out of bed to do good anyway, Jill is more like a person who cannot get out of bed to do good because she is quadriplegic. However, should Jill lack any motivation or concern whatsoever for responding to the right-making reasons, we would still find her blameworthy.

Thus, we are left with the intriguing conclusion that Jill can be held morally praiseworthy for morally desirable acts of remembering, though never to a great extent, and can be held morally blameworthy for morally undesirable acts of remembering only when she was not motivated or did not care to do the right thing. *That* Jill and other hyperthymetics engage in morally desirable memory behaviors or morally undesirable memory behaviors can not be taken as any indication of moral worth anymore than H.M.'s constant display of undesirable memory behaviors.

So far, our discussion of Jill Price has not generated any new generalizable rules, though it has contributed significantly to our understanding what is required for reasons-responsiveness with memory. But Jill does have something to teach us about initial encoding and salience judgments. It is here where her agency is least impeded by her hyperthemesis. While she flawlessly—and involuntarily—recalls what she has encoded and seems unable to revise it, the formation if the initial memory engram may well be something she can affect. For instance, Jill Price is on record as having said that she only

remembers what she cares about: only if she were interested in baseball would she remember the World Series results. While her motivation, concern, and cognition have little bearing on her remembering or forgetting, they may have bearing on the ontologically distinct category of non-encoding. What Jill Price is concerned about and thinks about can change what she pays attention to. And that will affect the memory engrams she encodes and then perfectly stores and recalls at a later date. For non-encoding and encoding, then, Jill's hyperthemesis makes her little different from the average person with respect to reasons-responsiveness except perhaps that she is under more obligation to get it right the first time since reconstruction of memory is less of an option for her. We have already seen several rules on what ought to be encoded and stored. Jill's case is sufficiently idosyncratic that it does not allow us to derive new rules, but it does reinforce the profound importance of what people attend to—"a way of seeing is a way of not seeing"—with respect to encoding.

We have seen seven generalizable rules for individual memory so far, some with known defeasibility conditions and others for which contenders for defeasibility conditions have been ruled out and others not yet identified. All are potentially defeasible by their very nature, and many can be fulfilled as much by proxy mechanisms as by utilizing deliberate cognitive interventions in an agent's own brain's capacity for memory:

- Rule #1: We ought to encode events and occasions which matter to others who can be harmed by our forgetting
- Rule #2: We ought to recall them in time decide whether and how to act

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- Rule #3: We ought not to deliberately construct memories or store memory proxies so as to do harm to others.

- Rule #4: We ought not to rehearse past hurts in ways that leads us to hold grudges.

- Rule #5: We ought to avoid negative bias in memory that harms us and those around us by deliberately encoding, recalling, and rehearsing positive events or aspects of our lives and those with whom we interact, in order to construct less harmful memories.

- Rule #6: We ought to remember our own past wrong actions in order to avoid causing further harm

- Rule #7: If you know yourself to have memory failures which give you serious difficulty with engaging in morally desirable memory behaviors, you ought to either avoid putting yourself in situations where this will do harm or take proxy measures to compensate for your memory failures.

Having explored the moral worth of individual memory behaviors in some depth, let us now turn to collective memory behaviors.

4.3. Moral Blameworthiness and Praiseworthiness for Collective Memory

A quick survey of the moral significance of collective memory is, I think, in order before we proceed further to analyze our individual cases, for when last we discussed collective memory in depth it was primarily descriptive in Chapter 2, the Nature of Memory.

There are many ways to approach the ethics of collective memory, though we would do well to remember that in discussing the construction of collective memories of the American Civil War, Barry Schwartz has acknowledged that even more than half a century after Maurice Halbwachs' ground-breaking work on collective memory, "we do not fully understand the mechanisms which determine and sustain mnemonic consensus." (374) However, there is intense moral significance to collective memories, especially origin stories for nations or people which, as Marcia Eliade puts it, incarnate the golden age, the "perfection of beginnings," and give ruse to the notion that "it is the first manifestation of a thing that is significant and valid." (in Schwartz, 375) Such stories can be used to justify many collective or individual actions as morally desirable or undesirable. Above and beyond such origin stories, deliberate commemoration through monuments, parades, or ceremonies is, per Schwartz, precisely an indication that we are not morally indifferent to those events (377).

Of course, whether what we think is morally important is distinct from what is in fact morally important. But it is nonetheless the case that through such commemorations and other loci of collective memory (see Chapter 2), we determine "what is to be remembered of things past, and which of past beginnings, endings, and continuities are marked with significance." (Warner in Schwartz, 395) Thus, the ways in which we construct collective memories and how we decide what to collectively remember must have moral worth. For instance, Clapton argues that we must remember what has been done to those who have been excluded from society in order to "re-member" them, to make them once again part of society. This would constitute a collective memory reason for recalling our own past bad actions—these being collective rather than individual

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wrongs—in order best to mitigate harms. These observations give rise, I think to our first

generalizable rule for collective memory:

- Rule #8: Because collective memories so clearly mark out what a society

  considers significant, collective decisions about what to memorialize, and

  how, must be undertaken with attention to mitigating old harms and

  avoiding new ones.

The role of individuals in constructing and maintaining collective memories is, of course,

a major issue as our approach to responsibility for collective memory turns largely on the

moral agency of individuals. Acknowledging this, the French philosopher Eamonn

Callan argues that ethical construction of *la memoire publique* requires inclusion not only

to re-member those who had been excluded but because public, or collective, memory

should be governed by democratic ideals. I go further, and argue that without deliberate

participation by an inclusive body of individuals in the construction of collective

memory, the likelihood that one or more groups will dominate the determinations of

significance is increased. Where individuals or groups cannot participate, some other

individual must attempt to represent their interests. Without anyone to inclusively

represent the interests of those affected by the construction of collective memory, we risk

great harm.

For instance, in constructing American collective memory of World War II, we

see that Americans remember the spectacular bombings of Hiroshima and Nagasaki.

However, we have largely forgotten the firebombings of German cities in World War II

which killed approximately 25,000 civilians in Dresden, alone, over a three day period.

All told, more German civilians were killed in the firebombings than were Japanese

civilians in the bombings of Hiroshima and Nagasaki. By selectively constructing our memories of our actions in the war, we leave out significant transgressions. Indeed, Stalin's Soviet Union deliberately attempted not only to leave individuals and groups out of the construction of collective memories, but tried to erase persons from the collective memory, and from individual memory by discouraging recollection and discussion (Dunn). This raises the possibility of what J.R. Dunn calls "selective mass amnesia", clearly, for our purposes, a facet of collective memory and one which fails to respond to moral reasons such as avoiding harm. These concerns give rise to another generalizable rule of collective memory:

- Rule #9: When undertaking to construct collective memory we should strive to include individuals who could be harmed by inadequate memorialization or who should rightfully be considered part of the collective in both the construction of the collective memory and its content, and should take care that our construction does not perpetrate selective mass amnesia.

We see an impoverished version of this rule in action when proposals for monuments and memorials in the United States are submitted to public review, and a public comment period allows those who make the final decision to consider the complaints of those who are aware of both the proposal and the public comment period. This is indeed morally desirable. However, it is impoverished because there is no deliberate attempt to seek out the viewpoints of those who should be included. For instance, the recently commissioned Martin Luther King, Jr. monument intended to stand on the Capitol Mall in Washington, D.C., was run through a poorly publicized initial public comment period with minimal

attempt to seek input from those who lived through the civil rights era or from black citizens. It was then commissioned and announced. Public objections to the statue included that it was to be carved by a Chinese national rather than an African-American sculptor, and that the design (which depicted a stoic MLK emerging from a rough-hewn rockface) was aggressive and reminiscent of communist propaganda statues, thus being out of line with King's pacifist and democratic views. Doing a better job of inclusion in the process of constructing this locus of collective memory might have accounted for those concerns and produced a monument that would embody a less harmful collective memory; once installed, monuments are hard to undo and the decisions of past generations on how to memorialize events can only be erased by destroying the monument or altering it substantially. This is no less the case of documents such as the American 9/11 report, or tribunals such as South Africa's Truth and Reconciliation Commission.

There is a further fact worth exploring about rule #9 and its inclusiveness criterion for remembering rightly as a collective. This rule seems to have a necessary corollary requiring specific individual action, namely that someone from groups that may be harmed by inadequate memorialization has a duty to step up in order to prevent selective mass amnesia. Without this, their testimony and witnessing, their contribution to collective memory is absent.

- Rule #10: Individuals, whether perpetrators or victims in an atrocity or simply participants in history, ought to participate in the construction of collective memory.

I do not wish to go so far as Elie Wiesel, who you may recall concluded that "a witness who does not give his or her testimony may be considered a false witness" (158). That interpretation of Rule #10 would be indefeasible under any circumstances. In fact, this rule requires care in implementation for, unlike Wiesel, I believe it is defeasible under a key condition. Where victims of atrocity are required to encounter their abusers or their neighbors in settings such as Argentina's *Nunca Mas* tribunals and South Africa's Truth and Reconciliation Commission, there is a very real risk of harm to the victim that will compound the harm already done. Many believe that speaking out is a liberating and empowering act for victims. And it can be. But it won't necessarily be so. As Michael Humphrey points out, such testimony reveals all the victim's wounds, and how they were incurred, to those who listen. Such testimony "reveals the truth about individual experience of violence but it also ritually repositions the speaker as victim." (Humphrey, 107) What's more, the victim is being used as a sort of sacrificial category in order to constitute a new kind of social relation (ibid.) through an attempt to responsibly construct collective memory. Where the harm to the victim is great, and especially where the victim is not willing to take it on, rule #10 is defeasible lest attempts to mitigate harm instead produce it. It is possible to ask too much with respect to participation in collective memory construction, but where too much is not asked, not only must society ask but individuals must answer. The alternative is to construct collective memory not rightly, but for ill.

Having set the stage for consideration of our specific collective memory cases introduced in Chapter 1 with a general consideration of moral worth with respect to collective memory, let us turn now to the example of the Bosnian feud.

Case 5: The Bosnian feud

The central memory of Serb identity is the lost Battle of Kosovo in 1389 during struggles with the Ottoman Empire. For Serbs, this came to symbolize their belief in "a permanent Muslim intention to dominate them" (Novick 27) In the early 1990's, the Bosnian war and reports of ethnic cleansing had brought a response from the U.N. Peacekeepers were sent to monitor the situation and set up "safe areas" including one at Srebenica. On July 6, 1995, Bosnian Serb forces began attacking Srebenica. By July 10, the Serbs were ready to take the town and demanded that U.N. peacekeepers there surrender their weapons and equipment or face shelling. The presence of the peacekeepers was all that stood between the Serb forces and what is estimated to have been approximately 40,000 Muslim men, women, and children. The peacekeepers surrendered and the Serb forces, under General Ratko Mladic, began rounding up civilians. Several days later, more than 7,000 Muslim men were mass murdered by Bosnian Serbs in a soccer stadium in Srebenica (Power xiii-xiv). This took place in a context of far-reaching collective memories which justify future actions such as the Serbian offensive and the reaction to the disappearance of two boys discussed in section 1.1.

This case is extraordinarily complex, populated as it is by distinct groups that have had separate collective memories for over 600 years, and compounded by both ancient and recent additions to collective memory where similar events are constructed

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differently (this will be a problem for our next case, as well). We might productively see the collective memory of the Ottoman Empire's assault on the Serbian people as a major component of the Serbian origin story that provides a cohesive justification for continued conflict with their Albanian Muslim neighbors. One of the great and continuing difficulties with this ongoing conflict is that Serbs and Albanian are both members of the same collective, living in roughly the same geographic region despite clustering as a result of the conflict in the early 1990's. And yet they manage to maintain distinct collective memories, constructed and reconstructed over time to maintain a sense of separation from each other.

Indeed, we might see such views as the collective equivalent of grudge-holding. In this case, each party "rehearses the hurt" in the stories they tell each other, in the places they put memorials, in what they teach their children about the past, and in their daily relationships with each other. Their continuing animosity makes it extraordinarily difficult to view the other with compassion. This does harm to each party that holds the grudge as their lives are harmed by nursing the hurt, and leads them to more easily justify doing future harm to each other. As I argued with respect to individual grudges, letting go of a grudge does not require forgiving or forgetting. Indeed, Bosnian Serbs have done terrible and genuine harm to Albanian Muslims, and the reverse is true, as well. Here perhaps moreso than in our discussion of Katie's grudge against her brother Karl, we should be desperately glad of Claudia Card's reminder that forgiveness may not always be good or even right. But here, as before, holding a grudge is a morally undesirable memory behavior. Indeed, collective grudge-holding can best be seen as a deliberate attempt to counteract distanciation, the collective memory phenomenon caused by the

past receding, in which memory grows vague and emotional intensity abates, often perceived as a boon for reducing the impact of past harms (see Section 2.5.1.B). You may recall that Schudson, who introduced distanciation to us, notes that "Serbs, Croats, and Bosnians seem able to harbor ancient hurts in ways many other people cannot." (348) It is the mechanism of the collective grudge, and its rehearsal of hurts, that makes this possible.

Now, it may seem that rule #8, which draws our attention to mitigating old harms and preventing new ones in constructing collective memory, is sufficient and that we need no further generalizable rule. However, grudges are harmful in a way that is so far indefeasible. Letting go of a grudge necessitates neither forgetting nor forgiving, and is entirely compatible with retaining a clear memory of the offense and judging it to be more morally relevant in one's decision-making than any other positive traits of the offender. Moreover, collective grudges are inherently a collective memory behavior (grudges held by individuals as members of a collective against other individuals as members of a collective), reinforced by mechanisms of collective memory such as screen memories, instrumentalization, narrativization, conventionalization, and testimony and tribunal (see Section 2.5.1). What's more, because they are collective, the harm done by a collective grudge is far above and beyond the harm that can be done by the grudge a person holds against another person on an individual basis. Witness apartheid, Bosnia, and the mass vigilante killings that have recently plagued regions of Nigeria as Christians take revenge on Muslims for Muslims attacking Christians, and so on. And finally, because collective grudges by their very nature—preventing empathy for the offender— reinforce the sort of group distinctions that permit members of different groups to see

each other as Other and do serious social or physical harm, they are again above and beyond and even distinct from individual grudges. For these reasons, collective grudges deserve their own generalized rule distinct from rule #8:

- Rule #11: We should not participate in collective memory mechanisms for the formation or maintenance of collective grudges

Consider whether this will suffice. If all follow it, it will. But if some individuals follow it and others do not, then those others may dominate the construction of collective memory. After all, rule #10, though it will result in action of great moral worth, is passive whereas participating in collective memory mechanisms to form or maintain collective grudges is active. Perhaps, then, we need a further generalizable rule, one which may serve as a corollary to both rules #8 and #11:

- Rule #12: Where others of your collective strive to use collective memory mechanisms to do harm, you should attempt to stop them

This rule is likely defeasible for the same reason as #10. After all, this may place too-high demands on individuals, asking for martyrdom rather than simply for an active rather than passive role. Indeed, history is rife with instances of individuals who attempt to oppose collective action becoming the victims of that very collective action, as when Hitler's Reich threw German dissidents into the camps with the Jews, the Gypsies, the homosexuals, and the communists. But a moral agent does not oppose morally undesirably collective action, they fail to respond to the moral reasons that make it wrong, and they are indeed morally blameworthy. So in general, not following Rule #12 would indeed make a moral agent morally blameworthy with respect to collective memory, a condition defeasible perhaps only if others who may suffer less harm have

already stepped up to intervene, *and* your participation will bring you more harm than it will do good toward stopping the grudge. However, if no one has stepped up, someone must.

Let us turn now from an example of collective grudge formation and maintenance, to an example of an attempt to undercut polarizing collective memories that foster just such collective grudges.

Case 6: Cooperative Construction of Collective Memory in Israel

Palestinians refer to the 1948 conflict that gave birth to the nation of Israel as the *Nakba*, or Catastrophe, while Israelis refer to it as the War of Independence. In my analysis, these different accounts are distinct collective memories of the same events held by discrete collectives. Palestinian Sami Adwan, a former militant and now a lecturer at Bethlehem University, and Israeli Dan Bar-On, a social psychologist at Ben Gurion University, codirect the Peace Research Institute in the Middle East (PRIME). PRIME was founded in 1998 with the mission, in part, of bridging the gap that has created such different accounts of the past. One of PRIME's methods is to distribute three booklets for use in both Palestinian and Israeli high schools that force each side to confront these contradictory collective memories. Each page has three sections, one for the Palestinian conventional narrative, one for the Israeli conventional narrative, and a third for the student to fill in as he or she sees fit. The PRIME booklet has been adapted to the Macedonian-Albanian context, to the French context for conflict resolution between

muslims and non-muslims, and for the Catalan and Basque regions of Spain. Adwan says that "The idea is not to legitimize or accept the other's narrative but to recognize it." (in Chen, 46) The hope is that familiarity with other points of view will lead to better relations and possibly even to a cooperative collective memory. Actual success has been fleeting in the Palestinian-Israeli context, however. In 2004, right-wing Israeli Education Ministor Limor Livnat threatened teachers with disciplinary action if they used the PRIME text. Palestinian teachers who use the text have been threatened by community members for teaching what they called "normalization under occupation." (Chen, 46)

Given the prior rules for intervening in harmful collective memory behaviors, it seems *prima facie* clear that PRIME is an effort by Adwan and Bar-On to fulfill those rules. PRIME is not, after all, seeking to do harm by exacerbating the holding of a grudge. In fact, it is directed at the portion of grudge-holding that involves a lack of empathy for the offender by at least acknowledging that the other side has a different point of view. To be empathetic is not to acknowledge that the other party's feelings are legitimate but simply to acknowledge them and that they exist. This is miles beyond what is possible in the general context of the Palestinian-Israeli conflict or in Bosnia and Croatia between Serbs, Muslims, and Croats. PRIME attempts to mitigate harm by employing mechanisms of collective memory such as narrativization and to be inclusive when getting individual participants to think about their own collective memories. PRIME is thus morally desirable, and constitutes responsiveness to moral reasons. Adwan, Bar-On, and the teachers who attempt to implement this program show intense

moral concern and motivation in the face of the pressures their communities bring upon them. Their actions thus have a very high moral worth.

However, Adwan and Bar-On (and the teachers and students) are not the only moral agents in this collective memory drama. Palestinian community members and the Israeli education minister Limor Livnat also play a role, and one that has low moral worth. Why? Because they seek to prevent an attempt to use collective memory mechanisms to remember rightly, rather than for ill. To view PRIME as a form of forgetting that would constitute "normalization under occupation" is false, as it asks no one to forget anything. However, it does ask participants to be open to the prospect of reconstructing collective memory, and to considering the process of how collective memory is constructed. This could indeed be a threat to the existing collective memory of Palestinians. But is this morally undesirable? It may well be if it is undertaken so as to reconstruct a Palestinian collective memory that would endorse past and future harm. But it is not necessarily what would result from PRIME. Indeed, viewing both narratives side by side seems designed to prevent one from supplanting the other, and to have each side acknowledge the other. Thus, while concerns that this effort may reconstruct Palestinian collective memory in a way that is harmful to Palestinians are legitimate and should be incorporated, simply dismissing PRIME and offering physical threat to its users is morally undesirable. Those in the Palestinian community who do so are failing to respond to PRIME's right-making features, and are thus morally blameworthy for doing so. Limor Livnat's actions are similarly problematic, and for the same reasons. Even under the charitable interpretation that he, too, is concerned by the construction of a

collective memory that would paint his people unfairly, his actions fail to respond to the right-making features of PRIME. He, too, is blameworthy for curtailing the program.

While our consideration of PRIME did not yield any new generalizable rules, application of existing rules and considerations of moral worth have helped to firm up our understanding of moral responsibility for collective memories. Let us turn finally to a case which also seeks to use education to address collective memory, though perhaps in morally problematic ways.

Case 7: Constructing collective memory of the Holocaust through French education

In the 1990's, the French government had previously acknowledged the importance of teaching the history of French colonial occupation in Algeria and Tunisia, and in 2005, the French parliament passed a law requiring that French history textbooks should "recognise the positive role of the French presence in its overseas colonies, especially in North Africa." (Bickerton) It is in light of these official interventions into how public education constructs collective memory that, in February of 2008, French President Nicolas Sarkosy personally revised the school curriculum for the 2008-2009 academic year: every fifth grader would have to learn the life story of one of the 11,000 French children killed by the Nazis in the Holocaust. Debate over these measures took place in moral terms about the nature of a duty to remember, with some historians arguing that intense focus on the victims would prevent children from remembering the Vichy government's wartime collaboration with the

Nazis and French politician, lawyer, and Holocaust survivor Simone Veil

saying "You cannot ask a child to identify with a dead child. The weight

of this memory is too heavy to bear." (in Sciolino) Ultimately, Sarkosy

cancelled the initiative.

To appreciate the uproar caused by Sarkosy's program, we must be clear on the

context of Sarkosy's initiative. In 2005, the same year that France passed an amendment

to "the law on the repatriated" which stipulated that French textbooks covering French

colonization must recognize the "positive role of the French presence in its colonies,

especially in North Africa," (Bickerton) the French government deliberately chose not to

commemorate the bicentenary anniversary of Napoleon's battle at Austerlitz. The

resulting firestorm became known as *les querelles de memoire* (the memory quarrels, or

the memory wars). France has long had a well-established duty to remember, but the

question raised in 2005 was, to remember what, and how?

In 2008, this question arose again when Sarkosy proposed that young people

should bear the burden of remembering the Holocaust. As we can see from Simone

Veil's response (not to be confused with the French philosopher Simone Weil, also a

Holocaust survivor), many thought this was too much to ask a child to bear. And yet,

unacknowledged in such critiques is that children already become repositories of

collective memory: their parents tell them stories, their textbooks tell them stories (thus

the battles over French colonialism in textbooks), their neighbors tell them stories, their

societies build monuments and hold commemorations (or don't). Veil is well-known in

France for her political work on behalf of French Holocaust survivors is in fact Jewish.

So Veil's objection is not to what is being remembered, but to how. Perhaps what Veil

truly objected to was not that children become repositories of collective memory, but that this makes them into active agents of collective memory. Indeed, Veil's concern is that the weight of personal identification with a dead child is too much to bear.

This seems a legitimate concern, for what Veil is touching on is the harm that may be done to the child by *this form* of remembering. But is it too much harm? Do children have a role to play as agents in fulfilling the rules for memory behaviors? Certainly we ask them to do so, and it seems unavaoidable that they do so to some degree as they learn the narratives, histories, and monuments of their collectives. Children often read *The Diary of Anne Frank* and identify with her as a member of their cohort, perhaps even thinking "that could have been me." Such identification has not proven too much to bear in the past. However, let us not confuse "is" with "ought."

The issue raised by Veil is whether in fact identification with dead children, and an active role in collective memory of this sort, constitutes a harm so great that it cannot be permitted. I do not think this is the case. Claudia Card's work on atrocity and evil not only deals with the paradigm of forgiveness discussed earlier in this chapter, but also provides a very useful concept, namely that of a "reasonably foreseeable intolerable harm.[3]" (Card 2003, 2) I suspect that by using the term "too much to bear", Veil is referencing a concept very closely related to Card's intolerable harm; by foreseeing it, Veil perforce believes it to be reasonably foreseeable intolerable harm, and thus the action that causes that harm to be utterly impermissible. Intolerable harm is conceived of by Card as deprivations of basics ordinarily needed to make a life (or even a death)

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[3] If we want to follow Card all the way into determining whether an act is evil, not just very bad, we need show not only intolerable harm but culpable wrongdoing (2004, 3). I'm not concerned so much with evil as with the very useful definition of intolerable harm. Card, of course, acknowledges both evils and lesser wrongs (2010).

decent. Examples include: access to non-toxic air, water, and food; freedom from severe and prolonged pain, humiliation, or debilitating fear; affective bonds with others, and so on. Card's concept of intolerable harms is normative, not merely descriptive, as she herself has noted, for it has not to do merely with what we could grow to tolerate (what could be born) but what a decent life would not include (what ought not to have to be born) (Card 2010). For Card, what distinguishes utterly impermissible, inexcusable acts from those which are otherwise is not the agent's state of mind, but the level of harm done. For 11-year old children to research the lives of other same-aged children who perished in the Holocaust does not rise to this level of intolerable harm. This is not simply because it can be born or tolerated, as the example of the *Diary of Anne Frank* would indicate, but because it does not make impossible a decent life. A decent life can include this level of empathy and identification. In fact, it might be argued that a decent life should include this level of empathy and identification not only because it is not an intolerable harm and thus does not do evil to ask it, but also precisely because it helps children to understand why the harm done to victims of the Holocaust was, itself, an intolerable harm. To be sure, intolerable harms can be inflicted in attempts to forestall future intolerable harms, as Card has argued is the case when known terrorists are tortured for information that may prevent mass murder; injustice can occur in the way that justice is pursued. And Veil is right to flag for our attention whether this is the case. But here, it is not. Not only is this not a case of intolerable harm, but it is also not a lesser wrong and rather is morally desirable.

Recall rule #10: that individuals have an obligation to participate in the responsible formation of collective memories precisely to ensure that the act of

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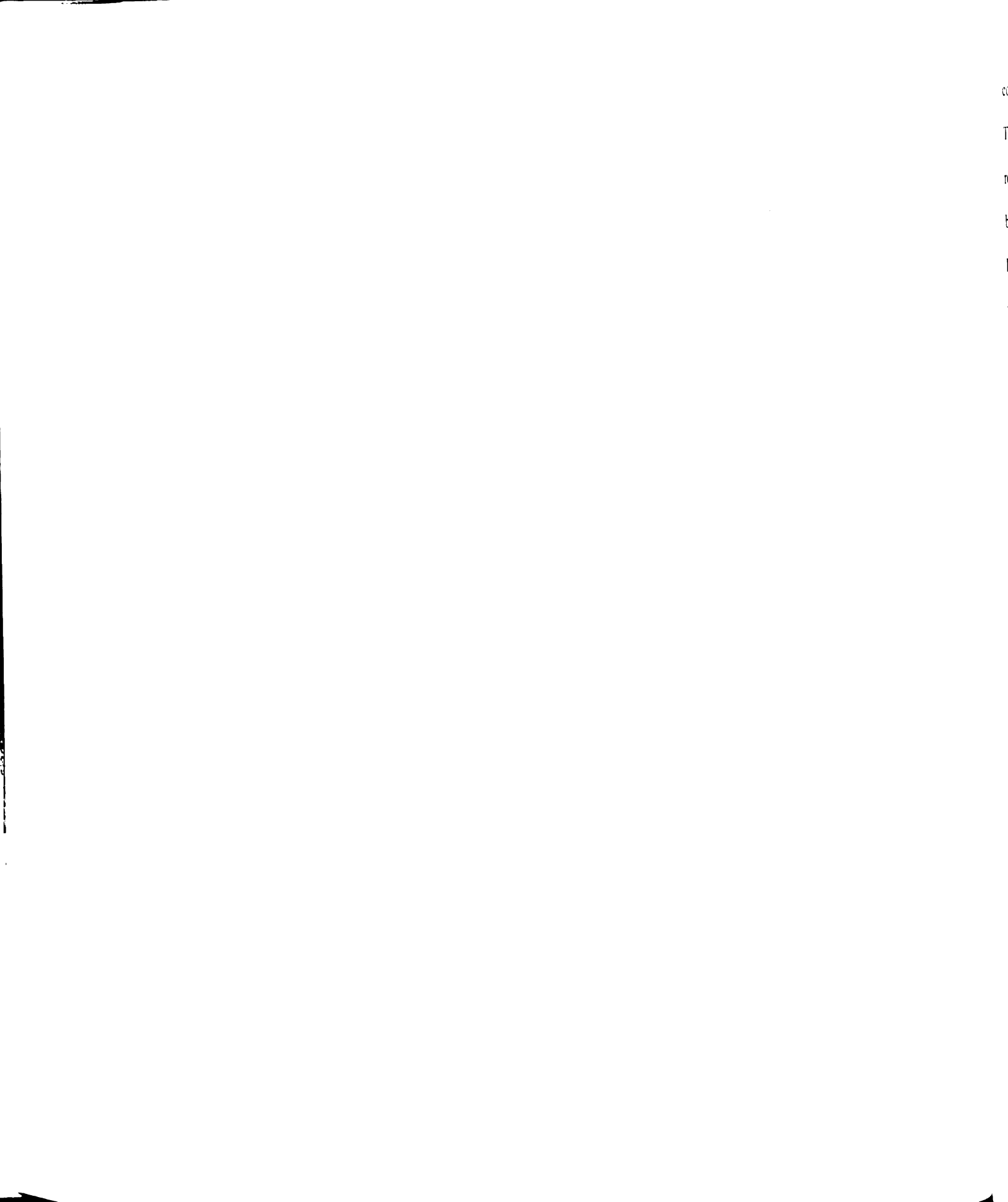
constructing those collective memories, and the resulting memories, are morally worthy. The active participation of children in Sarkosy's project seems to fulfill this rule. But recall also that I judged that rule to be defeasible where victims of atrocity or abuse will be harmed by participating in the construction of collective memories. In part, the harm is likely to accrue because these persons are already made vulnerable by the very events they will be asked to recount as they give testimony. While French children asked to identify with deceased members of their age cohort are not made vulnerable by those events, and are not being asked to give testimony, they are being asked to bear witness as persons who are already vulnerable to some degree by virtue of their age. Perhaps what we need to be asking when we consider whether such bearing witness is too much to ask is whether 11-year-old children are morally responsible agents, not only whether they can be harmed; whether they ought to bear witness, not only whether they can bear it. Ought we to ask them to take on this burden, which it seems to me is bearable? Children at this age, though perhaps not younger, can respond to the moral reasons that make the Holocaust wrong. Moreover, they can respond to the moral reasons that make remembering the Holocaust right. By age 11, children can engage in fairly sophisticated cognition when guided and such a path may create in them the level of intense moral concern that is precisely what enables future actions of great moral worth. The resulting individual participation in forming collective memories would, then, be of great moral worth. Not only is Simone Veil incorrect in suggesting both that this cannot be born and that it thus should not be asked, but participation of this sort is morally desirable. While the children themselves will only be morally praiseworthy for participating if they have intense concern, cognition, and motivation to respond to the right-making reasons of this

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program as they undertake it, the program is liable to create in them the resources to have intense concern, cognition, and motivation for other similar circumstances in the future. Thus, it is morally desirable. And insofar as Sarkosy is responding to these and other right-making reasons such as speaking up for the inclusion of the vulnerable—children once killed in the Holocaust—in collective memories, he is, himself, morally praiseworthy.

However, there is another problem altogether with Sarkosy's plan, for he came by it unilaterally without the input of those who *might* be harmed by it. Though the program itself has the potential to prevent future harm and increase moral praiseworthiness in the future for those students who participate in it, Sarkosy developed it without input. On moral grounds, it violates rule #9 which requires inclusiveness in constructing collective memories even as it attempts to be inclusive in constructing collective memories. While it is not morally undesirable, his mechanism was. And so he is blameworthy for pursuing this course of action in this way, though perhaps the action itself is a morally desirable way to construct collective memory, one that does not do intolerable harm in the pursuit of preventing intolerable harm and one that in fact could do so rightly rather than for ill.

4.4. Conclusion

We have seen that individual and collective memory behaviors are deeply related in both the rules that should govern them and in their mechanisms. The generalizable rules for determining the moral worth of memory behaviors, defeasible as described above and perhaps in ways not yet discerned, are as follows:

- Rule #1: We ought to encode events and occasions which matter to others who can be harmed by our forgetting

- Rule #2: We ought to recall them in time decide whether and how to act

- Rule #3: We ought not to deliberately construct memories or store memory proxies so as to do harm to others.

- Rule #4: We ought not to rehearse past hurts in ways that leads us to hold grudges.

- Rule #5: We ought to avoid negative bias in memory that harms us and those around us by deliberately encoding, recalling, and rehearsing positive events or aspects of our lives and those with whom we interact, in order to construct less harmful memories.

- Rule #6: We ought to remember our own past wrong actions in order to avoid causing further harm

- Rule #7: If you know yourself to have memory failures which give you serious difficulty with engaging in morally desirable memory behaviors, you ought to either avoid putting yourself in situations where this will do harm or take proxy measures to compensate for your memory failures.

- Rule #8: Because collective memories so clearly mark out what a society considers significant, collective decisions about what to memorialize, and how, must be undertaken with attention to mitigating old harms and avoiding new ones.

- Rule #9: When undertaking to construct collective memory we should strive to include individuals who could be harmed by inadequate memorialization or who should rightfully be considered part of the

collective, and should take care that our construction does not perpetrate selective mass amnesia.

- Rule #10: Individuals, whether perpetrators or victims in an atrocity or simply participants in history, ought to participate in the construction of collective memory.

- Rule #11: We should not participate in collective memory mechanisms for the formation or maintenance of collective grudges

- Rule #12: Where others of your collective strive to use collective memory mechanisms to do harm, you should attempt to stop them

Both moral desirability of memory behaviors, collective or individual, and responsiveness to moral reasons must be taken into account when determining the moral worth of an agent's actions. Let us turn now to the implications of our exploration of moral responsibility for memory.

Chapter 5
Conclusion

5.1 The Story So Far

We have seen that memory is morally salient, and that we do believe that

individual and collective memory behaviors can be done rightly or for ill. This goes to

the moral desirability of such actions. We have also seen that both individual and

collective memory are complex constructions. Though it might seem that individual

memory is determined by biology, alone, the social determinants of individual memory,

such as what our society teaches us to attend to and to encode and how we learn to

construct autobiographical declarative memories, play significant role in what and how

we remember. Collective memory is best conceived of as social constructions of memory

that are stored in individual memory and in monuments, constructed through mechanisms

ranging from conversation between individuals to educational policy, collective inquiries

such as the truth and reconciliation commissions in Africa and in Argentina (Nunca Más),

and that despite the ways in which it is affected by both biological and social

determinants, moral agents can be held morally responsible for both individual and

collective memory behaviors. Determining praiseworthiness and blameworthiness—

moral worth—for such memory behaviors is a matter of assessing both the right-making

or wrong-making reasons the inhere in memory-related situations (moral desirability) and

the degree to which moral agents are responsive to those reasons. It is clear that not all

memory behaviors have moral desirability, and that concerns over the role of neurology

and society in memory as well as moral sainthood ought to lead us to have care in too

easily blaming or praising for, respectively, undesirable and desirable behaviors. Such

careful consideration of the nature of memory and moral responsibility for memory led to

the defeasible rules laid out in Chapter 4 which govern our behavior and assessment of blame and praise for our own and others' individual and collective memory behaviors.

5.2. Implications for Other Matters

In addition to the analysis of blame and praise for memory laid out in Chapter 4— itself based on Chapters 1, 2 and 3—it is worth considering other implications of this work prior to leaving it. Indeed, the ethics of memory bears directly on the burgeoning field of neuroethics, on the ethics of expertise, and on ethical and other considerations in social and political philosophy.

5.2.1. Neuroethics

Neuroethics is a burgeoning sub-discipline of medical ethics which focuses on the ethical issues presented by technologies that allow us to monitor or manipulate neurology. Such technologies have significant implications for memory given the strong role of biological determinants in the moral worth of an agent's memory behaviors. Let us first consider therapeutic interventions to restore memory function in persons with neurological disease, and then the far more controversial subject of manipulating memory function in those without disease.

Therapeutic attempts to retain or restore memory in Alzheimer's patients have long been a subject of research. The drug Aricept came out of such efforts and is now in prescription usage, showing some effect in delaying the progression of Alzheimer's and even restoring some function in patients whose disease is diagnosed early. Such therapeutic uses of biotechnology to prevent degradation of neurological functions related to memory are relatively uncontroversial within neuroethics; neither do they present difficulty for the ethics of memory as laid out herein. Indeed, they allow us to engage in

praiseworthy memory behaviors where disease would otherwise prevent us from doing so.

However, therapy to prevent memory loss is not the only way in which biotechnology might intervene in the neurology of memory; there is also the potential for enhancement, a much more ethically fraught topic. In 2002, Michael Sandel presented a paper to then-President George W. Bush's President's Council on Bioethics, entitled "What's Wrong With Enhancement?" This paper, and the nine Council meetings that discussed the therapy-enhancement distinction, formed the nucleus of the Council's 2003 report, distributed as a mass-market book, *Beyond Therapy: Biotechnology and the Pursuit of Happiness*. The report was intended as a guide to critical thinking about the subjects of therapy and enhancement and, among other things, addressed memory treatments that might enhance human memory, overcoming some of the biological determinants that affect encoding, storage, and retrieval. The Council focused on the motivations of perfection and the pursuit of happiness, but considered the possibility that one might use memory enhancing biotechnology to enable moral agents to be more responsive to right-making reasons such as Rule #1 (We ought to encode events and occasions which matter to others who can be harmed by our forgetting).

While this might be seen as a sort of pursuit of perfection, it seems saliently different from taking steroids to attain the best possible baseball performance of which the human body is capable, or taking erythropoietin to increase red blood cell production in order to maximize a cyclist's ability to perform at high altitudes during long road races such as the Tour de France. For one thing, the perfection we pursue is not an increase in the upper limits of what bodies can do—a *telos* which is not obviously morally

desirable—but with respect to the goal of more routinely doing the right thing. For another, one of the concerns with enhancement is the degree to which any credit for excellence is due to the person, or to the biotechnology. If moral responsibility is indeed about reasons-responsiveness, enhancing our ability to respond to moral reasons makes us better moral agents, making us more reliably praiseworthy. Is this any different from reliance on auxiliary mechanisms, memory proxies such as Personal Digital Assistants or calendars or documents or memorials? No, for it may be best to view memory-enhancing biotechnologies as a biotech equivalent to the very off-line storage mechanisms which I argued in the last chapter are viable proxies or necessary adjuncts for helping us to perform morally desirable actions in morally praiseworthy ways. Such technology would not make moral agents encode the right sort of things; it would not necessarily enhance the ability to attend to and notice the right sort of things, and so moral agents would still be full and wholly responsible for these critical aspects of using memory rightly and not for ill. But memory-enhancing technologies would enhance the ability to encode, store, and retrieve the right things. While it may make us somewhat less praiseworthy to use auxiliaries, this does not make us unworthy of praise insofar as we thereby manage our obligations to remember.

But what of biotechnologies that may abet forgetting? In the case of some recent research which showed that beta-blockers such as propranalol can reduce the emotional affect associated with events and thereby reduce the occurrence of post-traumatic stress disorder (PTSD), biotechnologies might even enhance our ability either to forget or to remember rightly rather than too well. In the case of propranalol, the patient retains the declarative memory of facts but experiences a reduction in the affect associated with the

memory Jessica Wolfendale has expressed concern that such biotechnological alterations of affect would actually undermine moral responsibility rather than improve it, on the assumption that they might be used to keep soldiers or others tasked with committing traumatic actions from associating an emotional affect with their past actions which would otherwise result in the kind of moral remainders—guilt and regret—that cause moral agents to try to do better next time. Indeed, it is deeply concerning that a pharmaceutical could alter one's ability to take moral responsibility, to accept blame or praise, for one's actions. Recall that in the case of Scooter Libby, our analysis in Chapter 4 indicated that he needs to be able to retain his memory of having outed Valerie Plame in order to be morally responsibly (not just in order to be held morally responsible). Memory technologies ought not to be utilized in ways that would not only undermine a moral agent's ability to implement any of the rules devised in Chapter 4, but ought especially not to be used in ways that would deliberately undermine a moral agent's ability to be held responsible for his or her actions. To deliberately remove one's own or another's moral responsibility is arguably, itself, a moral wrong as it undermines the possibility of right action in addition to removing the possibility of blame for wrong action.

However, that there are ways to misuse a memory technology such as propranalol in ways that would undermine moral agency does not necessitate that the technology should not be used. Reducing human suffering through application of propranalol to prevent PTSD reduces harm compared with not using it, whereas using propranalol to reduce moral agency would increase harm. Just as a surgeon and her scalpel can commit medical battery when it performs an operation without the patient's informed consent but

be used rightly and well for the patient's benefit and with respect for the patient's right to control his own body, so propranalol could be put to use in blameworthy ways that ignore right-making reasons and also in praiseworthy ways that attend to right-making reasons.

The potential merits of memory-related biotechnologies are well worth keeping in mind with respect to how they may make possible morally desirable memory behaviors and moral responsibility, as well as how such biotechnologies may undermine them.

5.2.2. The Ethics of Ethical Expertise

An entirely different, and apparently untapped (by others and even within this dissertation), approach to memory and ethics could stem from consideration of how expert knowledge is attained and stored through declarative memory. Practicing fields such as chess or scrabble results in changes in the brain which allow Grand Masters to recall the exact location on a chess board of as many as 16 pieces, whereas novices can recall only 4, a finding with substantial implications for expertise: "years of practice have changed their brains, and their brains can now encode and process [and store] relevant material more fully and in more detail than the brains of nonexperts" (Squire and Kandel, 74-5). This fact struck a curious chord in me with regard to philosophical considerations of 'ethical expertise'.

Consider Alasdair MacIntyre's *After Virtue*. For MacIntyre, a neo-Aristotelian, excellence in a particular area gives rise to internal goods for the practice of that area. MacIntyre explicitly addresses the issue of chess experts, noting that achieving the internal good of chess requires practice. Each social practice has its own internal good, and this gives rise to virtues, habits and traits

of character which allow one to achieve the internal good. MacIntyre also directly addresses the acquisition of such skills and habits, ranging from novice all the way up to expert virtuous practitioner. What kind of expertise, and subsequent changes in the brain, occur in people who are ethical experts? A long-running struggle in the field of bioethics and in other fields of applied ethics has centered around the issue of whether the involvement of professional ethicists in ethical dilemmas somehow implies that practitioners of those fields are unethical or ethically unfit. If chess experts are indeed more rapidly able to recognize and analyze patterns in chess than are novices (Squire and Kandel ,73) then perhaps this explains why trained applied ethicists may be able to offer assistance to professionals facing ethical dilemmas: they are better able to recognize and analyze ethical patterns, just as expert physicians are better able to recognize and analyze patterns of disease and health.

From this perspective, morally responsible memory behaviors may play a key role in becoming ethical experts with respect to the subject matter in question, and which memory behaviors are morally desirable may also shift just as memorizing the nervous system would, for the non-physician, be neutral with respect to moral desirability but would in turn be highly morally desirable for the physician. This may be worth developing in a separate investigation.

5.2.3. Some Ethical Dimensions of Social and Political Philosophy

The degree to which culture and society affect personal declarative memory provides a different avenue of inquiry into the classic philosophical debate about proper relations between society and the individual which has been

waged by Hobbes, Locke, Rousseau, and many others. The very possibility of collective memory—whether interpreted as shared "metamemories" or as master narratives stored in personal memory—adds a wrinkle to considerations of the society-individual relationship.

Briefly consider John Stuart Mill's *On Liberty,* in which Mill eloquently defends the right of the individual to be defended not merely from other individuals, but also from the power of the state and the tyranny of the majority. Chapter 2's discussion of how social factors such as culture and child-rearing affect individual memory raises serious issues for the very possibility that the individual *can* be free from the tyranny of the majority as that tyranny can be imposed in numerous non-political ways, a fact also observed by DeTocqueville during his 1831 tour of America's Eastern Seaboard. Neither DeTocqueville's observations nor modern memory studies change the force of Mill's argument about the appropriate limits on state power, but it ought to change the way we think about whether state power is the only social power affecting human thought and action to which we ought to attend. Social and political philosophers working in race theory and feminist theory have engaged with such questions in the 20th century by addressing questions such as whether African-Americans and women have adopted the racial and gender stereotypes which perpetuate racism and patriarchy, the degree to which internalized gender concepts affect women's career choices and salary negotiations, and so forth. But all too rarely have social and political philosophers considered the implications of memory outside of the context of the Holocaust.

One potential topic of inquiry is the American "Culture Wars", a phenomenon which historians attribute to the cultural divide between rural and cosmopolitan urban values as the American population has increasingly become urbanized. A philosophical consideration of relative collective memories of major subjects of the culture wars may prove very interesting indeed, as sociologists indicate deep divides in how the pro-life and pro-choice camps of the abortion debate view each other and conceive of themselves. What each group chooses to remember or forget about each other likely contributes immensely to the culture war over abortion, with pro-life groups constantly reminding each other that Margaret Sanger, who founded Planned Parenthood, believed in eugenics, and pro-choice groups constantly reminding each other of clinic bombings and assassinations by pro-life activists. Analysis of how collective memory affects other aspects of the culture wars ranging from approaches to homosexual marriage to other bioethical issues such as euthanasia may well prove rich ground, especially given the ethical rules for responsible collective remembering which I laid out in Chapter 4, some of which may have particular bearing on how all sides of the culture wars are going about their business.

Issues in memory studies also have implications for modern political philosophy dealing with radical social justice. In her work on the devaluing of women's remembered testimony about sexual abuse, Sue Campbell gives significant attention to how scientific and cultural debates over memory have played a role in perceptions of such testimony. Campbell notes the political salience of memory explanations such as those which I addressed in Sections 2.1

and 2.2: "Particularly crucial for feminists and other anti-oppression theorists are accounts of the social resources needed for successful remembering, attention to the vulnerability of specific groups of rememberers, and specific, detailed analyses of how individual and group memories are undermined and pathologized" (8). By addressing such issues and using the term 'rememberer', Campbell reminds the reader that individual memory persists within an agent, a particular kind of agent—sexed female, gendered woman—who has often been subject to what she calls "epistemically damning stereotypes" (8) and often been ill-served by the possibility that "the power of science as a model of knowledge seeking may disenfranchise the perspectives of those who are not scientists" (13). For Sue Campbell, failure to attend to such issues ill-serves social justice, and social justice ill-serves the oppressed. This pertains to Rule #8 which urges that memory be constructed with attention to mitigating old harms and preventing new ones. Indeed, as I argued in my 2006 commentary "Erasures of the Past: How Failure to Remember Can Be a Morally Blameworthy Act", the deliberative procedures employed by bodies charged with attending to social justice in medical settings should be properly attentive to historical factors which ought to be part of the collective memory of that body in order to best achieve really, truly just policies.

Having seen a small slice of implications that memory studies have for ethical dimensions of social and political philosophy, let us now turn to an overview of this investigation.

5.3. Toward A Reflective Ethics of Memory

I began this inquiry by describing some of the many ways in which memory behaviors are seen as morally desirable or undesirable, and noting that we often unreflectively blame and praise individuals and collectives for what and how they remember. My aim has been to mount a substantial inquiry into whether we can be held praiseworthy or blameworthy for individual and collective memory, and how we can determine this. Doing so has required that I develop both an understanding of moral responsibility consonant with the nature of memory and an understanding of the moral worth of memory behaviors. Assigning blame and praise properly, for ourselves and others, is a central task of applied ethics. To do so without reflection is, itself, a great wrong. It is my hope that this work will guide moral agents in their own actions and in their determinations of others, so that all can take a more reflective approach towards the ethics of memory which we already deploy.

To accomplish this, I have devised rules for morally desirable memory behaviors and responsibility therefore, as outlined in Chapter 4. Where we ought to remember, either collectively or individually, we should be sure to do so well rather than for ill, and to use the tools at our disposal to help us responsibly construct and recall memory. Where we ought to forgot, either collectively or individually, we should let events pass from our memory by using the tools at our disposal, or even by refusing to use them as when we decide what not to enter into loci of collective memory such as records and memorials.

By such means may we all become better, and not just more accurate, agents of memory.

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