“Despite their familiarity with the classics,” K. K. Ruthven famously observed, “professors of literature do not appear to lead better lives than other people, and frequently display unbecoming virulence on the subject of one another’s shortcomings.” Philosophy and Literature’s 1998 symposium on ethical criticism might suggest, however, that Ruthven’s comments apply equally to all professors who choose to write about literature, regardless of their specializations. My aim in this piece will not be to add to the thinly veiled rancor which marked the exchanges in that discussion, but rather to identify—and hopefully to ease—some of the tensions which might account for it. I shall do this by highlighting certain assumptions underpinning the arguments of Wayne Booth, Martha Nussbaum, and Richard Posner which suggest that their disagreements are not so much literary as political, in the broadest sense of that term, meant to encapsulate not simply matters of policy but larger questions about human nature and the structure of society. It is these political commitments which, I shall argue, provide the framework and set the limits on the ethical criticism debate. Only by recognizing the impact of these commitments, I will suggest, can we hope to move forward in our attempts to gain an understanding of the potential role for literature in our moral and political life.

The ethical criticism debate, as formulated by the writers under study, revolves around two key issues: first, whether or not it is ever appropriate to judge a literary work on ethical grounds; and second,
whether or not reading particular novels will make one a better citizen of a democratic polity. As we shall see, however, the two issues are very closely interrelated. The first aspect of the debate—whether or not one can or should judge literary works on ethical grounds—is largely the concern of Richard Posner and Wayne Booth. In his book *The Company We Keep*, Booth sets out a rich conception of ethical criticism centered around the metaphor of friendship: by associating with certain types of characters in fiction, he believes, we can become better people. Consequently, he suggests, we can and should judge books on ethical grounds according to whether or not they promote particular values which we hold dear. Central to this undertaking is, he argues, “coduction,” the process by which we come to an agreement of the ethical value of a text in conversation with others. Ethical criticism is not then, Booth suggests, a solipsistic enterprise. For Richard Posner, on the other hand, reading appears to be an entirely private affair. Making literature a subject of public debate, especially in conjunction with some notion of ethical criticism, raises for him the specter of government regulation. Fear of censorship is not, however, Posner’s sole reason for rejecting Booth’s claims. He identifies himself as an aesthete and cites his support for Oscar Wilde’s famous dictum that: “there is no such thing as a moral or an immoral book. Books are well written or badly written. That is all.” Consequently Posner appears unwilling to brook any suggestion that we might ever judge a text on ethical grounds.

Given the entrenched positions of both protagonists in this conflict it is perhaps unsurprising that their debate proves so unproductive. At times the discussion is reduced to exchanging barbs—Posner finds some of Booth’s examples “hilarious,” while Booth puzzles over the “deep inconsistency” of Posner’s stated position—and, it might be noted, the tone of this exchange is mild when compared to that between Posner and Nussbaum. Even when the writers do try to engage one another, however, it often appears as if they are speaking different languages. A case in point is Booth’s attempt to demonstrate that Posner’s criticism is ethical rather than aesthetic by rewriting great works of literature. Booth believes that much of Posner’s criticism is actually *ethical* criticism and aims to prove as much by seeking to change the ethics of particular pieces, such as Keats’s “Ode to Melancholy,” while leaving their aesthetics intact. Booth believes that he can achieve this (considerable) feat by changing specific words in the texts of poems, words which, he believes, do nothing to alter the aesthetics of
the text, but which nevertheless change its moral message. In such circumstances, Booth concludes, Posner would be forced to admit that he preferred the original to the revised version, and this, argues Booth, is an *ethical* rather than an *aesthetic* judgment. This rather strange claim is, perhaps, best explained by noting Booth’s belief that artistic appreciation is a matter of appreciating something about the *artist* rather than the art. In the case of *The Merchant of Venice*, for example, Booth sketches out alternative versions in which Shylock is made alternatively more and less anti-Semitic, and argues that in preferring the work of the real Shakespeare (as he believes Posner would), Posner would be making an ethical judgment, one predicated upon his valuing the *ethos* of the original author.

That Booth’s arguments here can be so easily refuted suggests that this excursion into word replacement and play rewriting is something of a blind alley as far as the ethical criticism debate goes. In the first instance, comments such as: “There is no way in which the word ‘stroke’ is more ugly than ‘feed’” (*BEC*, p. 385) suggest—paradoxically given the quality of Booth’s other critical work—little genuine appreciation for poetry. His belief that in changing the words of a poem he is not—because he is not changing the rhyme or the meter—thereby altering the poem’s aesthetic is, as Posner points out: “Absurd!” (*AEC2*, p. 406). It is not just modesty which leads me to believe that the lines: “In the room the women come and go / Talking of Mister Simon Stow” are less beautiful, less allusive and less evocative than Eliot’s original. Similarly, Booth’s alternate versions of *The Merchant of Venice* are merely hypothetical, and when faced with a choice between a classic text and an as-yet-unwritten version, most people would probably choose the existing text, especially if it has survived for 400 years. Their choice would, I believe, have little to do with the author and his ethos, and rather more to do with the qualities of the text. As such, Booth’s counterexamples appear to prove little. Furthermore, his assertion that we admire an artist like Duchamp because we admire his “fuck-the-traditionalists ethos” (*BEC*, p. 379) may be true, but it does not generalize for all artists and for all art. Indeed, admiring the ethos of Andy Warhol because his silk screen of Marilyn Monroe recently sold for more than $17 million (another Booth example, *BEC*, p. 379) would seem to be something of a second-order response to the work, especially to those of us who appreciate the colors and compositions of Warhol’s silk-screens.

If, however, Booth fails to prove his point that all criticism is, or
should be, *ethical* criticism, Posner’s arguments are far from convincing. There is, in fact, something very plausible to the claim that, despite himself, Richard Posner does indeed indulge in ethical criticism, though not necessarily along the lines set out by Wayne Booth. In *Law and Literature*, Posner seeks to defend his favorite authors against the claims of Marxists, feminists, and other “radicals” arguing that they seek to “... borrow the prestige of great literature for political, ideological or ethical ends to which the literature is not germane.”8 The spark of ambiguity in this statement—the possibility that there may well be political values to which Posner believes they are germane—is fanned by his later comments in defense of Shakespeare. Contrary to what new historicists and cultural materialists would have us believe, Posner argues, Shakespeare “... aspired to be, and eventually became, an ‘establishment’ figure, and his plays seem for the most part (though with many qualifications and undertones) to approve establishment values” (*LAL*, p. 98). Just why Posner, an avowed aesthete, feels the need to construct and defend Shakespeare against such political charges is not immediately clear, until that is, one takes a closer look at his definition of the term “aesthetic.” “The aesthetic outlook is,” writes Posner without the slightest hint of irony, “a moral outlook, one that stresses the values of openness, detachment, hedonism, curiosity, tolerance, the cultivation of the self, and the preservation of a private sphere—in short, the values of liberal individualism” (*AEC*, p. 2).

That the debate between Posner and Booth over ethical criticism should come down to a conflict over the proper definition of “ethical” is, perhaps, no surprise. Certainly the protagonists seem to be aware of the problem: Posner describes Booth’s definition of “ethical” as having “promiscuous breadth” (*AEC2*, p. 405); while Booth notes that Oscar Wilde, Posner’s stated role model, was “... always trying to implant new values in place of the old ones” and that his “lifetime quest could thus be called ethical, or even moral in the broadest sense” (*BEC*, p. 373). I wish to argue, however, that what divides these two critics is more than definitional. I wish to suggest that this conflict over the meaning of the word “ethical” is in fact symptomatic of a much deeper divide separating Booth and Posner: their rival conceptions of politics.

In *After Virtue*, Alasdair MacIntyre claims that “... the slightly shrill tone of so much moral debate” arises from the fact that in our pluralistic culture we lack shared moral assumptions, and that consequently arguments become a matter of “pure assertion and counter-assertion.”9 Whether or not this thesis is generalizable to the culture at
large, it certainly seems to be applicable to the ethical criticism debate: all of these writers appear, at times, to be guilty of Ruthven’s “unbecoming virulence.” That a lack of shared assumptions is indeed the problem is perhaps symbolized by the titles of Booth and Posner’s respective articles in the symposium. Booth’s “Why Banning Ethical Criticism is a Serious Mistake,” for example, bespeaks a (political) world in which being against something is akin to seeking to have it banned. This is clearly not the more cosmopolitan polity of Posner’s article “Against Ethical Criticism,” where, like the good liberal that he is, Posner accepts the existence of ethical criticism, but simply notes that “. . . the political are not the best terms in which to understand and enjoy” particular novels (AEC2, p. 401, my emphasis). It is not just the titles of Booth and Posner’s articles, however, which indicate their respective political differences: almost everything that they say puts these writers firmly into an Aristotelian or a liberal camp, and it is to these differences that we should turn when seeking to explain their differing approaches to literary criticism.

In the case of Wayne Booth, it is Booth’s political Aristotelianism which informs his literary-critical perspective. Taking the Aristotelian metaphor of friendship as the model for his political community—Booth believes that we seek friendship with others through our discussion of texts in a process he calls “coduction”—he applies the same metaphor to our relationship with texts, indeed, the second part of The Company We Keep is subtitled: “The Making Of Friends And Commonwealths: Criticism As Ethical Culture.” For Booth, reading becomes a process by which we sort through the values of characters in texts seeking out those with whom we would wish to associate and those whom we would wish to shun, becoming, in the process, somewhat more like the characters our culture admires. It is in this fashion that Booth believes reading can make us better people, though with a typically Aristotelian twist, he also believes that we must already have the potential for this improvement within us. “No story,” he writes, “will produce changes in readers unless they are already in some respect susceptible to a given kind of influence” (BEC, p. 368). Booth also admits that the process by which this improvement comes about is somewhat mysterious and far from direct: “No strictly speaking scientific study will ever prove that a given story has been the cause of a given change in any one reader, let alone that it was the cause of a suicide epidemic. Our evidence will always consist mainly of anecdotes—most often memories or responses to stories in our early, more malleable
years” (*BEC*, p. 368). Nonetheless, argues Booth, we can and do see changes in people resulting from reading specific texts, and it is for this reason that we must critique them on ethical grounds. The notion of “ethos” is, of course, Aristotelian and connected to the other term that Booth utilizes when turning his attention to literary texts: the notion of virtue.\(^{11}\) Given the model of the political community implicit in his works—the Greek *polis*—it is unsurprising that for Booth literary criticism should be ethical or political (the terms are interchangeable here): for in the *polis*, *everything* is political.

As a committed liberal, Richard Posner’s work is filled with allusions to what might be termed “critical pluralism,” that is, an acceptance of multiple possible textual interpretations, at least with regard to literature.\(^{12}\) Indeed, he is even prepared to accept that literature might have a moral content (*AEC*2, p. 394), though he rejects the notion that such content, if it exists, ever provides an appropriate scale against which to critique a given text. Nonetheless, Posner’s nominally aesthetic criticism is, as Booth points out, strangely *ethical* in its content. His definition of “aesthetic,” given above, is synonymous with “liberal,” and it is clear that while Posner pays lip-service to the notion of critical pluralism, much of his actual critical work in both his books on law and literature is turned over to “proving” that those interpretations of his favorite writers, such as Kafka and Shakespeare, which portray them as, in any sense, anti-liberal are in fact mistaken. Indeed, Posner’s rejection of these critics’ work is decidedly political:

To devalue a work of literature because of its implicit or explicit politics, morality, or religion is to cut off one’s nose to spite one’s face. It is intolerant, Philistine, puritanical, illiberal (most didactic or moralistic literary critics have been anti-liberals), and when it expresses itself in an assumption of moral superiority to our predecessors, completely ethnocentric.

Parenthetically hidden within Posner’s “aesthetic” defense of literature is an explicitly political attack on those critics who do not share his liberal perspective. Much like Booth then, Posner’s work is predicated upon a particular conception of politics, one which, in Posner’s case, bleeds into his supposedly aesthetic criticism, blurring the line between private reflection upon a solipsistic pleasure and one’s public duty to respect the opinions of others.

It would appear then as if the literary criticisms of both Wayne Booth and Richard Posner are predicated upon, and shaped by, their respec-
tive political concerns. This is not to say, of course, that a non-political literary criticism is impossible, simply that politics plays a distorting and so far unacknowledged role in this debate. Part of the problem here is that neither writer seems to believe that his perspective is political. Booth, like most Aristotelians, simply seems to believe that he is pointing to a basic truth about human nature and human modes of interaction. As such, he is unlikely to regard his position as being, in any sense, political. Posner, on the other hand, seems to believe that his values are non-political because they are neutral. Liberal theory is replete with attempts to demonstrate that its values are in some way neutral, be it the claim that they are uncontroversial; or that liberalism does not constitute a definite conception of the good; or even that liberalism simply represents a very thin framework to which everybody can agree. It is this lack of political self-awareness which may account for the “shrillness” of the debate over ethical criticism. Neither writer can see that the other is starting from fundamentally different assumptions, and that while their own arguments may work in the political world that they each presuppose, the worlds of Booth and Posner are completely incommensurable. Evidence of this claim is, perhaps, to be found in the failure of Martha Nussbaum’s attempt to show that reading will indeed make us better citizens of a liberal polity.

In her book Poetic Justice, Nussbaum suggests that her project is “a modest one” arguing that “...economic science should be built upon human data of the sort novels such as Dickens’s reveal to the imagination, that economic science should seek a more complicated and philosophically adequate set of foundations.” Dickens’s work will, she believes, lead his readers to develop the capacity of “fancy,” by which she appears to mean an ability to empathize with others. It is this capacity which, she argues, is largely missing from the sort of rational-choice, formalistic modeling which constitutes the core of Posner’s work. Yet, despite the rather arch tone of her debate with Posner, she is much closer to him politically than Posner is to Booth. Poetic Justice is actually dedicated with “...affection to Richard Posner” (PJ, p. xii), an indication, perhaps, of the extent to which Nussbaum conceives of her work as a complement to a traditional form of liberalism. Indeed, in her symposium article she declares that: “It would not be misleading to think of my project as addressed to Sidgwick, Rawls, and whoever follows them” (EAR, p. 348). It is, however, this conception of her work as a complement to liberalism which poses a number of insurmountable obstacles for her theory.
In arguing that reading will help us to develop the empathetic capacities that will make us better citizens, Nussbaum draws heavily on the work of Booth. Just as we come to an understanding of texts through “coduction” in Booth’s work, Nussbaum suggests that “. . . ethical assessment of novels . . . in conversation with other readers . . . is . . . necessary if the contribution of novels is to be politically useful” (PJ, p. 10). Unfortunately for Nussbaum’s theory, Booth’s account of coduction is predicated upon an entirely different conception of politics and society than the one which she wishes to inhabit. As Booth makes clear, it is impossible to draw a linear causal connexion between a particular text and a particular social outcome, and any change that does occur requires the presence of a pre-existing moral capacity (BEC, p. 368).

More significantly perhaps, there is implicit in Booth’s account of how books might be used to produce moral guidance, a role for ethical critics. It is their job, Booth suggests, to identify not only which books might reinforce and cultivate certain values, but also to identify which values we would like to see reinforced and cultivated. This is, of course, not just an arbitrary selection on the part of the critic, but instead consists of identifying which values a particular society wishes to see cultivated: hence the notion of virtue in Booth’s work. In a political community modeled on the polis, of course, identifying such values is a considerably simpler process than in the sort of pluralistic liberal culture favored by Nussbaum, not least because it is not clear that a liberal polity has any such values beyond its necessarily thin framework of moral agreement. Furthermore, even if such values could be identified in a liberal polity, there would be no legitimate mechanism for reinforcing them the way that there is in a polis with its in-built conception of greater good, higher than that of any individual citizen.

In Booth’s account of ethical criticism and moral improvement then, reading, discussion and criticism of books are only one part of a much larger holistic mechanism of moral improvement. Booth does not specify this because he takes the polis as a given. He is, after all, a literary critic, not a political theorist. Perhaps because she recognizes this problem, Nussbaum has to draw a much tighter connexion between the act of reading and the subsequent moral improvement. With no other mechanisms at work in society to reinforce the lessons allegedly delivered by the text, beyond perhaps the discussion of the text with others (which, in a pluralistic culture is much less likely to deliver a cohesive agreement than in the polis), Nussbaum has to make the books themselves the direct origin of our moral improvement. It is for this reason that she turns (ill advisedly) to the work of Adam Smith.
In *The Theory of Moral Sentiments*, Smith argues that society is held together not so much by law and contract as “fellow feeling,” that is our ability to care for others, not as we care for ourselves, but in a rather more limited and decidedly *rational* fashion. Central to this “fellow feeling,” says Smith, is the ability of the citizenry to achieve the position of the “Judicious Spectator,” that is, to imagine themselves in the position of another, while simultaneously remaining themselves. “The compassion of the spectator must,” writes Smith, “arise altogether from the consideration of what he himself would feel if he was reduced to the same unhappy situation and, what is perhaps impossible, was at the same time able to regard it with his present reason and judgement.”\(^{15}\)

In order to make her argument work, Nussbaum asserts that the reading of particular novels will lead us *directly* to this perspective (*PJ*, p. 75), for unlike Booth, she has no other mechanisms by which to engender this position. This direct causal link, and indeed the whole notion of the “Judicious Spectator,” is, however, rife with difficulties. In the first instance, it is not clear that we can ever imagine that we are somebody else to the extent that this theory requires: even Smith notes that it is “perhaps impossible.” Secondly, imagining that one is somebody else is usually considered a sign of mental illness in our culture, so the suggestion that we should not only encourage this perspective, but also prioritize it seems hugely problematic.\(^{16}\) Finally, while there is certainly something plausible to the suggestion that in reading we come to care about particular characters, and possibly gain a glimpse of the world from their perspective while simultaneously maintaining our own detachment—we can, despite occasionally hyperbolic book-jacket claims to the contrary, always put down the book—there is nothing to suggest that reading will actually engender the much more sophisticated position of the “Judicious Spectator.” Nussbaum’s claim here is pure assertion, and furthermore, grossly distorts Booth’s much weaker suggestion about the possible impact of texts upon readers. Even if it could be shown that reading did indeed lead to the position of the “Judicious Spectator,” however, there is nothing to indicate that this would necessarily be a morally valuable position. Most obviously, there remains the problem of the empathetic torturer, one who uses one’s understanding to hurt rather than help the person one understands. Nussbaum attempts to resolve this difficulty by suggesting that “. . . empathy is likely to be hooked up to compassion only in someone who has had a good early education in childhood, one that teaches concern for others” (*EAR*, p. 352.) In doing so, however, she seems to make her claim for reading much smaller and possibly redundant: reading will
only engender compassion in those who already have it. For Booth, who has other mechanisms available for inculcating moral values, this position is largely unproblematic, but for Nussbaum’s theory with nothing but reading, discussion and the thin liberal state to shape the citizenry, it is probably fatal.

In order to overcome the problems created by transplanting Booth’s theory of ethical criticism and moral improvement from its natural home in the *polis* to a much more cosmopolitan liberal polity, Martha Nussbaum is, therefore, forced to strengthen the claims made about the moral impact of reading beyond the bounds of credibility. In contrast to the deeply embedded and nuanced claims made by Booth, we see in Nussbaum’s work a sort of “Take two Flaubert and call me in the morning” approach to all kinds of moral deficiencies. It is, perhaps, for this reason that Nussbaum feels obliged to point out the lessons that we should take from the texts that she recommends (see, for example, *Pf*, p. 45), making her project largely “rhetorical” rather than “dialectic.” Indeed, it is hard to shake the suspicion that Nussbaum, like Posner and Booth before her, has simply read her own prejudices into the text, especially when we witness the bizarre spectacle of the author berating Dickens for his hostility to unions and formal economic modeling. It is perhaps most telling, however, that Nussbaum never once gives an account of a book which has fundamentally altered her world vision. Nonetheless, Nussbaum, like all of these writers, clearly sees something of value in literature and reading which she would like to see transferred to the political realm. There is something irresistibly appealing about having something as pleasurable as reading also be *good for us* as well. Her problem, perhaps, is that her expectations for literature are simply too great.

Much of the problem then with the ethical criticism debate as it is currently formulated is the refusal of its protagonists to recognize the extent to which their critical perspectives are shaped by their pre-existing political commitments. Consequently the debate becomes a matter of utilizing literary texts to bolster arguments arising from those commitments, rather than a genuine inquiry into the potential impact of literature on our moral and political life. At its worst, the writings of these authors become a surreptitious form of the sort of “compulsory chapel,” that according to Richard Rorty, certain students now encounter in humanities classes. That is to say, a form of attempted indoctrination disguised as analysis. It does not have to be this way. There is much in these writers’ work which suggest alternative avenues
of exploration: one does not, for example, have to be Charles Taylor to believe that if “coduction” has any impact upon the citizenry, then it is the conversation about the text, rather than the text itself, which is doing the work. Until we move beyond reading our own prejudices into the text, however, such insights are likely to remain lost amid the sound and fury of Ruthven’s “unbecoming virulence.”

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2. Wayne C. Booth, The Company We Keep. An Ethics of Fiction (Berkeley: University of California Press, 1988); hereafter abbreviated CWK.


6. “Posner does mention quite a few novels,” observes Nussbaum, “but he never engages in the sort of detailed analysis that would be needed to show to what extent his readings of those texts would differ from mine . . . his standard approach to novels is to offer a simple plot summary.” Martha C. Nussbaum, “Exactly and Responsibly: A Defense of Ethical Criticism,” Philosophy and Literature 22 (1998): 345; hereafter abbreviated as EAR. For his part, Posner states that he finds Nussbaum’s project “repugnant” and “patronizing” (AEC2, p. 399), and goes on to compare her to The Princess Casamassima who had “a faculty of completely ignoring things of which she wished to take no account” (AEC2, p. 402).

7. Indeed, it is not even clear that it generalizes for all of Duchamp’s work.


10. “Liberal” in this context refers, of course, to that tradition of political thought we see in the work of John Locke, John Stuart Mill, and John Rawls—an ideology of tolerance, personal responsibility, and individual rights.

11. See, for example, BEC, p. 374 or all of CWK.
12. Though Posner’s critical pluralism cannot apply to legal interpretation: “We must accept the existence of different but valid levels of meaning in works of literature, but not in constitutional and statutory provisions” (LAL, p. 251).


16. Indeed, the rather peculiar tenets of Smith’s moral theory are, perhaps, best symbolized by his claim that we fear death simply because we imagine what it would be like to have our live souls in dead bodies. Smith, The Theory of Moral Sentiments (London: Henry G. Bohn, 1853), p. 9.

17. It might be noted, however, that in her most recent article on the subject, Nussbaum begins to vacillate between the stronger causal claim that she needs for her theory, and the more plausible, weaker claim set out by Booth (see, for example, EAR, p. 353). Once she abandons the stronger causal claim, however, it is not apparent what her theory has to offer over that of Booth. If anything it becomes even more implausible.

18. For a discussion of this distinction, see Stanley Fish, Self-Consuming Artifacts. The Experience of Seventeenth-Century Literature (Berkeley: University of California Press, 1972), pp. 1–21.

19. “Dickens,” writes Nussbaum, “was more globally skeptical of economics than he should have been. His hostility to formal mathematical modeling prevented him from seeing that problems for which he sought a solution in private charity might in fact be susceptible of a public institutional solution” (PJ, p. 11; see also p. 33 and p. 77).
