

Freedom is for the Dogs

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1. This article is about freedom and dogs. At the same time, it is a contribution to demonstrating the availability of a tenable *conceptualism*, where conceptualism is understood as the view that our modes of awareness are conceptual all the way down. It is characteristic of both champions and critics of conceptualist views to represent them as obliging us to deny that animals possess any significant capacities of mind, and in this article I challenge this gesture of denial. I claim that a thoughtful conceptualism can give us the resources to describe the rich range of capacities of mind possessed by animals of different kinds. My specific emphasis is on showing that a conceptualist outlook can equip us to recognize that many non-human animals are neither mere stimuli-response mechanisms nor mere systems of exploitable instincts but rather creatures properly thought of as enjoying forms of freedom. I focus on the case of dogs. But my reflections have a direct bearing on the sorts of resources available to us for thinking not only about other non-human animals but also about the kinds of free and rational animals that we human beings are.

2. Many things that people who interact with dogs say about them presuppose that dogs are free in the sense that interests me, viz., in that they are neither automata nor enslaved to instinct. One good source of illustrations is the work Vicki Hearne. Hearne, who died at the age of fifty-five in 2001, was a remarkable person, combining a career as a trainer of dogs and horses with a career as a poet, philosopher and professor of literature. In

her 1986 book *Adam's Task: Calling Animals by Name*, she has the “specifically philosophical” ambition of resisting the tendency of philosophers to impugn the language that animal trainers use to talk about the animals they work with (Hearne 1994, 3). Hearne notes that animal trainers typically employ language that is not only “highly anthropomorphic” but also “morally loaded.” (Hearne 1994, 6). She sets out to show that, instead of thereby invariably exhibiting an intellectually questionable sentimentalism, trainers often get something right about what our lives with animals are like. Her claim is that the relationships between trainers and, say, dogs are in fact moral relations and that we can therefore *do* more with trainers’ language than we can with the language of philosophical and scientific critics who insist on morally neutral, scientific vocabularies (Hearne 1994, 9). What interests me about the terms that the trainers Hearne discusses use to talk about dogs is that they encode the assumption that dogs are not simply enslaved to their instincts. Bearing this in mind, consider a couple of examples of Hearne’s having to do with dogs who have been, or are being, trained to track or following scents. The first example involves a police officer named Riddle who is on a training exercise working on tracking problems with his dog Packer. This is how Hearne describes what happened during the exercise:

Another handler, playing the part of a hiding suspect, left the immediate area to “hide” downwind from the dog-man team [i.e., the team composed of Officer Riddle and Packer]. Officer Riddle, when told that the suspect was hidden, emerged with Packer, put on the harness and line and cued Packer to search into the wind. Packer stiffened and started toward a line of cypress trees that had been planted some decades earlier along the edges of the vineyards as a windbreak. Officer Riddle followed him. Then Packer slowed checked some nearby grape vines, working now across the wind and then with the wind to his back.

Officer Riddle, figuring that there was nothing in that direction a human could hide in and that Packer couldn't possibly be working air scent from that direction because that wasn't where the wind was, stopped Packer authoritatively and redirected him.

Packer, checked and redirected to work into the wind, began romping about, plainly playing the clown. The handler [i.e., Officer Riddle] was advised by the supervising trainer to call the dog to heel, without any reprimanding. Fifty yards to his left, the "suspect" emerged from a low drainage ditch that wasn't visible to Officer Riddle. We [i.e., the other trainers participating in the exercise] were all silent, contemplating the implications of this breach of trust for Packer's future work (Hearne 1994, 102).

Postponing commentary on this case for just a moment, consider a second case of Hearne's. This case involves a police dog, Rinnie, and its handler, John Judge, who were called upon in the following situation. What happened is that a man named Chuck Smith "who had the job of collecting supermarket receipts and placing them in the night deposit at the bank, called the police to report that he had been kidnapped in his own car and robbed." When Rinnie was brought on the scene and asked to search the car, "the dog, calmly and without hesitation, walked around the car to where the victim was talking with a police officer, and bit him in the seat." John Judge, the handler, was chagrined. He severely reprimanded Rinnie, and the dog was "disgraced." Yet later it turned out that Rinnie was in fact correct and that Smith had planned the robbery together with an accomplice. As a result, "John Judge and Rinnie were restored to honor" (Hearne 1994, 26-27).

Within Hearne's accounts of these two cases, the relationships between handlers and their dogs are described in morally charged terms. When Officer Riddle, believing that he knows better than his dog does where the 'suspect' is hidden, refuses to follow Packer's lead in the training exercises, he is – in Hearne's words – guilty of a "failure of trust."

Similarly, when it is shown that Rinnie was right to identify Smith as the person guilty of robbery, Rinnie is – again, in Hearne’s words – “restored to honor.” In representing these dogs as trustworthy (and not merely reliable), Hearne is presupposing that they are not mere automata or slaves to instinct.¹ She is presupposing that they are in some genuine sense free, and this is the presupposition that interests me and that I want to explore. In the remainder of this paper, I am going to tell a philosophical story about how to understand the relevant sort of canine freedom. My story unfolds within the context of a conceptualist outlook. To get the story started I need to say something both about why conceptualism is often connected with skepticism about animal minds and about why this connection is not a necessary one.

3. Although conceptualisms are contentious, and although there is very little that friends and foes of the doctrines agree on, there is widespread agreement – among friends and foes – that they commit us to saying that non-human animals lack any but very primitive qualities of mind. It is not difficult to account for this agreement. Philosophers frequently operate with views of what concepts are that appear to imply that all non-rational animals lack concepts. Given such views, it seems to follow from a conceptualist position not only that no non-rational animals possess mental qualities fundamentally similar to those typical of rational human beings but also that non-rational animals lack the modes of awareness that would speak for ascribing to them *any* substantial capacities of mind. Yet a good

¹ There are philosophers who deny the existence of free will and who at the same time want to preserve the use of categories of moral assessment. But these philosophers limit the usefulness of these categories to occasions of reward and punishment, and I am suggesting – as Hearne does – that there is a moral dimension to some relationships between human beings and dogs that leaves room for the intelligibility of corrections that, far from being mere instrumentally applied punishments, are called for by and expressive of failures of trustworthiness.

case can be made for rejecting these conclusions. With an eye to contesting them I am going describe a conceptualist position that equips us to study animal minds non-prejudicially.

The conceptualist position from which I start here is the one described in the writings of John McDowell. There is a sense in which my selection of McDowell's work here may seem surprising. McDowell gives his first overarching account of his preferred conceptualism in his 1991 monograph *Mind and World*,² and, in the years since its publication, this book has been repeatedly criticized for depriving us of the resources to credit animals with any except very primitive capacities of mind (Carmen 2012; Dreyfus 2005, esp. 47 and 60-61 and 2007; Gaskin 2006, esp. ch. IV; MacIntyre 1999, esp. 60-61 and 69; Peacocke 2001, esp. 613-614; Vision 1998, esp. 406 and 420-424; Wright 2002, esp. 147-150 and 163-167). Although it is possible to find textual support for this criticism in McDowell's book, it is also reasonable to think that in the passages in question McDowell fails to do justice to the implications of his own conceptualist views for how we think about the minds of animals. In his most recent work, McDowell represents his conceptualist claims as part of a descriptive account of what our modes of awareness are like, insisting at the same time that the claims impose no antecedent constraints on how similar to ours animals' modes of awareness may be. In this article, I consider these portions of McDowell's thought with an eye to showing that a conceptualist orientation can position us to do justice to observations indicating that various non-human animals have sophisticated qualities of mind.

The conceptualist orientation I favor is, however, different in important respects from McDowell's. These differences emerge as I proceed.

² A second edition, including a new introduction, was published in 1996. The references in this article are to this second edition.

4. Consider what motivates the conceptualist outlook that McDowell defends and that I am going to inherit from him with some revisions. McDowell situates his conceptualist outlook within the framework of his discussion of what he calls a “minimal empiricism” (McDowell 1996, xi). What McDowell calls a minimal empiricism is “minimal” in the sense of being not about the relation between experience and knowledge, as traditional empiricisms are, but rather about the relation between experience and thought about the world, without regard to whether that thought is – in McDowell’s terms – “knowledgeable” or not.³ To count as what McDowell regards as a minimal empiricism a position must take experience to mediate the way in which thought bears on, and answers to, the world (McDowell 1996, xii). McDowell holds the reasonable, though by no means uncontested, view that to jettison a minimal empiricism would be to jettison the very idea of thought being answerable to the world. He presents the conceptualism he favors in the course of developing this view.

McDowell’s account of the necessary elements of a minimal empiricism starts like this. He gives a description of what it is to have one’s mind directed toward the world. This description is one he takes, with a slight change, from Wilfrid Sellars. The relevant – and quite well known – thought of Sellars is that to represent something as a state of knowing is to place it in a normatively ordered “space of reasons” or, in other words, to place it in a way that makes room for questions about, among other things, what justifies it. McDowell’s point is that this Sellarsian thought is pertinent to non-‘knowledgeable’ thought and that, in McDowell’s words, “a normative context is necessary for the [very] idea of being in touch with the world” (McDowell 1996, xiv). Here we already have before us the fundamentals of McDowell’s conceptualism. McDowell is saying that thought about the world is at home in a normative framework in the sense that it makes sense to ask what justifies it. Further, he is suggesting that with re-

³ “Knowledgeable” is a neologism of McDowell’s.

gard to non-inferential perceptual thought experience plays this justificatory role. McDowell gives this line of reasoning a conceptualist twist by claiming that it is only by depicting sensory experience as conceptual that we can do justice to the rational support it gives to beliefs about the world.

The things I have said thus far about McDowell are relatively well known. At this point, I want to introduce an observation of my own. When McDowell says that human perceptual experience is conceptual, he is saying two distinct things. (1) To begin with, he is saying is that experience has a *universal form*. Very generally, the point is that in order to make a rationalizing contribution to our beliefs about the world, experience needs to resemble empirical judgment in having to do with *individuals* and *kinds of things*. And in order to feature such things it must have a universal form. For instance, if someone is rightly said to perceive a flower – a kind of thing – her perception must encode the thought of a link to other actual or possible representations of flowers and must in this sense have a universal structure. By the same token, if someone is rightly said to perceive a particular flower – an individual – then her perception must encode the thought of a link to other actual or possible representations of the flower and must, in a similar sense, have a universal structure.⁴ (2) This brings me to the second thing McDowell is saying in when he describes our perceptual experience as conceptual. He is also saying that *reason* provides the pertinent universal structure. For McDowell, “reason” is the capacity to distance ourselves from our inclinations to believe (or do) things and to ask whether we indeed have reason to believe (or do) what we are inclined to (McDowell, 2008, esp. 235-237). McDowell’s motives for claiming that, in the human case, reason is the source of the universality distinctive of conceptuality are easily grasped. He wants to do justice to the way experience informs our beliefs about the world. He takes seriously the observation that – except in unusual cases – we only say that a mature human being has

⁴ Strawson (2008) is a classic contemporary treatment of these themes.

a perceptual experience when the experience figures in her epistemic life in such a way that she can judge that the world is at it presents it to be. These are the basic considerations that lead him to complement his claim that characteristically human perceptual experience has a universal structure with the further claim that this structure belongs to the province of reason.⁵

If I were offering a more detailed treatment of McDowell's work, I would at this point discuss in detail one important respect in which he has recently revised his view of the conceptuality internal to experience. Whereas in early writings McDowell represents such conceptuality as propositional, more recently he has insisted that it is non-propositional or, alternately, that it is not discursively articulated. Elsewhere I discuss the reasons for this change and argue that the change is consistent with things McDowell says about the rational significance of experience (Crary, 2012). Setting these topics aside, let me again mention that, when McDowell describes human perceptual experience as conceptual, he is exclusively concerned with forms of universality that are permeated by reason in his demanding sense (i.e., in a sense that involves the capacity to step back from one's inclinations to believe (or do) things and to ask whether one in fact has reason to believe (or do) what one is inclined to) (cf. McDowell 1996, 22 and 49-50). Let me add that McDowell does not limit conceptuality to these specific forms of universality because he thinks concepts only figure in the sorts of articulated propositions that are the prerogatives of rational human beings. On the contrary, as I just mentioned, he himself denies that there is a necessary connection between the conceptual and the propositional. Nevertheless, he is unwilling to talk about non-propositional conceptuality in connection with beings that don't deal in reasons. He insists on restricting talk of conceptuality to us rational human beings because he

⁵ McDowell repeatedly emphasizes that in characterizing perceptual experience as "conceptual," he means that reason is at play in it (1996, 1, 5, 11-13, 31, 47 and *passim*).

thinks doing so permits him to capture what is distinctive about our mental lives. The vocabulary he thus adopts has consequences for how we talk both about human cognitive development and about the capacities of animals. These consequences are one of my main topics. But before considering them I need to say something about a further feature of McDowell's project, namely, his philosophically irregular conception of *nature*.

It is not difficult to understand why the topic of how we conceive nature is an important one for McDowell. It appears to be a consequence of enormously influential philosophical delimitation of the domain of *nature* – where this domain is taken to consist in things that are real as opposed to merely apparent – that a conceptualist understanding of experience is untenable. What gives the question of what falls within the domain of nature urgency is the fact that it seems clear that experience is made up of by interactions (viz., impingements of the world on our senses) that count as natural. But the domain of nature is often demarcated in a way that would exclude experience, conceived as irredeemably conceptual, from qualifying as natural. Nature is frequently conceived as restricted to the subject matter of the natural sciences. McDowell's claim is that this deeply engrained view of nature interferes with attempts to depict experience as both irredeemably conceptual and natural. In making this claim, he takes for granted that the intelligibility of rational relations is different in kind from the intelligibility of the individual natural sciences or, in his parlance, that such relations possess their own logic and are *sui generis*.⁶ This

⁶ A comment is in order about how McDowell's formulation of this presupposition has shifted. In core passages of *Mind and World*, McDowell describes the logic of the natural sciences as the "realm of law," evidently referring to the sort of law-like relations that compose explanations in physics. In these passages, he tells us that the presupposition that interests him is that the intelligibility of the realm of rational relations diverges from that of the realm of law. Here he tacitly assumes that talk of "the realm of law" fits all of the natural sciences. But McDowell has in recent years distanced himself from an understanding of the natural sciences as having a unified logic. Thus, e.g., he says that he now wants to speak of a distinctive form of intelli-

presupposition is not uncontroversial, but I cannot discuss it right now. Now I simply want to make the following observation. Given the presupposition that rational relations are *sui generis*, it appears to follow from a conception of nature that restricts nature to the subject matter of the natural sciences that experience cannot be both natural and essentially conceptual. This means that, if he is to defend his conceptualist outlook in an attractive naturalistic form, McDowell needs to discredit this conception of nature. Now this is what McDowell in fact does. He departs from a philosophically traditional conception of nature. He favors an alternative “relaxed” conception of nature on which nature is capacious enough to incorporate not only the subject matter of the natural sciences, but also relations of reason conceived as *sui generis*. This means that the conception is capacious enough to incorporate his conceptualist understanding of perceptual experience (McDowell 1996, 64-65 and 70-86).

Having described McDowell’s conceptualism about perceptual experience, I should add that he presents it as an instance of a larger body of thought. Although his typical strategy is to start by presenting an account of perceptual experience as both natural and conceptual, he goes on to defend the view that characteristically human sensory experience and action are also natural and conceptual (McDowell 1996, 36-40 and 89-91). I am not going to talk about these additional cases in detail. What I want to point out that, given an understanding of the realm of concepts as the realm of freedom, it follows that we can say that McDowell’s larger project is about freedom or, as he himself at one point puts it – that it is about “how freedom ... fits into the natural world” (McDowell 1996, xxiii). When McDowell sounds conceptualist themes, he is attempting nothing less than

gibility in reference to teleological explanations in biology. (See in this connection, McDowell 2000a, 2000b and 2006). When McDowell formulates the presupposition that interests him, he now says simply that he takes the logic of the realm of reasons to be *sui generis*.

to do justice to ways in which freedom-involving rationality pervades human experience and action. He needs his “relaxed” conception of nature because he wants to do this while preserving the thought that we are natural beings and that such freedom-involving rationality is “our special way of living an animal life” (McDowell 1996, 65).

In the parts of his work I have been discussing, McDowell represents our rational capacities as getting realized in natural ways during our up-bringsings. In discussing these matters, he brings out one of his better-known technical terms. He represents our rational capacities as composing our *second nature* (McDowell 1996, 78-84 and *passim*). McDowell emphasizes the idea of second nature because he wants to signal that he is committed to breaking down barriers that seem to prevent us from representing cognitive growth as a natural process of growth. What I argue here is that the same sorts of considerations that McDowell adduces in representing human cognitive development as a natural process also enable us to represent non-human animals as possessing a wide range of different mental capacities. In arguing along these lines, I help myself to McDowell’s relaxed conception of nature. This conception is philosophically controversial and stands in need of defense. Although I believe that a defense can be given, exploring this matter further would take me beyond the scope of this article.

5. Let me turn to ramifications of McDowell’s conceptualist position for how we think about animal minds. The conceptuality that McDowell thinks informs human perceptual, sensory and practical experience is supposed to involve forms of universality that are permeated by *reason* understood in a sense that does not apply to non-rational animals. It follows that he is committed to saying – and he does say this – that non-rational animals lack our forms of experience (McDowell 1996, 50 and 119). When he says this, he gives the impression that he believes that animals lack any

significant capacities of mind. Not wanting to give this impression, he sets out to correct it.

Consider what McDowell says about non-rational animals in the text of *Mind and World*. He not only represents them as bereft of the agency and forms of experience typical of human beings; he also claims that their lives are “structured exclusively by immediate biological imperatives” (McDowell 1996, 115). His point is to stress that, in denying characteristically human agency and forms of experience to animals, he is not thereby suggesting that animals are automata whose lives are adequately describable in merely causal, physicalistic terms. He wants to show that he has the resources to construe animals’ responsiveness to their surroundings as involving primitive normative reactions and not as merely caused in a mechanical or automatic sense.⁷ With an eye to showing this, McDowell argues that these animals encounter features of their surroundings not as conceptualized entities but rather as particulars that trigger instinctive or learned responses. He uses a pair of terms from Hans-Georg Gadamer to capture the contrast he finds between the lives of rational human beings and non-human animals. Creatures who exhibit the conceptually permeated behavior characteristic of human beings are, in Gadamer’s parlance, oriented toward the *world*, and creatures whose lives are governed by immediate biological imperatives merely inhabit *environments* (McDowell 1996, 114-115). The point that McDowell uses this Gadamerian contrast between “world” and “environment” to make is that non-rational animals are not automata but beings governed wholly by merely biological impulses.

⁷ Above, in note 6, I observed that McDowell has in recent writings moved from describing all of the natural sciences as having a “law-like” logic to conceding that biological categories have a special logic and that a biological description of an organism as having and responding to perceptions of its environment is concerned with something that cannot adequately be captured in mechanistic terms. Notice that in the passages of *Mind and World* that concern me here McDowell is already helping himself to the view that biological thought is logically distinctive.

These remarks of McDowell's notwithstanding, it is not an implication of the main argument of *Mind and World* that non-rational animals are enslaved to instinct. In a Postscript, McDowell admits that his "talk of biological imperatives already represents a harder line than [he] need[s], even without the reductive conception [of the biological] that [he] disown[s]" (McDowell 1996, 182). I believe that it is now McDowell's decided view that he was wrong to represent all non-rational animals as structured by exclusively biological imperatives. Why this was wrong isn't something he has discussed at any length, and I want to try to fill in some of the details.

Recall that McDowell's conceptualism is situated within what he calls a "naturalism of second nature." If we want to appreciate the implications of this outlook for animal mindedness, it is helpful to consider what it means to say that rationality belongs to our second nature. The point is that our rational capacities are realized naturally as we grow up. To say that an individual is rational is to represent her as having arrived at a specific point in a natural process of development. In representing this process as natural, we in effect reject the idea that there are prior constraints on how similar to each other different stages on the way to rationality can be. Instead we commit ourselves to the idea of a naturalistic continuum, and we allow that pre-rational stages involve mental capacities that bear significant resemblances to capacities of mind typical for rational human beings. Further, to the extent that we make room for substantial affinities between pre-rational humans' and rational humans' capacities of mind, we at the same time make room for substantial affinities between the typical mental capacities of rational humans and those of non-human animals of different kinds. So there is no reason, as far as McDowell's argument is concerned, to exclude the possibility of forms of life that are not rational in his sense and yet are not products of mere control by immediately biological drives. *Mind and World's* main line of reasoning obliges us to make room for the possibility of discovering that some non-human animals operate with at least primitive

forms of universality and are rightly described, not only as dealing in individuals and kinds of things, but also as thereby manifesting primitive forms of freedom (Lovibond 2008, esp. 120).

We can in this way use McDowell's work to raise an issue that he himself for the most part doesn't discuss, namely, the issue of similarities between the minds of rational human beings and those of non-human animals. A reasonable method for illuminating these similarities is to first consider similarities between rational human beings and pre-rational or pre-linguistic children.

6. It is not uncommon for very young children – children who are not yet fully rational – to behave in ways that cannot adequately be captured in strictly biological terms. With an eye to defending this claim, I am going to introduce a vocabulary that differs from McDowell's. McDowell insists on limiting talk of concepts to rational individuals. In contrast, I am going to say that pre-rational children may possess *concepts*. Although the terms I employ differ from McDowell's, there is a sense in which they are true to the temper of his thought. When he introduces his relaxed conception of nature, he at the same time invites us to construe our rational capacities as the end results of a natural developmental process. This invitation is supposed to extend to our capacities for dealing in universal categories as well as to those capacities we have insofar as we can distance ourselves from and evaluate our inclinations to believe or do specific things. Bearing this in mind, here I am going to describe the acquisition of capacities for dealing in universal categories as *learning*. Further, I am going to describe the acquisition of capacities for distancing ourselves from and evaluating our inclinations to believe or do specific things as *maturation*. The portions of McDowell's thought I have been discussing are informed by the very reasonable assumption that – to put it in these terms – learning and maturation are inseparably intertwined. McDowell speaks of “concepts” exclusively in

reference to rational individuals because his primary concern is the learning of individuals who have reached an advanced stage of a natural process of maturation. In contrast, I am concerned with mental capacities that are the more primitive forerunners of those McDowell considers. I propose to speak of concepts in connection with pre-rational children because I want to underline the existence of cognitive achievements that exhibit primitive capacities for operating with universal categories and therefore count as learning, even though they don't yet demonstrate rational maturity.

One philosopher who draws attention to such cognitive achievements is Stanley Cavell. Cavell maintains that in the acquisition of a first language "there is not the *clear* difference between learning and maturation that we sometimes suppose there is" (Cavell 1979, 171) and he also claims that coming into language involves many steps suffused with elements of both. Cavell's most elaborate illustration of such steps is presented in a central and well known passage of his book *The Claim of Reason*. It involves an anecdote about his daughter's linguistic abilities at fifteen months, an anecdote about how one day after he said "kitty" she produced the word and pointed to the kitty. She repeated her performance a few times after that, saying "kitty" and pointing to a kitten, and then a few weeks later she smiled at a fur piece, stroked it and said "kitty." In his commentary on these episodes, Cavell says that the case of the fur piece made him unsure how to transcribe his daughter's performances (Cavell 1979, 172), adding that it was in any case clear that his daughter was making connections among kittens and kitten-like things.

One thing that may well strike us about this example of Cavell's is how commonplace it is. I recall various analogous episodes in my own daughter's development, and I imagine that the same is true of other parents. There is one episode of the kind that I remember in part because it

was mildly traumatic.⁸ By the time my daughter was a year and a half old she would let us know that she needed her diapers changed by saying “I dirty.” During a trip to California at the time, she wound up with a nasty infection on her behind. On the day on which it was most inflamed she cried for hours, regularly screaming “I dirty.” In her case, unlike that of Cavell’s daughter, there wasn’t much room for uncertainty about an appropriate transcription. It was evident that my daughter was expressing pain and perhaps also a desire that her parents relieve it for her, as we had on other occasions. By the same token, it was evident, that she was connecting different situations of discomfort in her nether regions.

When Cavell characterizes his young daughter’s accomplishment, he cautions that it would be premature to say that she knows what a kitten is, and he rattles off a number of facts about kittens that a mature speaker can be expected to know but that his daughter does not (Cavell 1979, 170). It would likewise be premature to say that my young daughter knows what, say, dirtiness is. Yet both children have taken meaningful steps toward language. They have acquired repertoires of doings-appropriate-when to which their verbal performances belong. Granted that they are still far from word mastery, it remains the case that these repertoires are more than merely causally significant stages on the way to language. And these stages are aptly described as involving the ability to operate with primitive universals.

This ability is a conceptual one in my flexible sense. Cavell’s daughter is operating with a concept of kitten-like things, and my daughter is operating with a concept of discomfort in one’s nether regions. To say these things is not to deny that a substantial gulf still separates these young chil-

⁸ I chose the example that I am about to discuss – it is a mildly embarrassing example – because it is authentic. I am a life-long, committed diarist, and I found an entry in my diary that confirmed my memory of it. My daughter gave me her permission to use it.

dren from mature speakers. The point is simply that they have progressed rationally enough to operate with forms of universality that are forerunners of the forms of universality that we find in mature rational thought. This is what I have in mind in talking about a flexible notion of a concept.

My ambition in identifying a notion of a concept that can be extended beyond the case of fully rational beings was to demonstrate that there is no conflict between conceptualism and the conviction that some non-rational animals possess quite sophisticated qualities of mind. Once we equip ourselves with this notion of a concept, we are in a position to reject the familiar suggestion that conceptualists are compelled to represent non-rational animals as lacking any but very primitive mental capacities. A perfectly consistent conceptualist could accommodate the idea that there are significant analogies between, on the one hand, characteristically human modes of awareness and mental qualities and, on the other, those modes of awareness and mental qualities that are characteristic of different non-rational animals. Given that the realm of concepts is the realm of freedom, this means that a perfectly consistent conceptualist could accommodate the idea that there are significant analogies between, on the one hand, free modes of conduct typical of human beings and modes of conduct typical of different non-rational animals.

This brings me to the last part of this article, in which I discuss these analogies in reference to dogs in particular.

7. Consider what makes it seem reasonable to speak of concepts in reference to dogs. We can start by noticing how we restrict ourselves if we rule out this way of speaking. There is, to be sure, still room here to represent dogs as learning, if by “learning” we mean the shaping and growth of natural responses via various feedback loops.⁹ But in conceiving learning in

⁹ See, e.g., the discussion of the learning of non-human animals, and of dogs in particular, in (Korsgaard 2009, esp. 104-105, 109-110 and 113). In these passages,

this way, we imply that all of dogs' natural and learned responses need to be understood as directed toward particulars. So there can be no question of discovering canine behavior that is characterized by the recognition of kinds of things or of individuals. Yet it is not clear that we can do justice to the lives of dogs without referring to such forms of recognition. This, very generally, is what suggests the need to attribute conceptual capacities to dogs.

Let me start with an example of the sort of case that speaks for claiming that dogs deal in kinds of things. Thomas Mann wrote a memoir of his life with his short-haired setter Bashan, and in it he gives an account of a day on which Bashan for the first time saw a man shoot a duck. Mann tells us how, after the report of the gun "the body which had been struck became a mere inanimate object and fell swift as a stone" (Mann 2003, 235). Then he turns to describing Bashan's response to the event. He writes:

There are a number of coined phrases and ready-made figures of speech which I might use for describing [Bashan's] behavior – current terms – terms which in most cases would be both valid and appropriate. I might say, for example, that he was thunderstruck. But this term does not please me, and I do not wish to use it. Big words, the big, well-worn words, are not very suitable for expressing the extraordinary. One may best achieve this by intensifying the small words and forcing them to ascend to the very acme of their meaning. So I will

Korsgaard draws a sharp distinction between all forms of non-human animal learning, on the one hand, and rational human learning, on the other. She attempts to soften her distinction by insisting that there are "no sharp lines in nature." Yet, despite this instance, she clings to her image of a rigid divide between human and animal learning. She does so because she is committed to what in the terms of this article could be described as a non-relaxed conception of nature. Because Korsgaard, following Kant, favors such a conception, there is, by her lights, no room within the natural world for rational relations. It follows that there is no room for finding in nature the types of stages on the way to rationality that I have in mind in speaking of concepts in a flexible sense.

say no more than that Bashan *started* at the report of the gun and the accompanying phenomena – and that this starting was the same as that which is peculiar to him when confronted with something striking, and that all this was well known to me though it was now elevated to the *n*th degree. It was a start which flung his whole body backward, wobbling to right and left, a start which jerked his head in rash recoil against his chest and which, in recovering himself, almost tore his head from his shoulders, a start which seemed to cry, from every fibre of his being: “What, what! *What* was that? Hold! In the name of a hundred thousand devils! *How* was that!” (Mann 2003, 235-236)

Drawing on his familiarity with Bashan’s characteristic ways of behaving, here Mann describes his dog as utterly surprised by duck hunting. He describes Bashan as overwhelmed by his encounter with what for him is a new kind of thing. The context for the description is Mann’s account, elsewhere in his memoir, of Bashan behaving differently, more familiarly, with things such as roads, trees, people, houses, cats and trains. What Mann in this way gives us is an image of Bashan as living a life in which there are different kinds of things.

Consider now an example of the sort of observation that speaks for saying that dogs deal in individuals. Here we might turn to an example of Simon Glendinning’s about how he used to run around outside with his mother’s dog Sophie. Glendinning writes:

There is (what I definitely want to call) a game I used to play with my mother’s dog Sophie, in which we would run around a small pond. My aim was to catch her; hers to avoid being caught. Sometimes we would find ourselves facing each other, almost motionless, on either side of the pond, each of us watching the other for movements indicating a direction of pursuit or flight. I would try faking a movement; starting to the left but running to the right. Sophie would sometimes

be foxed, but would always correct her run when she saw me coming the other way.

Sophie had a lot of Collie in her and I never caught her. But one day while we (*we*) were playing this game I slipped as I tried to change direction too quickly on damp grass. Almost immediately Sophie ran straight up to me. I was unhurt, but she licked my face anyway (Glendinning 2008, 142, stress in the original).

When Glendinning comments on this example, his aim is to establish that it is a case of “mutual intelligibility” between him and Sophie. “The dog could see my distress,” he writes, “and I could see her sympathy” (Glendinning, 2008, 142). The point I want to make here is simpler than Glendinning’s. In playing exuberantly with him, and in responding to him with sympathy, Sophie was interacting with him as an individual.

Within accounts people give of their lives with dogs, it is possible to find anecdote after anecdote, like this one of Glendinning’s, in which dogs relate to human beings as individuals (e.g., Pitcher 1995, 74-75; Mann 2003, 14 and 73-75; Von Arnim, 1995, 80-81 and 136-139; Ackerly 1999, 19-20 and 110). The point here is not, however, that human beings are the only individuals in dogs’ lives. The lives of dogs are lives in which there may be a rich variety of individuals. In addition to individual human beings, there may be individual places, individual inanimate objects and individual non-human animals. It is possible, without undue difficulty, to find anecdote after anecdote about dogs’ connections to individuals of these other sorts.¹⁰

¹⁰ Here’s a list of anecdotes about attachments dogs form to individual other dogs. Von Arnim (1995, 169-170, 182-183 and 209-210) describes how her female fox-terrier Knobbie loved a male fox-terrier named Chunkie and became less affectionate to him after she had puppies, and also how both Knobbie and Chunkie mourned the death of their pup and canine companion Winkie. Pitcher (1995, 56, 121 and 131) describes how Remus loved his mother and companion Lupa and mourned her

What interests me about these anecdotes as well as anecdotes, like Mann's, about how dogs operate with kinds of things is that – on the surface at least – they seem to support the attribution to dogs of concepts in the flexible sense that I have been discussing. One of the implications this article's main line of reasoning is that there are no antecedent philosophical reasons for refusing to take the anecdotes at face value. The point is not that a person might not make a valiant effort to fully illuminate dogs' behavior in a manner that was consistent with thinking of dogs as, say, pure stimulus-response mechanisms or, alternately, as beings governed by immediate biological impulses. The recent history of animal behavioral studies amply documents such attempts. Yet it is not clear that these projects have a chance of succeeding. It is not clear that putative explanations of canine behavior that renounce any suggestion of conceptual capacities can adequately capture the richness of dogs' lives. Perhaps I should add that I am not suggesting that we should complacently take our guide from the naturalness with which we think and talk about dogs in ways that take for granted that they are conceptual in my sense. It is, after all, entirely possible that a bit of dog behavior that at first glance seems conceptual might turn out to be explicable in terms of lower-level capacities. It is likewise possible that Hearne and Mann and others who write about dogs have simply imagined that they found impressive qualities of mind in what are actually very primitive forms of dog behavior and that these authors have slid into a kind of projective error. A critic might successfully demonstrate that some the behavior that these authors represent as having a specifically conceptual complexity is in fact simply elicited by certain environmental stimuli. Such a demonstration would not, however, be damaging to my argu-

death. And, on a more personal note, during two years in which I was a tutor at Harvard's Mather House, my dog Sitka, who after puppyhood was for the most part quite indifferent to other dogs, became enamored of a grey male whippet named Pensey, a dog who was walked daily by one of my students and whom I myself found rather silly.

ment. We should indeed acknowledge that we do sometimes represent as conceptual modes of canine behavior that are actually much simpler. But this gesture of acknowledgment is consistent with claiming – as I am claiming – that an unbiased review of the thousands of years-old body of human observation and testimony about the lives of dogs supports the ascription of concepts to dogs. What we learn from looking over this body of literature – or from simply spending time with dogs – is that dogs recognize individuals and kinds of things and, by the same token, that they operate with concepts.

In closing let me return to Vicki Hearne. It follows from what I have been saying that there is no reason to insist that people must be guilty of sentimental projection if – like Hearne and the trainers she discusses – they characterize their relationships with dogs in moral terms that presuppose that dogs are in an important sense free. To claim that dogs traffic in concepts in my sense is to characterize them as occupying what might be described as partial stages of rational development, stages distinguished by partial forms of freedom. In cases in which dogs have been integrated into our household or work routines there is no reason antecedently to deny that they have become trustworthy as opposed to merely predictable. Think, e.g., of the two tracking dogs, Packer and Rinnie, that Hearne discusses in the passage I read at the opening of this talk. There is no reason antecedently to deny that these dogs participate in the sorts of moral relations with their handlers that Hearne describes.¹¹ Or, what amounts to the same, there is no reason antecedently to deny that these dogs are in an important sense free.

¹¹ Gaita (2002, 40ff.) contains a thoughtful commentary on relevant aspects of Hearne's work.

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