

A Duty Not to Remain Silent: Hypocrisy and the Lack of Standing not to Blame

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A notable feature of our practice of blaming is that blamees can dismiss blame for their own blameworthy actions when the blamer is censuring them hypocritically and, as it is often put, lacks standing to blame them as a result. This feature has received a good deal of philosophical attention in recent years. By contrast no attention has been given the possibility that, likewise, refraining from blaming can be hypocritical and dismissed as standingless. I argue that hypocritical refrainers have a duty to blame, if asked to do so, and possibly even if they are not asked to do so. Acknowledging this fact about hypocritical silence is crucial to an adequate understanding of our practice of blaming. Specifically, it bears on a worry that naturally arises when we consider cases where the blamee is blameworthy yet the blaming is problematic, because standingless. The worry is that, absurdly, the idea of standing justifies our being more interested in silencing preachers of virtue than making wrongdoers overcome vice. However, if one can lack standing not to blame, this concern is unwarranted. If there is such a thing as standing to blame, then sometimes one must, for reasons of standing, speak up in the face of wrongdoing, meaning, in effect, that one lacks the right not to challenge wrongdoers to improve.

Keywords: Ethics of blame, hypocrisy, omitting to blame, standing to blame.

I. INTRODUCTION

In 2021, the Democrat Governor of New York, Andrew Cuomo, ran into political problems when seven women accused him of sexual harassment. Many publicly condemned him for his alleged misconduct. However, conspicuous among those reluctant to do so was Vice President Kamala Harris, who, when invited to take a stand on the scandal, simply declined to comment on the matter.¹ It was not as if Harris had been reluctant to criticize sexual harassers in the past. She had voiced strong opposition to Justice Kavanaugh's nomination for the Supreme Court during his Senate Hearing in 2018. Similarly, in 2016 Senator Lindsey Graham was highly critical of Hillary Clinton's use of her private e-mail account when Secretary of State. He called for an 'independent' investigation into the matter after the FBI closed theirs, concluding that there was no basis for pressing charges against her. More

¹ <https://thehill.com/opinion/civil-rights/543414-mewho-the-hypocritical-silence-of-kamala-harris/>; <https://nypost.com/2021/03/02/biden-harris-remain-silent-on-andrew-cuomo-sexual-harass-scandal/>.

recently, he expressed outrage in response to President Joe Biden’s storing of classified documents in his private office, worrying that, in the absence of a thorough investigation, the ‘country might be hurt’.² Yet he came to Trump’s defense when it was revealed in 2022 that Trump had stored several boxes of classified state documents at his private residence, hinting at an ulterior political motive behind the investigation of Trump’s handling of these documents.³

The relatively straightforward political motives explaining such differential dispositions to blame, whether the blamers are liberals or conservatives, or something else, can be ignored here. I mention the examples because most of us would regard Vice President Harris’ and Senator Graham’s behavior as hypocritical. This is interesting, because recent years have witnessed a huge growth in interest among philosophers in the ethics of blame, and specifically hypocritical blaming (Cohen 2013; Friedman 2013; Fritz and Miller 2018; Herstein 2017; Lippert-Rasmussen 2020, 2023; Piovarchy 2020; Riedener 2019; Roadevin 2018; Rossi 2018; Snedegar 2023; Statman 2022; Todd 2019; Wallace 2010).⁴ However, the implications of the views proposed on this matter for what we should say about those who hypocritically *decline* – in some cases such as Harris’ and Graham’s by way of refusing – to blame are yet to be examined. Such an examination would elucidate what is an important and so far unexplored aspect of our practice of blaming – namely that, under the right circumstances, not blaming, like blaming, can be hypocritical and, for that reason, a standingless response.

² <https://boingboing.net/2023/01/13/watch-lindsey-grahams-two-faced-reactions-to-trump-vs-bidens-classified-docs-is-quite-amusing.html>.

³ <https://www.washingtonpost.com/politics/2022/08/08/trump-fbi-search-reaction/>.

⁴ I focus on blame understood not as a reactive emotion but a communicative act (for an account of blame with this focus, see McKenna 2012; see also Bell 2013, 265; Darwall 2006, 120; Dover 2019, 397; Fricker 2016, 177–180; Smith 2013, 39). After all, my topic is the hypocrisy of remaining silent, which is consistent with bearing a grudge at heart.

Most agree that hypocritical blame is standingless, and that a blamee who is subjected to standingless, hypocritical blame can rightly dismiss the hypocrite's blaming of her even when she is indeed blameworthy for that which she is being hypocritically blamed. The dismissal is indirect because it consists, not in denying blameworthiness, but in denying that the blamer is in a position to blame the blamee for something that may or may not be blameworthy (Bell 2013: 264; Cohen 2013: 119). To dismiss blame directly is to deny that the blamee did what he is being blamed for; to accept that he did it but deny that it is wrong; or to accept that what he did was wrongful but assert that his conduct was excusable. Hence, the view that a wrongdoer can dismiss blame as standingless naturally gives rise to an important worry. For if one can dismiss blame indirectly by citing facts showing the blamer to be in some relevant way at fault himself, does that not imply that people will often be in a position to dismiss blame when, in fact, they really would benefit, e.g., in terms of improving their moral character or future conduct, from taking the blame seriously instead? Moreover, since most of us are blameworthy for many things, and potential blamers are often aware that they are not exactly flawless themselves, will a preoccupation with standing not result in people being less inclined to blame even in cases where, actually, it would be a good thing, morally speaking, if they did so? Does the concern with whether blamers have standing to blame not legitimize a perverse distortion of our practice of blaming in that it implies that we are entitled to be more concerned with muzzling non-saintly critics of wrongdoing than we are with confronting wrongdoers, presumably making them less likely to do wrong in the future? Daniela Dover (2019: 387) observes that 'those who demand that others 'practice what they preach' are indeed often more interested in silencing preachers than in challenging them to improve their behavior'. She suggests that 'it is usually far easier to comply [with standing norms: AUTHOR] by cutting back one's preaching than by reforming one's practice' (Dover 2019: 387).

This worry about standing is nurtured by an unfortunate feature of the work of philosophers who embrace the idea of standing to blame. Typically, these philosophers focus on the question how considerations about standing can be employed to silence critics; they tend not to ask how considerations about standing sometimes require us to speak up. This skewed focus is reflected in the titles of the two deservedly influential papers on standing by G. A. Cohen (2013: 115-142): ‘Casting the First Stone: Who Can, and Who Can’t, Blame the Terrorists?’ and ‘Ways of Silencing Critics’. Both connect questions about standing to contexts where the issue is one of silencing (potential) blamers. That distracts us from the relationship between standing and the issue of who is entitled to remain silent, the question being: ‘Who Can, and Who Can’t, *Refrain from Blaming the Terrorists?*’ In this article, I aim to correct this one-sided focus of theories of standing.

Philosophical reflection on the conduct of Harris and Graham, and countless similar cases, suggests: that there is such a thing hypocritically refraining from blaming (Section II); that one can lack standing to refrain from blaming (Section III); that standingless refraining to blame can be morally problematic for the very same reasons as standingless blaming (Section IV); and, accordingly, that considerations about standing to blame, once suitably broadened to include the duty to blame, do not justify substituting a preoccupation with silencing blamers for improving our moral ways through blaming (Section V). In short, the two main claims of this article are: first, that in our practice of blaming, just as one can lack standing to blame, one can also lack standing to refrain from blaming; and second, that this shows the worry just described to be unwarranted.

II. HYPOCRITICALLY REFRAINING FROM BLAMING

Let’s agree that, through their silence about Governor Cuomo and Trump, Harris and Graham exhibited an inconsistent pattern of blaming. In itself, an inconsistent pattern of blaming does

not render the blaming constitutive of the pattern hypocritical. However, motivated inconsistency – as opposed to, say, inconsistency due to sheer confusion – does.⁵ Now, Harris and Cuomo had previously criticized similar conduct in others, so the behavior about which they remained silent was blameworthy by their own lights. Presumably also, they blamed some of their colleagues in public life but not others because it would have been politically, and perhaps personally, inconvenient to express consistent opinions. It looks, then, as if these were cases of motivated inconsistency. All of this, together with the fact that cases of silence like those of Harris and Cuomo are routinely characterized as hypocritical, suggests that, just as blaming can be hypocritical, so too can declining to blame (cf. Fritz and Miller 2019: 562). No doubt, there could be theoretical reasons to modify our concept of hypocrisy, but in Section IV I argue that normative theory counsels against such conceptual revisionism.

This is not to deny that it can be unclear, or controversial, whether someone who is refraining from blaming is acting hypocritically. Allegedly hypocritical non-blamers, or their sympathizers, might point to what they see (rightly or wrongly) as morally relevant differences between the cases across which the blaming and omitting to blame range. For instance, Harris’ supporters might say that the political outcomes that predictably resulted from Cuomo’s downfall were bad overall, while those expected to result from Kavanaugh’s not becoming a Supreme Court Judge were good. They might insist that this difference justified Harris’ differential blaming pattern, shielding her from the charge of hypocrisy. Another, and more general, problem is that no one can blame everyone for every wrong that they would blame them for if they attended to the matter, and whether a person’s pattern of blaming and declining to blame exhibits motivated inconsistency of the sort that results in

⁵ The precise way, or rather ways, in which the inconsistency must be motivated is a further issue, of course. See (Rossi 2021: 3) for a helpful taxonomy of the forms of inconsistency that hypocritical blame might involve.

hypocrisy or is simply an expression of the impossibility of blaming every wrongdoer of the relevant kind can be a tricky issue requiring the exercise of judgment.

However they are adjudicated in particular cases, these two difficulties do not in my view defeat the principled point that there is such a thing as hypocritically omitting to blame. (Those who doubt this should note that the difficulties also arise in connection with many instances of hypocritical blaming.) It seems, in other words, that when no convincing reason for differential blaming can be given, and when, specifically, in the kind of case in which we are interested, the individual whose wrongdoing the non-blamer omits to address is clearly a no less relevant target for blame than other individuals whose wrongdoing the non-blamer *does* address, the omission is hypocritical.⁶

It might be objected that hypocrisy involves making an exception for oneself. It is not present when one makes an exception for others.⁷ Clearly, if he made an exception when he declined to blame Trump for storing classified state documents at his private residence, Senator Graham made it for Trump, not himself. Hence, whatever fault his silence may have involved, it was not hypocrisy.

In response, I have three replies. First, people like Harris and Graham *are* making an exception for themselves if, as is plausibly the case, they have condemned (or even only would condemn) similarly biased patterns of blame exhibited by political opponents but manifest structurally similar, though substantially different, selective blaming patterns themselves. Second, even if this supposition about what Harris and Graham would do is false,

⁶ In this summary I ignore the epistemic and feasibility issues I have indicated in the text: Is the non-blamer aware of the individual's conduct? Has he had an opportunity to blame that individual? Exactly when someone is a 'no less relevant target for blame' is a tricky issue. One factor bearing on it is the desirability of the blamer manifesting impartiality in relation to violations of the norm in question.

⁷ Cf. 'Our account captures the commonsense view that hypocrisy involves making an unjustified exception of oneself' (Fritz and Miller 2018: 118; see also Friedman 2013: 280; Szabados and Soifer 1999: 72).

it might be replied that the problem lies in the example, not the general point it is used to support. All cases of hypocritical blame that involve blamers making exceptions favoring themselves also involve, as a flipside of the hypocritical blame, a hypocritical omission on the part of the blamer to engage in self-blame for their own similar or worse faults. One manifestation of this is that most contributors to the literature assume that a wrongdoer can regain standing to blame by appropriately engaging in self-blame (Duff 2018: 783).⁸ Hence, the same point could have been made appealing to such exception-for-oneself cases of hypocrisy – e.g., Trump’s omission to blame himself for storing classified documents at his private residence after repeatedly condemning Hilary Clinton for her alleged violations of security procedures in using a private e-mail server.

If these replies are unconvincing, that may not matter much – this is my third point. Assuming for the sake of argument that making an exception on behalf of those with whom one sympathizes is not correctly classified as instance of hypocrisy, it is surely an instance of unfair blaming, and *that* unfairness might suffice to undermine standing to blame (Fritz and Miller 2018: 132; Telech and Tierney 2019). If this is correct, failure to blame can be standingless even when it is not hypocritical. For these three reasons, I propose to proceed on the assumption that omitting blaming can be hypocritical. The three reasons differ. Unlike the first two, the third is not a reason to believe that making an unjustified exception for others is hypocritical. Rather it is a reason to believe that assuming that it is will not prevent our analysis from yielding valid results, because unfairly making an exception for others for whom one has sympathy suffices to undermine one’s standing to blame.

III. LACKING STANDING TO REMAIN SILENT

⁸ There is an analogous issue regarding regaining standing not to blame.

Given, then, that failing to blame can be hypocritical, does the hypocritical non-blamer lack standing to remain silent? Little attention has been given to what, exactly, ‘having standing’ is, as opposed to what undermines it. One would expect the two questions to be connected (Piovarchy 2020). A promising-looking view is that those without standing to blame lack either the liberty right to blame or the normative power to impose on the blamee a duty to provide an uptake to the blame (and perhaps both) (Lippert-Rasmussen 2023: Ch. 1).⁹ However, the absence of standing to decline to blame cannot be analyzed along these lines. For, unlike blame, silence typically does not involve the imposition of a demand for uptake on the person one is not blaming. Unlike blame, silence – at least, when it is not, in effect, a means of communicating blame – does not come with an RSVP, as Darwall (2006: 40) would put it.¹⁰

I suggest we analyze standing in terms of the full palette of Hohfeldian first- and second-order relations. On this analysis, those without the standing to *decline* to blame either lack the liberty right not to blame or have no immunity from others – most obviously, relevantly interested individuals such as the blamer’s past blamees – who, through their complaints, impose a duty on them to blame.¹¹ In Hohfeldian terms, the second disjunct

⁹ Piovarchy 2020 proposes an analysis appealing only to the second disjunct.

¹⁰ I trust the reader to imagine circumstances in which remaining silent, literally speaking, can be communicative of blame. In this paper I often talk about silence as if it is equivalent to not-blaming, but it is not. Various niceties would need addressing in a fuller treatment. In particular, expressionless (or poker-faced) silence differs from silence in which one actively conveys one’s disapproval, and thus blames, with, say, a hard stare.

¹¹ King (2019: 275) very briefly mentions the view that standing can be explicated in terms of powers and immunities but dismisses it, asserting, without argument, that the ‘blameworthy’s normative situations are not altered by being blamed’. Drawing on Darwall’s (2006) concept of second-personal demands, Piovarchy (2020: esp. 8-12) proposes an account of standing as a matter of having the normative power (‘authority’) to hold blamees to account and, in doing so, change the blamee’s normative situation (cf. Owen 2014). Second-personal demands are rooted in the addresser’s and addressee’s reciprocally recognizing each other as free and rational. However, Piovarchy’s analysis mentions neither liabilities (though, in Hohfeldian terms, these are correlates of power) nor immunities and disabilities. In effect, I am suggesting that Darwall’s analysis of second-personal reasons should be enriched to include these categories as well and that this has implications for the idea of standing to remain silent.

means that the silent individual has a liability. That, in turn, means that others, such as those the potential blamer has previously blamed for the very same wrong that he now intends to remain silent on, can change the normative situation of the silent individual by asking for a response. Hence, dismissing the potential non-blamer's silence on the grounds that she has no standing to remain silent involves generating an additional duty, of hers, to take a condemnatory stand on the wrongdoer's action. (Of course, that duty may have been generated by an explicit request that she take a stand.) Arguably, in light of her criticism of other sexual harassers, Harris had a duty to criticize Cuomo. Arguably also, this duty was all the stronger since she had been invited by unbiased journalists posing questions on behalf of a wider public to take a stand on the pertinent matter. This is not to deny that one can have a duty to blame (or retract one's prior blaming of others) independently of being invited to blame. It is just that, in some contexts, being invited to blame gives one an additional reason to blame. There is no difference between this and the fact that, when one has a duty of rescue to help someone, one acquires additional reason to do so by promising to help her because failing to do so will now also involve breaking a promise. Thus, the notion of standing should be thought of more broadly than it standardly is. However, this difference, in what dismissing hypocritical blame and hypocritical silence consists in, gives us no reason to be skeptical about standing. Rather, it simply brings out the artificiality of an analysis of standing that is limited to only one of (two/)four Hohfeldian (second-order/) relations, i.e., powers.

Lack of standing to remain silent has several sources. One is that the decliner has advised others in the past about the unacceptability of sexual harassment, urging them not to engage in anything of that sort. Another – at work in my two opening examples, and the source I focus on in this paper – is that the potential blamer has on many previous occasions

Plausibly, recognizing someone as a rational person also involves holding them to account in the face of silence that constitutes, in part, an inconsistent pattern of blaming, not just responding negatively when they blame with motivated inconsistency.

blamed others for relevantly similar faults.¹² In both cases (and many others) the dismissal of silence is indirect in the same way that the dismissal of hypocritical blame is indirect. That is, it does not address whether the act the potential blamer seeks to remain silent about is in fact blameworthy. To illustrate: if conservatives blame liberals for ignoring conservative family values, liberals can dismiss the silence of conservatives who remain silent about conservative colleagues who flout family values even if they (the liberals) do not themselves think that kind of conduct is at odds with conservative family values is blameworthy.

What is it that deprives one of the standing to remain silent in situations like the one just described? This question is too big to tackle properly here. Instead I will simply argue that, of the two of main theoretical accounts of what defeats standing to blame, one (the *moral equality* account) implies, and the other (the *commitment* account) is consistent with, the fact that one can lack standing to remain silent. This, I think, is striking.

On the moral equality account, hypocritical blaming is inconsistent with the basic moral equality of persons (Fritz and Miller 2018; Wallace 2010). Consider Fritz and Miller's version of the account, according to which hypocritical blamers manifest an unfair differential disposition to blame:¹³ 'R is hypocritical with regard to violations of N iff R is

¹² Is this norm not unreasonably demanding of blamers? Why should the fact that they have, in the past, done their fair share of blaming of wrongdoers imply that, unlike free-riders in this respect, they now have an extra duty to blame novel wrongdoers? I cannot address this challenge adequately here. Suffice it to note that, just as it is unclear that blame from the perspective of the blamee should simply be regarded as a cost (see footnote 19), it is also unclear that it should be so regarded from the perspective of the blamer. But even to the extent that it is so regarded, the present point motivates an agent-prerogative not to blame wrongdoers, not a denial of the idea that past instances of blame can oblige one to engage in future acts of blaming similar wrongs (e.g., because one's agent-prerogative does not get one off the hook with regard such similar wrongs in light of how miserly one has been in one's blaming until now).

¹³ The notion of unfairness here is not straightforward. For example, as suggested above, blaming is time- and energy-consuming. Sometimes one is able only to blame a subset of those one has standing to blame, and, at least on some ways of making the required selection of one's blamees, one is not treating anyone unfairly. But these issues arise in connection both with standing to blame and with standing not to blame, so we can set them aside.

blameworthy for a violation of N and R has a [U]DBD with respect to violations of N' (Fritz and Miller 2018: 122).¹⁴ Where having a UDBD is a matter of: 'having a disposition to blame others for a violation of some norm N but lacking a disposition to blame oneself for violations of N without having a justifiable reason for this difference' (Fritz and Miller 2019: 546-547). Blaming hypocritically and refraining from blaming hypocritically are symmetrically related to UDBD. Both manifest a UDBD. In Fritz and Miller's view, UDBDs are relevant to standing because those who have them are, by implication, denying the moral equality of persons. The moral equality of persons is what grounds the right to blame, and when one denies that which grounds a certain right one forfeits that right (Fritz and Miller (2018: 125-126). From this perspective, the question becomes: Is the right to remain silent grounded in the moral equality of persons?

Plausibly, a person who is disposed not to blame anyone, and for that reason never does, acts within those of her rights that are grounded in the basic moral equality of persons (whatever exactly these are). Such a would certainly not have a UDBD, as defined by Fritz and Miller, at any rate, because those who are disposed not to blame anyone cannot have a disposition 'to blame others for a violation of some norm N but ... [lack] a disposition to blame oneself for violations of N' (Fritz and Miller 2019: 546-547). However, a person who sometimes blames others for their violation of N and at other times remains silent in the absence of 'a justifiable reason' for this differential treatment *ipso facto* indulges in blaming inconsistently, thereby implicitly denying the basic moral equality of persons. What this suggests is that insofar as there is a right to blame that is grounded in basic moral equality, as Fritz and Miller submit there is, it is a right to blame *consistently*. By parity of reasoning, if

¹⁴ Initially, Fritz and Miller (2018) used the notion of a DBD, but it is clear that what they had in mind was what they refer to in later work using the label 'UDBD'.

there is a right not to blame, it is a right not to blame consistently. But if that is so, one can forfeit the right not to blame. In short,

If R rejects the grounding that gives R the right to blame S for violations of N, then R forfeits the right to blame S1 for violations of N (while not blaming others) and to not blame S2 for violations N (while blaming others).¹⁵

Presumably, this implies a derivative duty not to remain silent in face of S2's violation of N, provided that one has already blamed S1 for S1's violation of N, when there is no justification for such differential blaming behavior – there is a duty to avoid a situation where one blames S1 for violations of N but not S2. Hence if one has already blamed S1 for violations of N, the only way to avoid violating this duty is by blaming S2 as well. Arguably, one can sometimes also comply with the duty by taking back one's blame of S1. But, of course, one can do that either hypocritically (the retraction serves one's purposes best in the situation) or sincerely (one has come to have doubts about the norm involved). Hence, on Fritz and Miller's view, one can lack standing to remain silent in virtue of having a duty to blame.

With the so-called commitment account of standing to blame I can be briefer.

According to a prominent advocate of the commitment account, Stefan Riedener (2019: 184): 'in order to have the standing to blame, one must blame another person in light of some norm

¹⁵ This claim is a slightly modified version of premise 5 in Fritz' and Miller's core argument (2018: 125), which states: 'If R rejects the grounding that gives R the right to blame S for violations of N, then R forfeits the right to blame S for violations of N'. The conclusion of the Fritz and Miller argument is: 'If R is hypocritical with respect to violations of N, then R forfeits the right to blame S for violations of N.' The conclusion I want to establish is slightly different: 'If R is hypocritical with respect to violations of N, then R forfeits the right not to blame S for violations of N.'

N only if one oneself takes N seriously'.¹⁶ It is not clear (and need not be so for Riedener's purposes in the article from which this remark is taken) what exactly taking a norm seriously involves. However, blaming sexual harassers or careless handlers of classified information only when they are political opponents and not when they are political allies certainly looks like a reliable sign that (or even a fact in virtue of which) one is less serious about the norms associated with sexual harassment and classified documents than one would be if one were to blame such wrongdoers irrespective of whether they are political opponents or allies. At least, one seems more serious in that one's concern with the norm in question is a principled concern. Complaints about hypocritical blaming typically take this form. The accusation is not that the blamer, Tartuffe-style, simply feigns commitment to a norm to which they are indifferent. Rather – typically, at any rate – it is that hypocritical blaming involves *biased* commitment to the norm. That commitment, when mobilized in acts of censuring, might be quite strong. Hence, on the commitment view one can lack standing to remain silent because hypocritical silence is an indication that one is not serious about a norm to which one has appealed on prior occasions of blaming. Indeed, if seriousness about a certain norm is partly constituted by one's response to violations of that norm, remaining silent can undermine one's standing to blame.¹⁷

It might be objected that all this shows is that, on the commitment account, silence can affect, or indicate something about, when one can blame with standing. However, that is consistent with the account *not* implying that one can lack standing to remain silent. The commitment account is an account of what undermines standing. It is not an account of a set

¹⁶ Rossi (2018) and Todd (2019) present two other influential commitment accounts. In my view, the argument I make here vis-à-vis Riedener's account essentially applies to their accounts as well.

¹⁷ Todd observes that commitment involves not just endorsing the value in question, but also 'some degree of motivation to act in accordance with the value' (2019: 355). Thus, arguably, on his view lack of commitment is partly constituted by the lack of motivation to blame people who do not act in accordance with the value in question.

of (in)actions that one has, or does not have, standing to engage in. Naturally, an account developed in response to one of these questions may well place limits on the kind of account we can develop in response to the other question.

I believe this quick response to the objection is basically right, but I also believe that it does not really challenge what I have said above. One could subscribe to the tripartite view that standing only applies to refraining from blaming, that there is no issue about standing to blame, and that standing to refrain from blaming is undermined by lack of commitment. On this view, standard hypocritical blamers have no standing to refrain from blaming themselves when they blame others for violations of the same norm. However, this blaming of others is not standingless – *ex hypothesi* the standing concerns only omissions to blame – but, conjoined with the hypocritical blamers' lack of self-blame, that constitutes, or indicates, a lack of commitment, and so a lack of standing to remain silent about the hypocritical blamers' own faults.

I am not proposing this as a serious contender as an account of what standing concerns. My point is that the reason it cannot be treated as that is not rooted in the commitment account as such. Rather, it is due to our account of what standing is – and, as I argued in the first half of this section, both lacking standing to blame and lacking standing not to blame make sense. The commitment account is at least consistent with this claim.

IV. THE WRONGNESS OF SILENCE

Assuming one can lack standing to remain silent, it is natural to ask if hypocritical declining to blame and hypocritical blaming are morally wrongful for the same reason. Offhand, it would be surprising if this were not so. For instance, if one accepts something like the Fritz and Miller moral equality-based account of what makes hypocritical blame wrong, blaming and declining to do so both involve a denial of moral equality if either does. Obviously other,

and in my view less promising, or at least less general, accounts of what makes hypocritical blame pro tanto wrong are available – that must be acknowledged. One thought that immediately springs to mind is that, whatever account we adopt, blaming and declining to do so differ morally because one is *doing* and the other *allowing*.¹⁸ Blaming is doing something, usually uttering words of condemnation. When you decline to blame (e.g., move on in the conversation when addressal of the supposedly blameworthy action is the obvious sequitur) you merely allow something to happen: you allow the potential blamee not to be blamed by you and thereby allow your previous blamees and the victims of your present blamee’s wrongful act to suffer, say, dignitary harms. If we accept the commonsense view that doing something harmful to another is harder to justify than allowing another to be harmed, then, assuming that blaming someone is a way of harming them (even if justifiably), we might be tempted to infer that hypocritical blaming is morally worse than hypocritically refraining from blaming – quite independently of the account of the moral wrongness of hypocritical blame, among those available, that we accept.¹⁹

¹⁸ In (Lippert-Rasmussen 2023: Ch. 3) I distinguish between distribution-focused accounts, which explain the wrongness of hypocritical blame in terms of how it distorts the distribution of some good such as public esteem; blamer-focused accounts, i.e., commitment- and wrong-attention-based accounts; and blamer-blamee-relation-focused accounts: the moral authority, reciprocity, moral community, falsehood, and moral equality accounts. In my view, these accounts – in some cases, when suitably revised – apply to hypocritical silence as well. Take Isserow and Klein’s (2017: 209) esteem-focused account. According to this hypocrites are rightly met with disdain because they garner ‘unmerited esteem’. But if this is so it is hard to see why people who are hypocritically silent when it comes to the faults of people with whom they sympathize should not similarly be met with disdain because they effectively seek to enable these people to enjoy ‘unmerited esteem’ – unmerited, because their wrongs are not addressed. By way of a second example, on the reciprocity account hypocritical silence arguably amounts to a wrongful failure or reciprocity towards principled blamers of violations of a given norm (Roadevin 2018).

¹⁹ Both assumptions are widely accepted. Dover (2019: 396-405) nicely illustrates how Wallace’s (2010) account of standing assumes a ‘Sanction View’ of blame and informatively contrasts it with Bell’s Didactic View and her own Critical Dialogical View, which, inter alia, emphasizes ‘the dynamic, egalitarian, back-and-forth mode’ of real-life criticism. Wollard (2015) offers a recent, sophisticated defense of the moral relevance of the doing-allowing distinction. I set aside here comparison of the putative harm of being subjected to blame and the putative dignitary harm of being unfairly subjected to hypocritical blame.

One response here would be to query the moral significance of the doing-allowing distinction, and that significance is indeed hotly contested. However, in the present context we can completely sidestep this discussion because, in typical cases of hypocritical silence at least, remaining silent is not really a matter of merely allowing something to happen – for the following two reasons, at least.

First, often it is very hard to refrain hypocritically from blaming. In some cases persons who hypocritically refrain from blaming experiences anger and resentment directed against the wrongdoer and must choose their words very carefully – or, as may have happened in the Kamala Harris case, choose not to say anything but simply walk away – in order to give effect to their intention not to blame. In cases like this, not blaming, arguably, though controversially, is a doing rather than an allowing, since had the agent not exercised their agency to prevent themselves from blaming they would have blamed (Bennett 1995: 113-114).

But second, and more importantly, it is an illusion to think that hypocritical silence and hypocritical blaming differ along the lines of the doing-allowing distinction in a morally significant way. One can omit to blame by performing an act of not-blaming. Harris could have explicitly stated that Governor Cuomo had not acted in a blameworthy way. Moreover, even if we focus on cases where the potential blamer simply remaining silent, the present suggestion is problematic. Harris's hypocritically blaming Kavanaugh is a *composite* form of conduct consisting in an act (her publicly blaming Kavanaugh) *and* an omission (her public silence about Cuomo). Harris's hypocritical refusal to blame Cuomo is also a composite, indeed one consisting of the very same act and omission. As the case illustrates, the composite elements of hypocritical blaming and hypocritical silence are the same, so the two

cannot differ, morally speaking, along the lines of the doing-allowing distinction.²⁰ Given this, even if doing is harder to justify than otherwise comparable allowing, it is very hard to see why anyone would deny that hypocritical silence is on a moral par with hypocritical blaming.

V. THE ANTI-IMPROVEMENT OBJECTION

Having defended the notion that standingless blame and standingless omissions to blame should be regarded on a par standing-wise, I turn to its implications for the concern that a preoccupation with standing justifies a perverse focus on silencing hypocritical critics of blameworthy agents with the result that much of the moral improvement that follows downstream from blameworthy agents being blamed is lost. It will help to have this concern set out in the form of an argument – the *Anti-Improvement Objection*. This runs as follows:

1. The goal of the practice of blaming is the moral improvement of its practitioners.
2. In the presence of the rule, *r*, that hypocritical blaming can be rejected on grounds of the blamer's lack of standing practitioners are less inclined, when they comply with *r*, to hold each other accountable for failures to act in accordance with moral standards.²¹

²⁰ Admittedly, latent hypocrisy complicates the matter. Suppose that at the time Harris declined to criticize Cuomo no Republicans had been found guilty of sexually harassing others; and that, wanting to avoid blaming political allies, Harris blamed no one for sexual harassment but would have blamed any Republican politicians had they been found guilty of sexually harassing others. In this case, the composite analysis seems inadequate. However, this may not be a problem for my argument: in the imagined case, while Harris' pattern of blaming – including her omissions to blame – is, perhaps, not hypocritical, her silence shows she is a hypocritical person.

²¹ Dover (2019: 420) and King (2019: 287) make the related point that if (hypocritical) blaming can be rejected on grounds of lack of standing, then practitioners will be less inclined to let others hold them accountable for failures to act in accordance with moral standards. The present line of argument applies *mutatis mutandis* to this suggestion as well.

3. Where practitioners are less inclined, as a result of complying with *r*, to hold each other accountable for failures to act in accordance with moral standards, the goal of bringing about their moral improvement is promoted less well.²²
4. If the goal of a certain practice is promoted less well if practitioners comply with a rule (here *r*) than it would be if the practitioners were to comply with an alternative rule (here the rule that hypocritical blaming *cannot* be dismissed on grounds of the blamer's hypocrisy), that rule cannot part of the practice.
5. Hence, the idea that hypocritical blaming can be rejected on grounds of the blamer's lack of standing cannot be part of the practice of blaming.²³

This argument captures the intuitive worry about the notion of standing that I described in the introduction to this paper. It also serves as a reconstruction of arguments presented in various contributions to the ethics of blame literature. It comes close to an argument offered, albeit somewhat inexplicitly, by Daniela Dover (2019), and to one gestured at by Bell (2013; see also O'Brien 2022: 440-441). Both authors set out the argument differently from the way I have. For example, Dover asserts neither premise 1 nor premise 4 – although in my reading of it her argument implicitly assumes both.²⁴ However, 1–5 certainly articulate some of the

²² 'If the pot says to the pan, 'your arse is burnt!' and the pan responds 'so is yours!', they might both walk away wiser... To embrace the norm [that one should not criticize others when one is not better oneself] is to believe that this edifying exchange should never have taken place' (Dover 2019: 388). Also: 'blame is better understood as a tool that we may all use to learn from one another and express our moral values, no matter how blemished our moral records might be' (Bell 2013: 279).

²³ This means it is untrue that, morally, 'we should not criticize others for wrongs that we have committed ourselves' (Dover 2019: 388) – at least, not without engaging in proportionate self-criticism.

²⁴ Dover does not present an argument of the quasi-formal kind I have presented, and inevitably detailed discussion of her reasoning requires an element of interpretation. I do not say this as a criticism. In my view, her Critical Dialogue View of blame and her description of the ways in which blame typically unfolds in ordinary settings are rich and profound. However, it is not always clear how, exactly, her insightful observations on the phenomenology of ordinary blame justify her standing skepticism.

central concerns of these skeptics about standing, such as the concern that the admonition to ‘walk the walk’ obstructs the education of blamees, and as a result the moral improvement of them that this might result in. So, even if it fails to match perfectly any of the objections mounted by skeptics about standing (I am not saying that it does), an examination of the reasoning in 1–5 can teach us important lessons about the sort of case skeptics about standing can, and cannot, sensibly make.

Arguably, premises 1 and 4 are problematic in that they involve a quite instrumental view of the practice of blaming that many would reject. It is not clear in what sense blaming serves a goal. Even if that were clear, it would not be obvious that this goal is the moral improvement of practitioners (only) – as opposed, for example, to being ‘valuable as a way of standing up for one’s values’ (Bell 2013: 268). Even so I shall simply grant 1 and 4, noting that, insofar as the practice of blaming is goal-directed, most would accept that the moral improvement of participants in the practice is at least an important one among several of the goals of the practice of blaming (cf. Bell 2013: 267-269; Dover 2019: 398-400). I would also point out that the sort of argument I will be making here can be presented in connection with suitably weakened variants of 1 and 4.²⁵

Premise 3 is empirical. No doubt blaming can sometimes, ironically enough, harden the wrongdoer’s character rather than improve it. Again, however, I want to simply grant 3 and assume that blame – at least, when it is thought of ‘as a move in a potentially substantive and potentially valuable conversation’ and not as ‘punishment’ or ‘a ready-made learning module’ (Dover 2019: 420) – typically helps wrongdoers see their faults and mend their ways.

²⁵ Such a suitably weaker argument might better reflect the view of some of the skeptics of standing. However, since I grant the two premises in question, this has no bearing on the strength of my criticism.

This leaves us with premise 2. My claim is that the arguments of previous sections of this paper show that this premise might well be false and explain why. For if these arguments are sound it follows that if an attribution of blame can be indirectly dismissed on the grounds that the blamer is being hypocritical, then so can the silence of a non-blamer when *it* is hypocritical. Taking it to be a psychological fact that it is extremely uncommon, and hugely difficult, to abstain from blaming altogether – as my opening examples remind us, politicians, among others, blame each other all the time – most of us are vulnerable to the accusation of hypocritical silence if norms of standing apply.²⁶ Since we cannot change the fact that we have blamed others in the past, and that others remember our past imputations, the only way to avoid this charge is by overcoming the temptation to remain hypocritically silent and thus blaming wrongdoers even when, for one reason or another, we favor them.²⁷ Doing so, according to premise 3, will boost our moral improvement relative to a situation where there are no rules of standing, and, accordingly, one can reserve blame for one's disfavored norm-breakers without the risk of being called out for hypocrisy.

In short, if hypocritical blaming can be rejected on grounds of standing so can hypocritical silence. Hence, if the fear of being accused of hypocrisy is capable of motivating practitioners to avoid holding others accountable to moral standards, then, presumably, the fear of being accused of hypocritical silence is capable of motivating practitioners to blame, rather than decline to speak out, thereby facilitating the goal of moral improvement, though it is difficult to say which of these two opposed tendencies, as it were, is strongest.²⁸ If this is

²⁶ In connection with political contexts like those in my opening examples we might note here that since most politicians have blamed at least some political opponents for some moral faults, they lack standing to remain silent when political allies commit the same moral faults.

²⁷ Elster (1998: 110) has suggested that hypocrisy (by which he meant pretending that one subscribes to a certain norm that, initially at least, one does not) has civilizing effects. Here the civilizing effects in question are the effects of blaming non-favored wrongdoers though, and as my examples illustrate the effects sometimes do not materialize.

²⁸ Ultimately, it is an empirical question whether blame, or the prospect of it, morally improves practitioners of blaming. However, since if it does not, this would undermine the

correct, premise 2 of the Anti-Improvement Objection might well be false.²⁹ The rules of standing go beyond those that permit us to dismiss hypocritical blame. They include rules demanding that we blame. Hence, observance of these rules may not render practitioners less inclined to blame each other, and as a consequence, *pace* the Anti-Improvement Objection, the rules may not serve the goal of our moral improvement badly – assuming, of course, that that being blamed facilitates our moral improvement.

VI. CONCLUSION

If our practice of blaming is regulated by rules that allow blamees to indirectly dismiss hypocritical blame, it is also regulated by rules implying that hypocritical non-blamers can be obligated to blame and that, where they do not, their silence can be indirectly dismissed. The non-blamer might be under a duty to blame. If challenged to take a stand, they might be under an additional duty to do so. Arguably, then, the worry about the view that blaming requires standing articulated in the Anti-Improvement Objection – can be answered.

Compliance with the rules of standing will often require us to blame, rather than remaining silent, and in meeting this requirement we will facilitate our own moral improvement. If blame is ‘a tool that we may all use to learn from one another and express our moral values’ (Bell 2013: 279) – and it seems highly likely that it is at least that – an appropriate concern for standing will, in many cases, introduce the so far ignored injunction to use that tool rather than hypocritically condone the wrong in question through silence.³⁰

anti-improvement argument (as well as my reasoning for the falsity of premise 2), I can set aside this empirical question.

²⁹ As indicated, I am not suggesting that the other premises are true. It is just that, for present purposes, I have zoomed in on premise 2.

³⁰ A previous version of this paper was presented at University of Stockholm, June 1, and University of Oslo, June 14, 2023. I am grateful to Kim Angel, Naima Chahboun, Eva Erman, Markus Furendal, Astrid Hallaraaker, Robert Huseby, Jonathan Kuyper, Raino Malnes, Attila Mráz, Hallvard Sandven, and two anonymous reviewers for helpful comments.

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