

The Other Side of Agency

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Abstract

In our philosophical tradition and our wider culture, we tend to think of persons as agents. This agential conception is flattering, but in this paper I will argue that it conceals a more complex truth about what persons are. In 1. I set the issues in context. In 2. I critically explore four features commonly presented as fundamental to personhood in versions of the agential conception: action, capability, choice and independence. In 3. I argue that each of these agential features presupposes a non-agential feature: agency presupposes patiency, capability presupposes incapability, choice presupposes necessity and independence presupposes dependency. In 4. I argue that such non-agential features, as well as being implicit within the agential conception, are as apt to be constitutive of personhood as agential features, and in 5. I conclude.

1. Introduction

What is a person? The question looks innocent enough, but philosophical confusions and political prejudices lie in wait all around, set to engulf the unwary. My work on this topic started when I began to notice that abject features of human life like suffering, weakness, vulnerability, constraint, dependency seem to get very little philosophical attention. It struck me that these aspects might well be metaphysically, ethically and politically important. I wondered why, when they shape the lives of persons so profoundly, they are so neglected. I began to suspect they are ignored not because they are negligible, but because we are biased towards thinking of persons as agents.

The bias is profound. It is rare to find it stated in the form of the claim 'persons are agents', or to find philosophical arguments offered in support of it. Instead, it is presumed, mentioned if at all as a gesture in passing, a presumption, a shared starting point for any reflection on persons. For example, Charles Taylor describes his project at the beginning of *Sources of the Self* as 'tracing...our modern notion of what it is to be a human agent, a person, or a self'.¹ Treating

¹ C. Taylor, *Sources of the Self* (Cambridge Mass.: Harvard University Press, 1989), 3.

'agent' as equivalent to 'person' or 'self' here is not meant to introduce any new or difficult idea. It is simply meant to gesture at a common understanding on which Taylor will rely.

The agential bias is not limited to philosophers. It is a vast invisible structure which pervades our culture. It says: when I am an agent, I am, I count. But when I am passive, incapable, constrained, dependent, I am less a person, I count less. The bias is so strong and so deep, that even compassionate thinkers strongly committed to acknowledging dependencies and meeting needs, still think our political task must be to 'enable' anyone who is passive, suffering, subject to necessities, etc. to get a bit more agency, and to become, thereby, more of a person.

To evaluate the agential conception, we must first make it explicit. I attempt this by discussing philosophical work which I think shows the agential conception and its problems well. As my targets are not 'theories' which list agential features as necessary and sufficient for personhood, my aim is not to refute such theories, still less to replace them with a 'potential' theory of my own. Rather, my aim is to show how the agential conception is more problematic, conceptually, metaphysically, ethically and politically, than we imagined. I will argue we should broaden our conception to include potential features, and modify our claims about the agential features to offer an account of personhood that is more balanced and realistic, less of a fantasy.

I think of the question, 'what is a person?', as an ordinary question, the kind of question a child might ask. The question is 'scientific' in the sense that it seeks worldly facts about the kind of creature a person is, about a form of life. It is true that the question can take on a different guise depending on the purpose for and context in which it is asked. If for example we presume persons are the morally significant beings *par excellence*, the question 'what is a person' may signal a search for criteria to distinguish morally significant from negligible beings.² And if our project is to define social justice, we may think we should divide answers into two kinds, 'metaphysical' and 'political', to allow ourselves to bracket one kind of question and concentrate on the other.

² See M-A. Warren, *Moral Status* (Oxford: Oxford University Press, 2000) for a discussion of different forms this approach can take. See my *Needs and Moral Necessity* (London: Routledge, 2007) for criticism of the idea that personhood should define or limit moral significance.

Contemporary philosophers John Rawls, Tim Scanlon and Martha Nussbaum take this approach.³ Rawls, for example, says the ‘political’ conception of the person as citizen, while it may ‘presuppose . . . metaphysical theses about the nature of persons’, does not ‘distinguish between the distinctive metaphysical views—Cartesian, Leibnizian, Kantian; realist, idealist or materialist’.⁴ Unfortunately Rawls’ analysis does not go deep enough to reveal the mistake he makes here. From the perspective of this paper, his examples of ‘distinctive metaphysical views’ are actually all of one type, the agential conception. Because this is a metaphysical mistake, we need metaphysical analysis to unsettle it. Excluding metaphysics from the discussion of persons as citizens makes it impossible to see, let alone correct, any bad politics that may be elaborated out of the agential conception.

We have the philosophical resources for an inquiry into personhood that is both metaphysical and political (and conceptual and ethical). The ‘person as citizen’ just is the ‘metaphysical’ person considered under the aspect of being a member of a community. Aristotle is most helpful here. He is not on Rawls’ list—and the omission is not surprising, since Aristotle’s account of the person includes metaphysical and political aspects. For Aristotle man is by nature ‘an animal . . . capable of acquiring reason and knowledge’, and also ‘a political animal’.⁵ Aristotle’s philosophy of the person is conceptual, metaphysical, ethical and political—the aspects are joined up in his thought. I will try to keep them joined up here.

To talk about non-agential personhood, we need some terminology. In this paper, drawing on Aristotle’s analysis, I use the word ‘patient’ as the correlate of ‘agent’. A being is a ‘patient’ in this sense when it is acted on. I suspect ‘patency’ in this sense is as inalienable and central to personhood as ‘agency’ is more commonly assumed to be. I want as it were to rewrite the quotation from Taylor above, and ‘to trace our notion of what it is to be a human *patient*, a person or a self’. But in our culture the ‘patient’ is given their proper name only in medicine. It causes a peculiar difficulty for efforts to unsettle the agential conception like mine, that when we hear the word ‘patient’, we think not of beings acted upon, but specifically of human beings who are

³ See J. Rawls ‘Justice as Fairness: Political not Metaphysical’, *Philosophy and Public Affairs*, 14, 227–251; T. Scanlon, *What We Owe to Each Other* (Cambridge, Mass.: Harvard University Press); M. Nussbaum ‘The Future of Feminist Liberalism’, *Proceedings and Addresses of the American Philosophical Association*, 74 (2000), 47–79.

⁴ Rawls, *op. cit.* 240, fn.22.

⁵ Aristotle, *Topics*, 112a20; *Politics*, 1253a3.

subject to the attentions of doctors, lying in bed in hospitals, being operated on or otherwise ‘treated’. For us the term ‘patient’ has misleading associations of human occurrent need, and negative connotations of a state to be avoided. Despite these difficulties, I need a term to refer to the silenced and ‘othered’ passive aspects of personhood. The philosophical etymology insists ‘patient’ is the right term, so that is the term I will use, and I urge others to do the same.⁶

2. The Agential Conception of the Person

The agential conception of the person takes many guises, with many different patterns of emphasis. Most philosophers, like Charles Taylor, simply assume we know what we mean, and all agree, when we say persons are agents. They then explore in detail only the particular aspects of agential personhood that interest them. Some explore rational or moral actions, some explore persons as moral or political agents, some explore the moral status of persons, others explore the possibility of free will, and the implications of conclusions about free will for human moral responsibility, or the best political arrangements for persons. Some explore consciousness and knowledge, and the contributions that agency makes to those dimensions of human life. Others explore the relationships, commitments and projects that may structure human life.⁷ In what follows, I discuss four features of persons as agents which I think are particularly central to the agential conception—action, capability, freedom and independence.

⁶ Although I adopt Aristotle’s usage and recommend it, sadly I must note that Aristotle himself was not immune from the agential bias. His treatment of form and matter reflects it, as does his insistence that God must be all action. Even the etymology of the Greek words shows a bias which was obviously entrenched even then: ‘*pathos*’ meant not just experience or suffering, but also misfortune or calamity; ‘*pasko*’, while it had the unbiased meaning of ‘to suffer or be affected by anything whether good or bad, as opposed to acting oneself’, also meant to be ailing, to suffer evil or to be mistreated. The contrasting terms are positive: ‘*poiesis*’ meant making, doing, shaping, creating, or begetting; ‘*dunamis*’ meant strength, might or power, and the human ‘*ergon*’ is understood as consisting of ‘actuality’, which Aristotle notes is etymologically linked to action (*Metaphysics IX*, 1050a20).

⁷ See H. Frankfurt, *The Importance of What we Care About* (Cambridge: Cambridge University Press, 1988). Thanks to Marilyn Friedman for pointing out that ‘agential conceptions’ of philosophers are more diverse than I seem to suggest, extending to features I do not discuss here, like consciousness and non-rational commitments.

a. Action

A central element of the agential conception, is the idea that persons are beings that *act*. Some philosophers who take a more detailed interest in human agency argue that persons are distinguished not merely by action, which animals and even machines may also be capable of, but by specifically personal kinds of action, for example ‘intentional action’.⁸ Others, like Fred Dretske and Mikael Karlsson, do discuss the broader notion of action as ‘things we do’, distinguishing this from ‘things that happen to us’ by the criterion of self-movement.⁹

But we need to rewind, and ask more basic questions. What can we mean, if we say persons are beings that act? What is action, and why should we believe persons are especially, or at all, characterised by it? Late in his career a philosopher of action, Richard Taylor, became disillusioned with the idea that we should or can think of persons as beings which act.¹⁰ In his succinct paper, Taylor usefully sums up our shared target, the view that persons as agents are a unique phenomenon in nature, and present a unique challenge to philosophy:

Persons are unique, in that they sometimes act. Other things are merely passive, undergoing such changes as are imparted to them, but never really performing even simple actions as people do.¹¹

Taylor argues that this idea of action is not at all as clear, or as plausibly a central aspect of personhood, as in the grip of the agential conception we have tended to assume.

To challenge the idea that persons ‘act’ in any metaphysically distinctive way, Taylor considers three possible accounts that might be

⁸ D. Velleman, ‘What Happens when Someone Acts?’, in *The Possibility of Practical Reason*, (Oxford: Clarendon Press, 2000), 123–43.

⁹ F. Dretske, *Explaining Behavior: Reasons in a World of Causes*, (Cambridge, Mass.: MIT Press, 1988), 1; M. Karlsson, ‘Agency and Patience: Back to Nature?’, *Philosophical Explorations*, 5 (2002), 59–81.

¹⁰ R. Taylor, ‘Agent and Patient: is there a Distinction?’, *Erkenntnis*, 18 (1982), 223–232. Taylor reluctantly came to believe that analytic philosophy of action—a new and growing area, which continues to attract good philosophers—is riddled with mistakes.

¹¹ Op. cit. 223. In this paper, for simplicity, I treat thinking, judging, intending and willing as kinds of action. They are things that agents *do*, indeed for Kant because willing is uncontaminated by the contingencies of the empirical world it is the person-defining action *par excellence*; similarly, for Aristotle, because it is unchangingly and perfectly active, thinking is the paradigmatic action. See *Metaphysics XII* 1072b14–31.

given of the distinctiveness of action. First, action might be a metaphysically different kind of thing from causation, as the quote above suggests: what a person *does*, and what a clock *does*, are different—while persons act, clocks are merely acted on and at most unwind.¹² Taylor rejects this account, on the grounds that animals act, and that talk of the ‘actions’ of inanimate entities like artefacts is perfectly comprehensible in some situations. The second account Taylor considers, is that action is a kind of causation after all—but a unique kind, not found in anything except agents. Actions are *self-caused*, while everything else in the world is caused by other things.¹³ Taylor rejects this too, on the grounds that the ‘metaphysical self’ which acts in its own special and mysterious way, is an *ad hoc* postulate which lacks explanatory basis and internal sense.

The third possible account he considers, is that actions might be caused ‘in the normal way’, but by special objects. This is the view made popular by Donald Davidson, that actions are things caused by a combination of a pro-attitude towards an action, and a belief that the action is of the right kind.¹⁴ This account of the specialness of action must also fail, in Taylor’s view. The Davidsonian proposal merely reprises the dilemma, it cannot solve it: either my willing is a special cause, an operation by my ‘self’ on my belief/pro-attitude pair, in which case we have the *ad hoc* postulate again. Or the belief/pro-attitude pair simply causes my action, in which case action is not distinctive after all. Action, Taylor concludes, cannot be something metaphysically distinctive of persons. He concludes that human actions and persons as agents are distinguished not by intrinsic features, but by the ordinary practices we use to decide what is and isn’t an action or an agent when we encounter them.

b. Ability, Capability, Power, Potential

Actual action, as it were, is not the only feature the agential conception of the person makes central. As important, is capability, the ability, power, or potential realisable by the self, to act. Thus John Locke defines a person in terms of things they are *able* to do: a person is a being that ‘*can* consider itself as itself’, and John Rawls

¹² Op. cit. 223–4.

¹³ *Ibid.*

¹⁴ The *locus classicus* for Davidson’s view is D. Davidson, ‘Actions, Reasons and Causes’, *Journal of Philosophy*, 60 (1973), 685–700. For Taylor’s criticism, see op. cit. 229.

defines a person as ‘someone who *can* take part in social life’, who possesses ‘two moral *powers*’, namely ‘a *capacity* for a sense of justice and a *capacity* for a conception of the good’.¹⁵

Amartya Sen and Martha Nussbaum have developed related conceptions of the person as characterised by capacities or ‘capabilities’ rather than actual activities (or ‘functionings’ as they call them). Their aims are political: they seek a conception of the person that will facilitate social justice. Nussbaum draws inspiration from Aristotle. On her reading, human beings have some capabilities in virtue of being the natural kind of being which has the power, potential or capability to become some specific thing. She calls these ‘B [for basic] capabilities’, and refers to Aristotle’s description of a child as having a potential or power in this sense to become a general.¹⁶ Such capabilities, Nussbaum argues, ground claims to political distribution to facilitate the ‘I [internal]’ and ‘E [external condition]’ capabilities to become the specific thing, for example the teaching of skills and removal of external constraints.¹⁷

Sen’s focus on capabilities reflects his wish as an economist to steer a middle course avoiding the paternalism of objective-good approaches, and the problem of adaptive preferences of subjective-well-being or preference-based accounts of what people have political claim to. The feature he thus emphasises about capability is less prominent in Nussbaum’s account: freedom. A capability is a freedom. It is not just a potential, then—it is a potential which can be actualised, or can be left un-actualised by the agent’s choice. This brings us to a third feature central to the agential conception.

c. Choice, Rationality, Freedom

According to the agential conception, a person is not just a being that *does* and *can*, a person is a being that *chooses* to do what it does, and chooses which abilities to develop and which to leave undeveloped, and chooses which of its developed abilities to exercise and when. The concept of choice is closely related to the concepts of rationality and freedom. A person is capable of choice, not in the sense of being

¹⁵ J. Locke, *Essay Concerning Human Understanding* (London: Thomas Tegg, 1846), Bk. 2, ch. 27, s. 9, 217; J. Rawls op. cit. 233 (my emphasis).

¹⁶ Aristotle, *De Anima* 417b30.

¹⁷ M. Nussbaum, ‘Nature, Function and Capability: Aristotle on Political Distribution’, *Oxford Studies in Ancient Philosophy*, Supp. Vol. (1988), 145–184, 160–168, esp. 167–8.

capable of random selection of options, but in the sense of being able to choose rationally. This means the free choosing person is implicitly assumed to be able to know the options, to be able to contemplate them in thought, to deliberate over them, and to elect an option to act on for reasons. To be able to choose in this way, is to be free. Kant's definition of the moral person highlights this aspect of the agential conception:

Moral personality is nothing but the freedom of a rational being under moral laws . . . Hence it follows that a person is subject to no other laws than those which he (either alone or jointly with others) gives to himself.¹⁸

This identification of personhood with free rational choosing can be elaborated in dramatic ways. Margaret Walker discusses three such elaborations.¹⁹ According to the first, a person is a being with a 'rational plan of life', as John Rawls has proposed.²⁰ Walker questions Rawls' idea. Ordinary people in most circumstances cannot and do not live according to life plans.²¹ According to the second, which Walker finds in Bernard Williams, a person is a being who is stably disposed to practical deliberation which is given direction by character, understood as structured by 'constitutive projects' which answer 'the question of why we go on at all'.²² Walker objects on empirical grounds: it is 'a questionable claim, that having character at all requires having literally life-driving, make-or-break commitments'.²³

According to the third way, which Walker finds in Charles Taylor, the central role of choice, rationality and freedom is elaborated by equating 'selfhood itself with having and sustaining a whole-life narrative', as Taylor does.²⁴ Walker finds this view 'vastly demanding'. Walker's criticisms of these versions of the agential conception are

¹⁸ I. Kant, *Critique of Practical Reason and Other Works on the Theory of Ethics*, T.Kingsmill-Abbott (trans.) (London: Longmans, 1889), 24.

¹⁹ See M.Urban Walker, *Moral Understandings* (New York: Routledge, 1998), 131–152.

²⁰ See J.Rawls, *Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), 407–416.

²¹ Walker op. cit. 137.

²² See B.Williams, 'Persons, Character and Morality', in *Moral Luck* (Cambridge: Cambridge University Press, 1981), 10. Discussed at Walker op. cit. 138.

²³ Op. cit. 141.

²⁴ See C.Taylor, *Sources of the Self* (Cambridge, Mass.: Harvard University Press, 1989). Discussed at Walker op. cit. 145.

cautious, though. She has not ‘argued for or against... autonomous man, the career self, as a moral paradigm of a “person”’, but more modestly, ‘against... presenting this richly specific ideal as a thin but necessary idea of what persons, selves, or human agents “are”’.²⁵ The view I will defend below, is that stronger conclusions may be warranted: autonomous man and the career self are expressions of an agential bias which is not so much ‘richly specific’ as mistaken and even pernicious.

d. Independence

The features of the agential conception I have considered up to now—action, capability and free rational choice—are implicitly committed to another idea about persons which deserves critical attention. This is the idea that persons are *independent*. In acting, the person as agent is meant to be independent in the sense that nothing else causes their action. In being thought of as capable, again, the agent is being thought of as in a position and condition where their own decision is sufficient to actualise the capability. And in free rational choice, again, the agent is thought as paradigmatically not constrained by others, not in need of others to think and know, nor inhibited or distracted by others in choosing.

Are these claims about the independence of persons plausible? The idea of independence is much more demanding than most people, even most philosophers, tend to recognise. It is so demanding that Spinoza concluded there could only be one independent being, the world (*nature naturata*) or God (*nature naturans*) referred to under its passive and its active aspect respectively. This implies that when supporters of the agential conception say persons are ‘independent’, they cannot mean this in any strong sense. But if persons are not independent in that strong Spinozist sense towards which supporters of the agential conception perhaps unconsciously yearn, in what sense, exactly, can they be independent at all? As Richard Taylor found with action, a notion we thought was clear collapses on quite a cursory analysis.²⁶

²⁵ Op. cit. 152.

²⁶ This brief criticism of the idea that persons are ‘independent’ might lead readers to wonder whether the well-known ‘free will debate’ in analytic philosophy might be useful here. Although I cannot argue for this here, my view is that because the ‘debate’ is grounded in conceptions of nature and causation, my point about the inalienability of dependency cannot be

3. Passivity on the Other Side of Activity

Each of the features of the agential conception of persons I have highlighted has an 'other side', a complementary aspect which necessarily accompanies the aspect valorised as 'positive' and assumed to furnish the essence or form of what it is to be a person. Making only the modest assumption that persons are not omnipotent Gods, I will argue that these 'negative' aspects are misunderstood when they are treated as alternatives to agency, fallings away or privations. They are not regrettable lapses, which philosophers seeking to understand the person can reasonably ignore. In human beings, these 'negative' features are necessarily presupposed by the 'positive' agential features I have described.

a. Action/Passion

Action presupposes passion, doings involve sufferings. This is so in at least two senses. In the first sense, it is necessarily true of the agent as such that when and as they act, they suffer. When I act, in that action itself, *I the agent suffer*. When I hit you, I suffer your resistance to the blow. When I lift a cup to my lips, I suffer its weight. I do not suffer my action under its unifying description—when I hit you, I do not *hit* myself, when I lift the cup, I do not *lift* myself. But my action is nevertheless essentially partly constituted by my suffering. My hitting you includes as an essential element your bodily resistance; my lifting the cup essentially includes my suffering the weight of the cup in my hand. If I do not suffer that resistance or that weight, I have not done that action.

In the second sense, it is necessarily true of any action that when it is done, some being, the patient, suffers it. When I hit you, you suffer, and your suffering essentially partly constitutes my action. When I lift my cup, I suffer a cup at my lips. If you are not hit, I have not hit you. If I do not suffer the cup at my lips, I have not lifted the cup. Actions always and as such have *patients*, beings which the action affects. The patient is the being at the receiving

captured or illuminated by it. For discussion of how our conception of nature has been distorted, see J.McDowell, 'Two Sorts of Naturalism', *Virtues and Reasons*, R. Hursthouse, G. Lawrence and W. Quinn (Eds.) (Oxford: Oxford University Press, 1995), 149–180.

end, acted on when the agent acts. For every action, there is both an agent and a patient.

These twin facts of patiency—that as agents we suffer as we act, and that as patients we suffer in being acted on—are inalienable, pervasive and important in the social life of human beings. In a community of persons, we all suffer as we act, and we all suffer as other persons act on us. Of course we also act on, and suffer the actions of, non-personal things in the world. Whenever we act, we and our patients are affected. Our agency is accompanied by patiency—an agent will always also be a patient, now in one respect in acting, now in another respect being acted on by another. Persons, this suggests, must be as much patients as they are agents. Far from being a privation of personhood, patiency is actually a doubly inalienable part of personhood. There is no conceptual or metaphysical reason to doubt that what we suffer as patients, in acting and in being acted on, may define us as much as what we do as agents.

It has been suggested that an even stronger no-priority view may be metaphysically well-grounded, which would dispense with the agent/patient distinction altogether. C.B. Martin argues that in our explanations we should dispense with ‘unhelpful distinctions such as power to give vs. power to receive, agent vs. patient, active vs. passive, causal conditions vs. standing conditions’. Instead, he argues, ‘*whatever* is causally operative should have its full status as reciprocal dispositional partner for a mutual manifestation’.²⁷ Whilst I welcome Martin’s point that a distinction of this type cannot be ‘metaphysically deep’, and especially welcome the support this implies for my view that the agency cannot be metaphysically ‘prior to’ or ‘more important than’ patiency in the constitution of persons, I think it aids understanding to keep the distinction, for example to illuminate issues of harm, benefit and responsibility.

b. Capability/Liability

Capabilities and powers similarly presuppose passive features. This is so in the simple sense that an ability to act is always also a liability to suffer, so that to be able to lift objects is to be liable to be confined by walls. It is also so in the sense that to be able to do one thing, is to be

²⁷ C.B. Martin, ‘On the Need for Properties’, *Synthese*, 112 (1997), 204. Thanks to Jonathan Lowe for drawing my attention to Martin’s work on this topic.

unable to do another. *Pace* superwoman, when I am truly able to write a philosophy paper, I am unable to clean my house.

Human capabilities and powers also refer to incapacities and vulnerabilities. To be able to write a philosophy paper is to have been unable to do so, and to be vulnerable to losing the ability. To have a moral power to act from a conception of the good, is to be vulnerable to act badly from a distorted conception of the good, and to be vulnerable to being held to account before such a conception, good or skewed. Eva Kittay reminds us of this two-edged aspect of capability when she compares the moral worth of two people, her daughter Sesha who lacks many capabilities but is a good person, and the Nazi doctors who were unfortunately extremely capable, but did a vast amount of harm.²⁸

c. Freedom/Constraint; Choice/Necessity; Rationality/Contingency

Freedom and choice have an other side too. To be free in one respect is to be constrained in another. When I freely talk with you, I am constrained by the common grammar of our language. When I choose which school to send my child to, I am constrained by the schools on offer, my knowledge and understanding of schooling and my daughter, and my ability or willingness to tolerate the costs of certain choices. I am also, of course, constrained by more or less evident influences acting on me (my past experience, what my friends, colleagues and family say to me, news stories, other stories, advertising, accidental but powerful encounters with some or other aspects of the school).

In human persons rationality, too, thought of as it usually is on the intellectualist paradigm of deliberation and choice for reasons, has an other side. To apprehend some reasons is to fail to apprehend others, to deliberate is to leave out things that might matter, and the end of the process of deliberation is always necessarily incomplete and therefore subject to numerous contingencies outside deliberative scope.²⁹ The special importance philosophers give to rational deliberation also

²⁸ E. Kittay, 'At the Margins of Moral Personhood', *Ethics*, 116 (2005), 100–131, 123.

²⁹ See Wittgenstein's treatment of rule-following, and McDowell's discussion of its importance, for elaboration of this idea about the necessary and intrinsic limits to rationalism for ethics, in L. Wittgenstein, *Philosophical Investigations* (Oxford: Blackwell, 1953) and J. McDowell, 'Virtue and Reason', *Monist*, 62 (1979).

attests to the fact that this is an ideal, and as such surely not apt to be defining of, normal for, ordinary people as such.³⁰

d. Independence/Dependency

What of independence, which seems to me to be somehow at the core of the agential conception? If we insist, against the powerful Spinozist argument that independence is a chimera, that there is a sense in which persons are independent, we will be forced to acknowledge that such 'independence' is only ever partial, and is woven, when it is, from multiple dependencies. The dependencies presupposed by the very idea of independence are total, or abject, in the sense that the agent is truly helpless in relation to them, as helpless as those paradigms of weakness and vulnerability, the kitten or the newborn baby.

The 'independence' of persons as agents depends, in the here and now alone, on a healthy body, muscles, a skeleton, enough space, surfaces on which to act, light, air and water, enough food and drink, freedom from illness, injury, infection or other disruption of the organism. Looking beyond the here, the 'independent' ability to act also requires that the earth be turning, the sun be energising the earth, no asteroids, comets, nuclear bombs, earthquakes, tidal waves, massive solar flares or other large-scale disasters be occurring. Looking beyond the now, the independence of persons depends on a long history of worldly support, including in addition to all the factors above maternal gestation and care, family and social support, education, economic and political resources. Against this background of total dependency, it is surprising that the idea of the 'independent agent' ever got off the ground, let alone came to structure our very concept of what it is to be a person.

³⁰ Of course a defender of this aspect of the agential conception might say that an ideal is an essence. Aristotle did say this in the final book of the *Nicomachean Ethics*, where he recommended that everyone should aspire to the life of contemplation—that is, the constant pure exercise of rationality—because it is the highest thing in us. But we can question this, on Aristotelian grounds. If the aim of our philosophy is to tell the truth about human beings and decide how their lives should best be ordered, we should attend not just to what a small group of elite thinkers (sometimes—when their abilities are not exercised in corrupt ways, as for example Heidegger's and Althusser's were, not to mention Kittay's Nazi doctors) do, but as much to what ordinary people do in the course of living ordinary lives. For an example of making the ordinary central, see V. Das, *Life and Words: Violence and the Descent into the Ordinary* (Berkeley: University of California Press, 2007).

4. A Balanced Conception of the Person as Patient *and* Agent

I think the agential conception of persons is mistaken. It arises not from study of persons as they actually are, but rather from a bias towards the active and powerful which has complex political origins I can't explore here. The agential conception is not just mistaken, it is also harmful. To correct the mistake and remedy the harms it has caused, we need to integrate the non-agential aspects of our life into our concept of the person. We need to recognise and dignify the non-agential aspects of life, in ourselves and in others.

On the balanced view I suggest we should prefer, passivity, inability, necessity/contingency and dependency are as constitutive of personhood as the 'positive' aspects of action, capability, choice and independence which according to the agential conception are necessary and sufficient for personhood on their own. Along with agency comes patiency. Along with capabilities, come inabilities. Along with freedom, choice, and rationality come constraint, necessity and contingency. And along with independence come dependencies.

It would represent real progress, both philosophical and political, if these features of human subjectivity could be recognised for what they are—aspects of full, complex personhood—rather than treated as privations of personhood which philosophers and politicians can ignore, or marginalise and deplore. Passivity, inability, necessity and dependency are essentially connected with the agential features, just as receptivity is essentially connected with spontaneity in experience and knowledge. When we think of an action, in that same thought we think of a passion or experience. The two aspects, which we might call generally active and passive, are inseparable, incapable of independent existence. The philosophical and political problem is that the agential conception has encouraged us to ignore the non-agential aspects of personhood.

How should this be put right? In the rest of this paper I make some suggestions about how we might begin to re-balance the agential conception, exploring some of the ways in which non-agential aspects of life can plausibly be said to be fundamental and constitutive of what it is for anyone to be a person.

a. Patients

As well as being persons and expressing our personhood when we act, we are persons and we manifest our personhood when we are patients. As I pointed out above, agents suffer when they act, and they also

suffer the actions of other persons and things in the world. When Aristotle distinguishes man from other animals, the way he does this can be read as avoiding the agential bias—he says man is an animal ‘able to receive knowledge’.³¹ To *receive* something is of course to be passive with respect to it, to be acted on by it. And ‘knowledge’ is a very broad concept, covering all kinds of experience, from knowledge of maths equations, to knowledge of what it is like to be tortured or made a scapegoat or pariah by your community.

Persons are patients when they are acted on. It is worth stressing that ‘patient’ does not mean ‘object’. It is as if supporters of the agential conception conflate these two things, and assume that to be a patient is to cease to be a human subject altogether—to cease to be a knower, a thinker, a moral being. The agent/patient distinction is not the same as the subject/object distinction.³² When I am a patient, I am not thereby an object, but remain as much of a subject, a human person, as I am when I act.

Reflection free of the agential bias reveals that we are patients whatever else we are, all the time. The same reflection should also reveal that being a patient all the time is not as such a reduced or unpleasant condition—which is just as well, if I am right that it is also an unavoidable condition. I am a patient not just when I am being treated by doctors in hospital, but also when I use the world’s resistances to speak, and when I take my turn to be quiet and listen in a conversation. I am a patient not just when I ‘lie back and think of England’ as a fumbling lover makes use of my body, but also when I experience my own lovemaking, and when my partner makes more engaging love to me. I am a patient not just when I am shot at in a battle, but also when I suffer the kick of my own gun, and when I follow the orders of my commander. I am a patient not just when I am given a bed-bath, but also when I dive into a lake, and when I am caught in a downpour. I am a patient not just when I am carried along against my will, but also when I enthusiastically slide down a waterfall, or let myself be carried to the shore by a wave.

I am fully alive, fully human while I am a patient. There is nothing—except millennia of prejudice and fear—in the idea of patiency as such, to suggest that it is a mode in which we are less ourselves, less persons, when we identify ourselves as patients in these ordinary ways. Indeed, plausibly we may even be more ourselves, more the person that we are, as patients, because we are not distracted

³¹ *Topics* 112b20.

³² Thanks to Bill Pollard for suggesting that contrasting these two distinctions might be helpful.

from the experience of presence to self by activity, by the effort of acting on things and persons in the world. Parmenides' ancient vision of being as an unchanging, complete unity has traces of this insight that being is in a sense passive, and Hannah Arendt's evocative idea of conscience as the presence of self-to-self away from the distractions of persons and other goings on also hints that there is much richness in the idea of subjectivity when it is precisely not active.³³

The one place in philosophy where this idea is familiar is epistemology. We accept as unremarkable the idea that persons as knowers are passive. Our very concept of 'world' which knowers know is of something that is given to or inflicted on us, to which we are passive, which we must notice, recognise, acknowledge grasp, understand, accept. If personhood as passive is accepted in epistemology, why not in metaphysics, ethics and politics too? If as knowers we are patients, surely this shows passivity as such cannot be a dubious or avoidable thing, and opens the way to an exploration of other potential aspects of personhood.

More attention to epistemology may help illuminate this puzzle. Since Kant, and arguably long before that, the necessity of an agential contribution to experience and knowledge has been recognised.³⁴ To be knowers, we must make sense of what is given. It is not enough unknowingly to manifest the fact, as boiling water unknowingly manifests the fact that it is hot. Using our concepts—our 'understanding', for Kant, the active complement of our 'sensibility'—is the way we do this. 'Intuitions [like the experience of hot water] without concepts are blind', as Kant and more recently John McDowell have emphasised. But equally, 'concepts [like the idea of heat] without intuitions [like the experience of hot water] are empty', as Kant famously put these thoughts.³⁵ Translated into the language of agent and patient, we might say 'passion without action is blind' and 'action without passion is empty'. Just as there can be no knowledge without passive experience, perhaps also there can be no action without suffering, and no agency and thus no personhood without patiency.

But while arguments for the interdependence of spontaneity and receptivity in epistemology may seem to help me establish the inalienable necessity of both agency and patiency to a correct

³³ H. Arendt, *The Life of the Mind* (New York: Harcourt, Brace, 1971), esp. 185–193.

³⁴ I. Kant, *Critique of Pure Reason*, N. Kemp Smith (trans.) (London: MacMillan, 1929), A51/B75. See also Aristotle, *De Anima*, 430a10–432a14.

³⁵ See J. McDowell, *Mind and World* (Cambridge, Mass.: Harvard University Press, 1996).

conception of the person, such arguments may also help to explain why the point about the inalienability of passivity implied by the fact of knowledge has not been much more widely taken. As well as being an insight, Kant and others' insistence on the contribution of spontaneity to knowledge can also be read as a symptom of the agential conception. The idea that as knowers persons might truly be passive, subject to that given Other, the world, might so have horrified these thinkers, that they protested a role for spontaneity mainly to avoid acknowledgement of subjectedness. If this is right, it is no surprise that in other areas where a conception of the person appears, the connection between activity and passivity protested in epistemology is not mentioned, let alone insisted on.

As patients, persons are also victims, that is patients of a specific type of action, *harm*. Harm is damage or injury. Human action that aims to harm is *violence*. As victims, persons suffer in the negative sense of experiencing misfortune or calamity. This aspect of non-agential human being is particularly morally and politically important, and generally philosophers are sensitive to this. But philosophical efforts in ethics and politics, again perhaps reflecting the agential bias, tend to focus on the bad that is *done* by the perpetrator, and on what we the bystanders should *do*, either to the perpetrator to punish or prevent him, or more generally to prevent such harms in future. If the victim appears, they will typically be objectified, and the moral questions will be limited to what harm they have suffered, and what we can *do* to restore them to full personhood, that is, to agency.³⁶

The implicit denial of personhood to victims by our analytical stance—the suggestion that when you are a victim, you are less a person—compounds the harm suffered by victims. It is bad enough to be tortured. It is even worse, while you are suffering to find no recognition of your personhood in your community, but encounter instead a refusal to identify with you and show solidarity with you as a victim. In the grip of the agential conception, with all its prejudice and fear, our communities shun victims, press them to hide the damage they have suffered, to say nothing about the horrors they know, and to 'recover' their humanity by 'getting past' their victimhood and identifying as 'survivors'—that is, again, as agents.

³⁶ See S. Reader 'After 9/11: Making Pacifism Plausible', *Pazifismus*, B. Bleisch, J-D. Strub (Eds.) (Bern: Haupt, 2006, 205–221, esp. 205–210, for a sketch of the differences it might make if we instead of analysing moral contexts (for example harms caused by violence) from a 'perpetrator-centred', 'bystander' perspective, we approached them from a 'patient-centred' perspective.

It is ethically and politically important to notice how the denial of victimhood impacts asymmetrically on the two sexes. Because women are more often and more completely victims, the personhood of more women is denied when our culture as a whole operates with the unbalanced agential conception. Actual and threatened violence, and standing vulnerability to violence, from stronger males (including harassment, pornography, battery, rape and forced gestation and motherhood), the facts of coercion and the facts of economic dependency, structure what it is for a woman to be a person.³⁷

Women are also socialised to be more passive than men, more accepting of male violence than men are of female violence, and more disposed to respond to violence with care and compassion than to counter-attack, judge or punish. They are thus more likely to be, and so to see themselves as, victims. Some feminists argue that we should refuse to think of women as victims. I think this amounts to an endorsement of the moral values that underpin the agential conception, abandons suffering women and compounds the harm to them. The agential conception conceptualises victimhood as a failure, a falling-short of full humanity. When Naomi Wolf, for example, attacks 'victim-feminism', and exhorts women to identify instead as 'power-feminists', she is colluding in this denial.³⁸ It is a short step from discouraging (female) persons from identifying as victims, to shifting the blame for the fact of victimhood onto those who state the fact frankly, as for example Carole Vance seems to do:

If women . . . view themselves entirely as victims. . . and allow themselves to be viewed that way by others, they become enfeebled and miserable.³⁹

This has a disastrous moral and political effect as victims themselves, many more women than men, are denied. It is as if even for their champions, victims as such are not subjects, do not know, do not count, do not have anything to contribute to society except the frightening spectre of pain and disarray which by its very presence suggests the ominous truth that 'this could be you', and an unbearable whining sound which must be shut out at all costs.

³⁷ A dramatic rhetorical way to draw attention to this issue, is simply to pose the question, 'are women human?' under the agential conception. See C. Mackinnon, *Are Women Human?* (Cambridge, Mass.: Harvard University Press, 2006).

³⁸ N. Wolf, *Fire with Fire* (New York: Fawcett, 1994).

³⁹ C. Vance, 'Pleasure and Danger: Towards a Politics of Sexuality', *Pleasure and Danger* (London: Pandora, 1992), 7.

But from the point of view of a balanced conception of the person, it emerges quite clearly that the personal perspective of victims is indispensable. Recognising and living with ourselves and each other as patients and victims is a condition for the sane living of any actual human life. It is also necessary for any complete understanding of the human person, and for the task of achieving more just social arrangements. Susan Brison, in her remarkable book *Aftermath*, tackles this issue. She looks outside the blinkers of the agential conception, and offers a unique first-personal and philosophical exploration of what it means for a person to be a victim of profound harm, what sense if any can be attached to the idea of 'recovery' after such harm, and what identity and knowledge can mean once the reality of harm, violence and suffering is fully acknowledged.⁴⁰

From well-known but philosophically unanalysed and disrespected female responses to violence, we can learn something of philosophical importance about persons and their possibilities. It is a cliché in our culture, that there are two responses to violence and danger, fight or flight. It is a cliché, but it is false, and attention to the lived reality of women's lives reveals this. Women facing violence often neither fight nor flee, but instead endure the violence. They protect themselves and the everyday life of those near to them from it as best they can, and they try to get the perpetrator to stop in non-violent ways. Violence against women and children is common to the point of normality all over the world. The misogynistic ideas that in such situations women endure violence because they get pleasure from it as masochists, or because they have fallen away from full rational agential personhood, graphically show how the agential conception here constricts our understanding of victims as persons, and deprives them of recognition and help.

Women may endure violence in part because it is often not in their power to flee or fight. The idea that either fight or flight must always be possible is one of the fantasies of the agential conception. A powerful enough perpetrator cannot be escaped, and he cannot be beaten in a fight. As well as himself being stronger, more determined, cleverer, freer of responsibilities to dependent others, the perpetrator may also benefit from having the whole human world on his side and against his victim, blaming her. What option, in such a situation, is left for a person? Endurance is the only option. It is not action, it does not show positive capability, it is not chosen or independent. Nevertheless, it is a way to be a person in adversity. Far from being an easy or self-deluded option, endurance is difficult and courageous.

⁴⁰ S. Brison, *Aftermath* (Princeton: Princeton University Press, 2002).

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While it is passive, it is also fully present and alive. When as persons we endure, we see and we learn. We witness, we learn deep truths about violence and perpetrators. Victims' patient endurance of violence, and their culture's subsequent careful attention to them, taking them seriously as persons, listening to them and engaging with them, is a necessary step to understanding harm, helping victims and preventing and remedying harm.

In *Life and Words* Veena Das describes some of the ways particular women endured extreme multiple violences of loss of homeland, abduction, rape, forced motherhood and then reverse abduction to 'restore' the male-centred nation from which they had been 'stolen'. Das records some profound metaphors women have used for their endurance. They called it 'drinking all pain' and 'digesting the poison'.⁴¹ The endurance of women seems to have at least two aspects, factual and practical. 'Drinking the poison' suggests taking in factual knowledge revealed through the victim's unique epistemic perspective on perpetrators and the horrors they are responsible for. As factual knowledge, such 'poison' demands to be articulated, spoken, presented as a challenge of truth to (male) power and violence.

But 'digesting the poison' suggests metabolising, neutralising, containing or living with the violence, so that human life can continue, or even begin again when it has been utterly laid waste. In enduring, when women as victims 'digest the poison', they contain and process the terrible facts, to make the world safely livable for themselves, their families, their children, their communities, and even perpetrators themselves. Women here have a practical knowledge of how to manifest life between violence and the things they love. Their endurance absorbs the violence, as a harbour wall absorbs the forces of the sea. Das's study suggests that many victims believe that far from demanding to be spoken, the knowledge that informs this aspect of endurance demands silence, so that ordinary life can continue, or begin again, amid the rubble that violence has created.

*b. Incapability and Need*⁴²

One of the arguments Amartya Sen gave for making the idea of capability fundamental to personhood for purposes of social justice, in place of the idea of need, was as follows:

⁴¹ Das op. cit. 54–8, 101.

⁴² In this section I recall arguments from S. Reader, 'Does a Basic Needs Approach Need Capabilities?', *Journal of Political Philosophy*, 14 (2006), 337–350, 343–6.

‘Needs’ is a more passive concept than ‘capability’ . . . the perspective of positive freedom links naturally with capabilities (what can the person *do*?) rather than with the fulfillment of their needs (what can be *done for* the person?). The perspective of fulfilling needs has some obvious advantages in dealing with dependents (e.g. children), but for responsible adults the format of capabilities may be much more suitable.⁴³

Are Sen and to a lesser extent Martha Nussbaum right, that thinking of persons as capable rather than as needy is metaphysically accurate, or politically sensible? Is Sen right to think that we can make the distinction between capability and need in terms of activity/passivity? To think need is a passive state, Sen must take ‘need’ to mean two things which are independent of it. Having needs, in itself, is not a passive state. As I argued above, persons have needs under every agential aspect of their being. They have needs in order to act, in order to be capable, in order to make rational free choices, and in order to have such independencies as they can.

Having needs, far from being the exceptional and distasteful state implied by the agential conception, is actually the normal condition of every contingent being in the universe—including agents, and persons as agents. If need *per se* is not passive, then, what makes a particular need, or a particular needing being, passive? Two things are needed. First, for a need to make its bearer passive with respect to it, in addition to being the kind of thing that has this kind of need—as persons have a need for air, for example—a need must also be *occurrent*—that is, the object of need must currently be lacking. I am not made passive, helpless or vulnerable by my dispositional need for air if I have plenty of it. If, however, my need becomes *occurrent*, that is, I am deprived of air, then, yes indeed, I am passive with respect to that privation (and probably increasingly incapable with respect to other things too, as the lack of oxygen begins to affect my brain).

Second, to make its bearer passive a need must also be one which the needing being *cannot meet for themselves*. Even if my need is *occurrent*, if I can meet the need for myself, I am not passive. Indeed, it is hard to think of a more active condition, than the condition in which I have an *occurrent* vital need which I can meet for myself. If I am deprived of air, but can find a way to break the window that is coming between me and my air supply, I am about

⁴³ A. Sen, *Resources, Values and Development* (Oxford: Blackwell, 1984), 514.

as active as I will ever be (and probably a lot more active than I would like to be). Every person, *qua* agent as much as *qua* patient, has needs. But only some of them are ever occurrent and unmeetable by the needy person themselves. Speaking philosophically strictly, the deprived have no more needs than the wealthy, children no more needs than adults, and sick people no more needs than healthy. The differences come in how many of the needs are occurrent, and in how far the needy can meet their own needs.

If need *per se* is not a passive state, Sen's main reason for preferring an account of persons in terms of their capabilities rather than their needs is undermined. It is an interesting question, given the fairly obvious ineradicable fact of need, and the associated universal human vulnerability to occurrent needs we cannot meet, why thinkers like Sen and Nussbaum seem to want to conceal human vulnerability to helplessness and dependence behind brave talk of capability. I think the agential conception of persons is what explains this move away from talk of need to talk of capability. John O'Neill draws on Adam Smith to make a related suggestion.⁴⁴ Smith describes an association that is uncritically accepted in Western culture, between occurrent need and humiliation, and suggests this motivates denial of our intrinsic neediness, and the shunning of the needy which is typical of so much of our social life and, alas, of our philosophical accounts of the person.

c. Choice, Freedom, Rationality

How might the centrality of choice, freedom and rationality be tempered in a more balanced conception of the person, free of agential bias? Well, the complement of choice is necessity. We need to acknowledge that much of what persons do and are has little to do with choice in the sense philosophers have tended to be interested in. When I need to eat, I do not have a choice. When my sick parents need me, I do not have a choice. When I am tortured, I do not have a choice. When I become pregnant and have no access to abortion, I do not 'choose' the path my life then takes. But in these parts of human life, nothing could be further from the truth than the idea that what I go through and how I respond is somehow less personal, less expressive and determinative of me, than what I do out of free rational choice.

⁴⁴ J. O'Neill, 'Need, Humiliation and Independence', *The Philosophy of Need*, S.Reader (Ed.) (Cambridge: Cambridge University Press, 2005), 73–98.

A balanced philosophical account of the person might start by acknowledging that in much if not most of life we do not choose, and that, indeed, the application of choice to some aspects of life makes no sense. I do not choose to be a woman, a member of a certain race and class with a certain historical position. I do not even choose to be an agent, to be capable, to be a rational chooser or to be independent. But I should not be said by anyone to be less of a person because my life is governed by necessity, even if the lives of others may seem to be less constrained, less structured by necessity and the forces of contingency.

Margaret Walker's thoughtful exploration of the moral aspects of life when it is not taken to be structured by freedom, choice and reason is encouraging.⁴⁵ Walker's study reveals there is plenty of moral and political importance to say about how good persons characteristically deal with constraints, act out of necessity rather than choice, and are typically guided less by rationality than by relationships, thoroughly contingent but necessary patterns and practices of concern and response. But it is not clear to me that Walker has entirely escaped the frame of the agential conception. While she helps us to challenge especially demanding versions of the agential conception, like the 'career self', some passages seem still to be committed to the idea that persons must be *some* kind of agent—that 'free agency' is fundamental, if not quite equivalent, to self- or person-hood.⁴⁶

d. Dependency

The idea that dependency has significance for persons has begun to be explored, notably by Eva Kittay.⁴⁷ Kittay, like Rawls, Sen and Nussbaum, is after a political conception of the person which will foster social justice. She criticises Rawls' conception of the person because it fails to recognise the facts of dependency. Every capable person, Kittay points out, in addition to possessing the two moral powers Rawls makes central (a capacity for moral judgement and a capacity to form a conception of the good) is 'some mother's child'.⁴⁸ This is to say that every

⁴⁵ Walker, op. cit.

⁴⁶ Op. cit. 196.

⁴⁷ E. Kittay, *Love's Labor* (New York: Routledge, 1999).

⁴⁸ Kittay, 1999, op. cit. 25.

persons as such has depended, to become what they are, on the care work of another (their mother). This in turn entails that every person is obliged to respect the work of care, by ensuring in designing the basic structure of society, that its necessary conditions are met. On Kittay's view, two things must be built into any defensible social contract: dependents must be cared for, and 'secondary dependents', those who must care for dependents, must be enabled to do their work of care. This fundamental political requirement for support for carers Kittay calls 'the principle of *doulia*', using the Greek word for female slave to allude to a more specific necessary job, that of caring for a woman who has just had a baby.⁴⁹

Martha Nussbaum has objected to Kittay's view that it makes dependency too central:

To be sure, nobody is ever self-sufficient; the independence we enjoy is always both temporary and partial, and it is good to be reminded of that fact by a theory that also stresses the importance of care in times of dependency. But is being 'some mother's child' a sufficient image for the citizen in a just society? I think we need a lot more: liberty and opportunity, the chance to form a plan of life, the chance to learn and imagine on one's own.⁵⁰

Nussbaum seems to reveal allegiance to the agential conception here. She sees dependency as a privation, not just of independence, but of citizenship, that is of personhood under its political aspect. Where Kittay manages to loosen the grip of the agential conception, when she reminds us that capability is necessarily double-edged, and that a less capable person is also a person less capable of doing inhuman harm,⁵¹ Nussbaum seems unwilling to allow that capability is not synonymous with personhood and *per se* desirable. In relation to Kittay's profoundly disabled daughter, Nussbaum insists, 'a full human life [must] involve a kind of freedom and individuality'.⁵²

But although Kittay's arguments for acknowledging dependency go a certain way towards correcting the agential conception, I think they do not go deep enough. This is because Kittay conceives of dependency as a state that persons can be in or out of, and of persons as more or less dependent. On the view of independence

⁴⁹ Kittay, 1999, op. cit. 107.

⁵⁰ Nussbaum, op. cit. 64.

⁵¹ Kittay, 2005, op. cit. 123.

⁵² Nussbaum, op. cit. 65.

and dependency that I have urged, this cannot be right. The ‘independent’ person is dependent even in their independence. So the problem with the agential conception of the person in its political mode, is not (just) that it leaves those called ‘dependents’ and those who care for them out of the reckoning, it is that it does not acknowledge the necessary dependencies that constantly and inalienably structure the lives of even the most ‘independent’ active, capable, free, choosing, rational human beings.⁵³

Sometimes Nussbaum seems to notice just how inalienable and pervasive dependency is. For example, she comments critically on the damaging effects of a split between rational personhood and animality which she associates with Kant, and urges us to prefer a conception of the person she associates more with Aristotle, which makes animality fundamental, with rationality and sociability specifying the kind of animal we are.⁵⁴ But Nussbaum does not draw the conclusion I suggest we should draw here: we are not just rational and social animals that are sometimes dependent and sometimes depended on—as persons we are also and as much patients, incapable, needy, dependent and subject to constraints, necessities and the limits of rationality. Like supporters of the strong ‘career self’ versions of the agential conception, Nussbaum sees practical reason as pervading and structuring human personhood. Against this background, dependency cannot but look like a privation, like something the capable or lucky person will avoid.

5. Conclusion

If these sketched arguments are roughly right, there is as much of the self, the person, in the passive aspects of personal being as in the active ones. We do not need to see passivity as a failure attain full personhood, or as a falling away from it. Full persons—all of us—are passive, needy, constrained and dependent as well as active,

⁵³ Thanks to Eva Kittay for thought-provoking discussion about this. Although Kittay and I agree dependency and care are neglected and important, we disagree about whether promotion of agency is a good remedy. In her unpublished response to this paper, Kittay argues it is only through attribution and recognition of their agency, that patients can gain equality as citizens, and that dominant agents can come to recognise their own passivity and vulnerability. This argument is important, and I hope to respond to it in future work.

⁵⁴ *Op. cit.* 53–4; 62–3.

capable, free and independent. This changes the philosophical task of giving an account of the person, from tracing what persons *do* or *can do or become*, the respects in which they are *free*, the *choices* they have, the *reasons* they use, or the ways in which they are *independent*. The more complex philosophical task that now faces us, is that of exploring what persons suffer as well as what they do, what they cannot do or become as much as what they can, the respects in which they are constrained, the necessities they are subject to, the contingencies that structure their responses to the world, and the ways they are connected to and dependent on other things.

To make good progress with this, we need to pay attention to things that do not demand our attention. We should begin by seeking out and witnessing to the truths of the passive, weak, needy, helpless, confused, entangled and overwhelmed. We have to resist the temptation to tidy personhood up, to present it like a student on graduation day, all neatly turned out to receive a prize for its achievement. It is fine to pay attention to the agential aspects of personhood. Agency, with the action, capability, freedom and independence it presumes, is a fine thing, in its place. But it is not fine to give agency all the attention, and to pretend that the non-agential aspects of our life are some how less human, less valuable, less our own. We need to overcome our fear of passivity (which is probably a mixed fear of death and of women), and present the prize of philosophical recognition and political attention to each other as abject victims too.⁵⁵

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⁵⁵ Thanks to Catriona Mackenzie, Susan Brison, John O'Neill and Christopher Rowe for the early conversations which led me to this topic. Thanks to the organisers of the American Philosophical Association Eastern Division conference in Washington DC in December 2006 for inviting me to present an earlier version of this paper in a symposium called 'The Other Side of Agency'. Thanks to Eva Kittay and Marilyn Friedman for their thoughtful replies in that symposium. I learned much from their comments, and hope to take proper account of them in future work. Thanks also to Bill Pollard, Margaret Walker, Lorraine Code and Jonathan Lowe for helpful comments and suggestions.