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## 6 Ethics and Objectivity

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*“Themis! What and whence is the art that might raise humanity? O gentle Goddess, help this drowning world!” — Ovid’s Metamorphosis*

In earlier chapters, we described debates between objectivists and relativists over methodology in the sciences, and over science and values. We have been led to talk about the role of value judgments in various areas of thought, but in this final chapter we turn more directly to the age-old question of the objectivity of values. Objectivists and relativists populate debate over this question just as we found them populating other questions we have addressed. There is a general, deep-seated worry about ascribing objectivity to things human-centered. Talk of the objectivity of values seems odd in light of any notion of objectivity that draws upon a mind-

independence, since values and valuing are so clearly terms of relation with the judgments of valuers. But neither are judgments of value merely subjective if they result in actions likely to affect the interests of others, or if they are responsive to reasons and criticism.

Positivists made science exceedingly objective and normative work value – laden discourse as exceedingly subjective or culturally relative. Postmodernists sometimes make the knowledge-claims stemming from *both* science and ethics culturally relative. The general view developed in this chapter is that while scientific and ethical claims are very different, there are obligations of impartiality and other senses of objectivity that legitimately apply to both. This is the position which we have argued is supported by the thesis of the irreducible complexity of objectivity. This chapter will cover debates that fall under both metaethics and normative ethics. It will also examine the relationship between these fields and psychological studies of how we make moral judgments.

Metaethical concerns, with which we will begin, are those about the meaning and cognitive status of ethical claims and demands. We will focus especially on a family of contemporary theories that locate ethical claims and demands in second – personal authority. The second half of the chapter more constructively develops an account of ethical objectivity as intersubjectivity, an account in which the source and force of ethical norms is articulated in terms of their “second – personal” authority. We also explore the connections between this view and a broader family views that locate that normativity *inter-subjectively* and in terms of *communicative action*. The intersubjective nature of ethical norms makes sense of the dynamic between partiality and universality. Conceiving ethical objectivity as *intersubjectivity* works only where the objective – subjective divide is seen as an epistemological distinction of degree rather than as an ontological

divide between human opinion and something describable third-personally like a timeless Platonic Form of the Good.

### **Three Approaches to the Science-Ethics Distinction**

Ethical realism, cognitivism and universalism are overlapping metaethical theories that one finds about viewpoints at one end of the spectrum, while ethical subjectivism, relativism, noncognitivism, and particularism are overlapping theories found at the other end. Let's begin with three different views, all well represented in the history of philosophy, about objectivity and the science—ethics distinction. Some views at both the objectivist and relativist end of the spectrum can be described as *symmetrical*. At the objectivist end, Plato and the ancients depicted cognitive and ethical objectivity as equally real and knowable. “The True and the Good” could both be rationally apprehended, since both concepts stood for things that are ultimately real: timeless, changeless Forms or Ideas. They are intimately related in the sense that the form of the Good was for Plato the highest and most all-encompassing. In his *Critique of Practical Reason*, Kant's objectivism about science and ethics is expressed this way: “Two things fill the mind with ever-increasing wonder and awe, the more often and the more intensely the mind of thought is drawn to them: the starry heavens above me and the moral law within me.”

Postmodernist constructionism, while in one sense, residing at the other, anti—realist pole, at least shares with Plato and Kant their symmetrical attitude towards the science – ethics distinction. The postmodern thought of Rorty, for example, takes *both* scientific and ethical truth as socially constructed. On this basis he rejects the value of the concept of objectivity on both sides of the science – ethics distinction. That this approach is highly symmetrical is underlined by noting that Rorty explicitly held that such an attitude dispensed with scientism and leveled the

playing field between scientific and hermeneutic disciplines. Rorty radically deconstructs any sharp contrast between finding and making.

Modernist empiricist thought, by contrast with both rationalism and postmodernist constructionism, presents a sometimes very *asymmetrical* account of the science – ethics distinction. It finds the language of empirical science to be based upon objective factors, but doubts the rationality and objectivity of ethical claims. Positivists, as we noted in Chapter 3, denounced the “cognitive-ethico parallel” of Plato and Kant, and adopted in its place a sharply *asymmetrical* attitude of objectivism about the language of science, and emotivism (or some other version of non-cognitivism) about evaluative discourse. It is easy to inflate the rationality of science by viewing it as essentially value free, and by contrasting it with a relativistic or subjectivistic account of the grounds for ethical judgments. In chapter 3 we saw how the fact/value dichotomy supported an untenably objectivistic understanding of theoretical progress in the hard sciences. In more moderate forms, an asymmetrical attitude towards language of science and of ethics remains an enormously influential heritage of modern empiricism.

To finish off this description of different approaches we can recognize a fourth possible approach, an asymmetrical account that inverts modern empiricism. Such a view would be objectivist about ethical duty, but non-realist about the scientific truth claims. Although we have few examples of it in the modern West, it might describe a strongly theistic worldview where divine command makes ethical dictates absolute, and where anything that happens is the direct will of God, rather than events explained naturalistically. We will discount this last possibility, since it represents a strongly anti— naturalistic approach. Each of the other three approaches, however, might defend itself on naturalistic ground. Naturalism prescribes that philosophy should be continuous with what the sciences tell us about the natural and social world we inhabit.

Naturalistic ethics has taken many forms, for example, evolutionary ethics, social contract theory, consequentialist ethics, virtue ethics, and feminist ethics of care, etc. Since the last chapter treated feminist critique of cognitive objectivity, we can easily extend that critique by noting some feminist criticisms of modernist philosophical ethics. Some feminist critiques of traditional philosophical ethics start with the will depersonalized subject of the Cartesian model of objectivity, a model based on dispassion and detachment. Julie Nelson writes that, “In the Cartesian view, the abstract, general, separated, detached, emotionless, ‘masculine’ approach taken to represent scientific thinking, is radically removed from, and clearly seen as superior to, the concrete, particular, connected, embodied, passionate, ‘feminine’ reality of material life.”<sup>1</sup> Feminist ethics like that of Carol Gilligan’s *In a Different Voice* and Susan Bordo’s *The Flight to Objectivity* connected these Cartesian influences to assumptions that have deeply influenced philosophical ethics. A rationalistic bias will lead us to identify ethical reasons too closely with impartial and agent – neutral reasons. This in turn, is really a male – centric perspective, or what Gilligan (1993) calls an “ethics of justice.” It has the effect of overemphasizing human rationality and underemphasizing the importance to sound ethical judgment of the emotions and of emotional / social intelligence. The androcentric bias feminists claim to find in ethical philosophy extends to ethical psychology as well. It is said also to be exhibited in Lawrence Kohlberg’s model of six stages of childhood ethical development, where the highest stage is acknowledgement and application of universal ethical principles-- what might be called an ideal of the “moral rationalist.” Difference feminists contrast such a male “justice perspective” with a female “care perspective.” As Marcia Homiak puts it,

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<sup>1</sup> Nelson (1996), 40.

Since impartial and universalizable principles are a result of reasoned reflection about what to do, where such reflection is carried out without the distractions of emotion and without a prejudiced concern for one's own interests or the interests of specific others, the justice perspective is associated with rationality and with the value of one's status as a rational being capable of such reflection. Thus the basis of the feminist criticism of rational ideals is that such ideals, in their application to moral questions, ignore the role of emotion and of the non-universalizable particularity of human life.<sup>2</sup>

Work on emotional intelligence as crucial to sound ethical decision-making can also draw from the work of biologists like Antonio Damasio. In *Descartes' Error* he argues that emotional sensitivities are not a luxury for humans, but are adaptive traits essential to rational thinking and to normal social behavior: "When emotion is entirely left out of the reasoning picture, as happens in certain neurological conditions, reason turns out to be even more flawed than when emotion plays bad tricks on our decisions."<sup>3</sup> Too much emotion in our ethical reasoning can easily impair our better judgment, and objectivists have typically painted the emotions as hindrances to ethical objectivity and sound judgment. But too little emotion may leave us without moral sensitivities or awareness. Emotional intelligence is vital to sound judgment, for without it, an agent is blinded to the morally problematic features of their situation, awareness of which is a precondition for reasons – responsiveness. Psychologists have shown conclusively that too much

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<sup>2</sup> Homiak (1996), 119.

<sup>3</sup> Damasio (2005), xviii.

dependence on emotions leads to confusing ethical judgments with what personally disgusts us (the ‘yuck factor’), while too little engagement of emotions leave us lacking moral motivation and constitutively unable (as sociopaths are) to take into account interests and welfare of others.

## **Experiments in Ethics**

Although our human susceptibilities to motivational and cognitive biases may be well-recognized by today’s more naturalistically-inclined philosophers, there remains a general worry about normative theory in ethics and epistemology maintaining itself as a ‘separate culture’ from moral and cognitive psychology. So Kwame Anthony Appiah writes in *Experiments in Ethics*, "The questions we put to the social scientists and physiologists are not normative questions. But their answers are not therefore irrelevant to normative questions".<sup>4</sup> How great an effect, for example, does “the power of the situation” have over practical reasoning? Jewish-American philosopher Hannah Arendt played no small part in bringing this question to light, and in setting off what psychologists call the “rationality wars.” In her commentaries on the trial of former Nazi SS officer Adolph Eichmann, Arendt put into the discussion her ‘banality of evil’ thesis, claiming that “behind atrocities what one usually finds is not satanic or sociopathic monsters, but ordinary persons who have lost their sense of personal responsibility.”<sup>5</sup>

The Jewish community expected to find a “monster” in Eichmann, a man instrumental in the Nazi ‘Final Solution.’ Arendt presented him more like a weak-minded follower than a person of ingrained malevolent character. Her commentary on the trial in Israel was harshly received by

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<sup>4</sup> Appiah (2008), 162.

<sup>5</sup> Arendt (1971), 4.

Jewish-American readers, many of whom saw her as absolving perpetrators of the Holocaust from guilt and blame. She was not, but in a way her depiction of Eichmann as a weak-minded ‘everyman’ were far more disturbing and challenging to post – war intellectuals than the expectation of finding a select few individuals easily classed as evil. She was articulating what would become known as the banality of evil, or the *problem of thoughtlessness*.

For Arendt what led such an otherwise average man to commit such atrocities was mostly just a reluctance or incapacity to think for himself and a simple, unquestioning eagerness to please his superiors and to accept their ways of rationalizing their violence towards others. Her depiction of Eichmann was as a man “quite ordinary, commonplace, and neither demonic nor monstrous.” That he was really weak- minded ‘everyman,’ however, suggests that normal, seemingly decent folk could easily be led to participate in great evils if exposed or introduced to it in the right ways, ways that reward conformity. This has suggested to others that to a greater extent than we would like to acknowledge it may be only a matter of moral luck or situation that many more of us do not become what someone like an Eichmann became.

It was not long after the furor over Arendt’s *Eichmann on Trial* that sociologists like Stanley Milgram and Solomon Asch began to study obedience to authority through empirical social experiments. One might say that the *problem of thoughtlessness* was put to empirical test in the Milgram Experiments, and provided with substantial empirical support. Milgram’s test subjects thought that they were merely aiding a scientist authority figure conduct a study on learning behaviors, when in fact it was *they* whose conduct was being tested. The willingness of so many of test subjects to carry out instructions of a white – coated authority figure to administer to a ‘learner’ in the next room what they were given every reason to believe were real electric shocks of increasing intensity, surprised many people who had not given Arendt’s thesis much credence.



From there empirical psychologists would investigate many other aspects of moral judgment, including helping behaviors and the effects not of being under the authority of others, but of potential abusive of one's *own* position of authority, especially when encouraged by substantial peer pressure. Milgram's results were no more startling really than the Stanford prison experiments. Both show that humans' reaction to their own and or to others' authority and to peer pressure, often lead to harm. These effects are not confined to social experiments, exhibited in real life. Individual and group negligence is well exhibited in the American mis-treatment of Iraqi prisoners at Abu Ghraib. The group including the army's top command who are certainly negligent in failing to recognize the real life Stanford prison experiment that unsupervised prison guards were experiencing. U.S. President George Bush said in the wake of published photos revealing the extent of the prisoner abuse that this "disgraceful conduct" had been the work of "a few bad apples" who would be brought to justice. They were, but while private Lynndie England and specialist Charles Graner received jail time, only one higher-ranking officer was ever held accountable, and the punishment consisted in her losing a stripe. Arendt would undoubtedly find this ironic, for she would have known that the perpetrators were not as President Bush in damage-control tried to depict them, simply 'bad apples' that needed to be separated from the good. Abu Ghraib had followed very closely the pattern that the Stanford Prison Experiments revealed, something competent and responsible military leadership should have accounted for through warden training and consistent supervision. The negligence was a collective negligence, and one that could easily have been predicted by leadership that took account of well-known social psychological research.

Arendt's concern with the problem of thoughtlessness has expanded with extensive studies of moral heuristics and biases affecting ethical judgment. Hard universalist ethical

theories picture responsible ethical reasoners as rational deliberators applying impartial ethical principles to arrive at judgment. But experiments in ethics over the past half-century challenge some of normative ethical philosophy's pretensions. As a further example, consider "Trolley cases." How will test subjects say that they would react in these cases based upon the scenario of a runaway trolley? In the first scenario they have the power to pull a lever that would divert the trolley from its present track on which five innocents are walking, to a different track on which one innocent is walking. In the second scenario they have foreknowledge that pushing a man in front of them over a guard rail will kill him but stop the train from killing the five persons on the track.<sup>6</sup>

Psychologists think that the role of the emotions in ethical judgment is revealed in studies on the famous trolley problem. Whatever one wants to say about the ethically best way to respond to the first and second moral dilemma scenario's, they point out that the emotion that attaches to the image of pushing a man to his death in the second scenario leads many to reject that option, even though they had no similar qualms about pulling a trolley lever in the first scenario, an action that would have the same effect of killing one person to save five. A recent

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<sup>6</sup> Continuing the critique of psychology we saw feminists make, these scenarios almost always rely upon descriptions of the involved people just as indifferent others. It is always limited to a numbers game, without opportunity to consider any special relationship (say, son or sister) with the endangered people on the track or the overpass). But it is not clear that ethical reasoning is always impartial reasoning in the sense that both duty ethics and utilitarian ethics both seem to demand.

*Scientific American* article about research on the trolley problem asks, "Extreme moral dilemmas are supposed to touch the very core of our moral being. So why the inconsistency?"

We could debate whether it does reflect inconsistent decision – making to pull the lever in the first scenario, but do nothing in the second. But newer research provides a clearer way to see the influence of the emotions over the responses of test subjects to the moral dilemmas they are presented with. The article focuses on data showing that people who read the Second dilemma scenario in a foreign language were substantially more willing to push the bystander over the rails of an overpass (44%) to block the train and save a greater number of others than those who read it in their native tongue (18%). The answer to the question of ethical inconsistency has to be answered in the positive, and that answer, the authors think, “is reminiscent of Nelson Mandela’s advice about negotiation: ‘If you talk to a man in a language he understands, that goes to his head. If you talk to him in his language, that goes to his heart.’ As psychology researchers ...have shown, in general people react less strongly to emotional expressions in a foreign language.”<sup>7</sup> The language of description is surely an ethically *irrelevant* factor; it should not have an effect on our judgments, if our judgments are principled, and consistently applied. So these new studies on the language of description also support the hypothesis of emotional override, and a broader recognition that emotion and reason often compete when serious problem situations present themselves.<sup>8</sup>

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<sup>7</sup> Keysar and Costa (2014).

<sup>8</sup> Is it in the first place logically inconsistent for an agent who was a lever puller in the first scenario to refuse to be a “fat man” pusher in the second? I certainly do not think philosophers are without resources to find *ethically principled differences* between the first and second Trolley

Both obedience-to-authority and assuming–authority studies have been used to challenge the rosy or Panglossian conception of ourselves as rational decision-makers. The Panglossian self-image of ourselves as free and rational agents is to a large extent the inheritance of Enlightenment philosophy, and has been challenged by both philosophical naturalists, and postmodernists. This self-image can certainly withstand a substantial degree of deviation from norms on the part of humans faced with morally problematic situations, especially when the situations presented to them are out of their normal range of experiences. But a Panglossian self-image would be decisively undermined by evidence of the overwhelming ‘power of the situation’ over human judgment, or by evidence of systematic errors caused by motivational biases and heuristics whose influence over our ethical decision – making we are not even aware of.

### **Rorty’s Liberal Ironism**

In Chapter 2 we critiqued Richard Rorty’s grand choice between objectivity and solidarity, and noted how it can be seen as a reverse image of the Either/Or choice between realism and decisionism that Nagel offered us. This section ultimately argues that Rorty’s ethics manifests

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scenarios; the consequences of pushing the man on the bridge is inherently very uncertain, and in all likelihood just creates another victim without saving lives at all. Also, standing on an overhead bridge just is not the inherently risky act that walking on active train tracks is. So it seems one has to adopt a radical act utilitarian perspective in the second scenario, but not in the first, to choose the action over omitting the action. But regardless, the language-of-description research can do a better job of testing the emotional-override hypothesis.

this same false dilemma. But first the interesting and challenging position that he called “liberal ironism” should be explored. Consider this version of the famous *Paradox of Liberalism*. We will here understand “ethically universal” as a normative claim that there are ethical values or principles that all cultures should respect.

1. Political liberalism is committed to the claim that no single way of life or set of values is ethically universal (something all cultures should adhere to).
2. Political liberalism is committed to tolerance as an ethically universal value.
3. Thus, political liberalism implies a contradiction: it both denies and is committed to ethically universal values.

Given this argument, liberalism comes out looking self-contradictory: It must say that tolerance both is and isn't a value that all cultures should adhere to. To take a concrete example, this paradox comes up in debates over the United Nations declaration of universal human rights, written just after WWII. On an objectivist view rooted in the natural rights theory, this declaration gives recognition of rights that should have always been recognized. To cultural or ethical relativists, however, while *we liberals* may applaud its values the document is both historically and philosophically an imposition of Western liberal values-- perhaps even a kind of ‘winner's justice’ reflecting the influence of the powers that won the war.

A more specific instance of the paradox might be the tension that supporters of the international feminist movement sometimes feel in promoting women's equal rights to education and to decisions about clothing, sex, and marriage in very traditional societies where ethics is identified with gender hierarchies and patriarchal values. Is this a recognition of naturally-existing rights to equality that have been denied to these women? Is it, at the other extreme,

merely an act of cultural imperialism, an attempt to impose Western liberal values over people who live by another set of values? If different cultures' moral norms are different but objectively no better or worse than your own, then how can Westerners justify trying to change their way of life to be closer to ours?

Here we come closer Rorty's own version of the dilemma. Rorty's ironist, as developed in his books *Contingency, Irony, and Solidarity* (1989), and *Philosophy and Social Hope* (1999), "admits that he has no ahistorical standpoint from which to endorse the habits of modern democracies he wishes to praise." Among partisans of objectivity, Rorty says, this admission gives rise "to fears of the dilemma formed by ethnocentrism on the one hand and relativism on the other. Either we attach a special privilege to our own community, or we pretend an impossible tolerance for every other group." After framing the root problem this way, Rorty goes on to argue that we "should grasp the ethnocentric horn of this dilemma. We should say that we must, in practice, privilege our own group, even though there can be no noncircular justification for doing so."

This is the position Rorty describes as ethical ironism, and is a source of his disdain for the language of ethical objectivity. "I use 'ironist' to name the sort of person who faces up to the contingency of his or her own most central beliefs and desires—someone sufficiently historicist ...to have abandoned the idea that those central beliefs and desires refer back to something beyond the reach of time and chance."<sup>9</sup> Rorty's full position, Liberal ironism, combines and tries to balance a committed and a distanced standpoint on things like human rights. One's committed standpoint is embracing the values of one's own particular culture. We have to start moral

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<sup>9</sup> Rorty (1989), xv.

inquiry from the way *we live now*: “we must, in practice, privilege our own group. ... We can—and indeed *must*—congratulate ourselves on our current moral practices and tell ourselves stories about how we are better people than the slave owners of the past or the fascists of the future.” But one’s detached standpoint underscores ironism, or self-conscious awareness of the lack of a cogent supporting argument for one’s preferences. I do in a sense think my values are best, in the sense that I think others would be better off in the long run if they accepted them. But I also recognize these values, (whether liberal or illiberal) as ‘ungrounded.’ For “the ironist acknowledges that it would be self-deceptive to think that these ‘stories’ are more than just stories—that they reflect truths about human dignity or the ‘moral law.’”

Rorty’s perspective is very different than any of those that endorse and impartiality principle, either in Singer’s or Kant’s version. Indeed, Rorty responds to both Singer and Kant directly in the course of developing a Counter – Enlightenment mode of thinking that more broadly critiques the Modernist or Enlightenment conception of moral agency and rational deliberation that gave us utilitarianism and deontology. The Liberal ironist is Rorty’s ideal of the Westerner able to live comfortably on both levels despite the apparent tensions between them. Such persons can maintain their commitment to the way of life inherited from their culture and their language, but also to see, in his detached view, that there is no philosophical (i.e., non-circular) foundation for this way of life any more than any illiberal others our future selves may endorse. In a key example, Rorty claims that if our descendants come to accept fascism, then “fascism will be the truth of man,” and there will be no non-circular way to judge them wrong. Like Sartre, our choices create our values, and there is no human nature to appeal to as a guide.

This deference to the values and perspectives of our future selves he thinks does not undermine our motivation to make changes towards what we currently see as better. Nor does it

preclude our building solidarity in desiring the greater extension of civil rights, even if talk of rights as “natural” or “inherent” in human beings is seen as unhelpful because metaphysically inflated. Indeed “Liberal ironists are people who include among those ungroundable desires their own hope that suffering will be diminished, that the humiliation of human beings by other human beings may cease.” As a committed liberal, I think my values best in the sense that I think others would be better off in the long run if I can persuade them to accept them. But as an ironist I also recognize these values, whether liberal or illiberal) are ‘ungrounded.’ For “the ironist acknowledges that it would be self-deceptive to think that these ‘stories’ are more than just stories—that they reflect truths about human dignity or the ‘moral law.’”

Rorty concedes that universalism and liberal ironism have many of the same practical effects. They generally move in the same directions to support values like freedom, equal justice, and reducing suffering. But the kind of rationale that is used marks a great difference for Rorty. The persuasive techniques that liberal ironists use would not present liberal values as uniquely justified under the mantle of objectivity or universality. Indeed, Rorty’s social hope includes foreseeing a post – philosophical future in which we could “be moved solely by the desire for solidarity, setting aside the desire for objectivity altogether”.<sup>10</sup>

The Enlightenment mode of thinking gave us a misguided way of thinking about human solidarity, Rorty thinks. It gave us “a universalism [that] presupposes that the discovery of traits shared by all human beings suffices to show why, and perhaps how, all human beings should organize themselves into a cosmopolis”.<sup>11</sup> Universality, objectivity, and duty to reason

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<sup>10</sup> Rorty (1989), 24.

<sup>11</sup> Rorty (1996), 5.



impartially are dysfunctional ways of spelling out what we mean by "human solidarity." The universalist tries but fails to ground her values in "something within each of us – our essential humanity – which resonates to the presence of the same thing in other human beings".<sup>12</sup> Our 'common humanity,' or 'natural human rights' are not a scientific or philosophical foundation for our Western way of life and democratic politics. The Enlightenment's cosmopolitan utopianism tried to contrast "rational respect" for all human beings with feelings of pity and benevolence. Kantian universalists should never have tried to make the normative force of ethical reasons "something distinct from the ability to notice, and to identify with, pain and humiliation".<sup>13</sup> For humans are naturally inclined to us/them thinking, and our rational motivation to help others must start as "a matter of imaginative identification with the details of others' lives."

Rorty's views about ethical values we adopt being a matter of solidarity have substantially more plausibility than do his parallel claims about the scientific beliefs we hold. The pragmatist emphasis on the importance of the ethical imagination and the naturalistic recognition of the centrality of the emotions to reflective morality both support aspects of his broad critique of Enlightenment cosmopolitanism. But this is not mean we need to accept his strongly counter-Enlightenment approach in ethics and social-political thought. Rorty moves too swiftly from his insistence on "contingency" to a postmodern deconstruction in which "the very idea of 'something that stands behind history' has become unintelligible." (1999, 190) Ethical ironism goes beyond the need for us to be "sufficiently historicist" about the ethical values and principles that we identify with. Ironism arguably becomes excessively skeptical about shared

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<sup>12</sup> Rorty (1999), 189-190.

<sup>13</sup> Rorty (1999), 193.

goals and interests of culturally different communities. It reflects a demand far too close to a view from nowhere. Rorty's deference to the values and perspectives of our future selves still functions like an impartiality demand, yet it is one that crucially lacks a critical dimension since Rorty has given up on any 'objective' preference our core liberal values of equality, liberty, toleration, etc. over those of future selves who overturn them. Rorty is right that our debate bears upon far more than philosophy and science, and often includes the hopes and fears of utopian and dystopian thought, broadly conceived. But he was at his best when he chides objectivists for worrying about the paradox of liberalism as demanding a choice between universalism and relativism. When he goes on to ask us to "grasp the ethnocentric horn" he is himself *consenting* to the terms of what on the present account is a false dilemma. More specifically, classical pragmatism and accounts that we refer to as "soft" universalism and particularism do not, as Rorty does, grab one or another of these horns. They seem better described as dissolving the dilemma by "going between the horns."

The choices Rorty is keen to leave us with include objectivity or solidarity, finding or making, and universalism or ethnocentrism. These pairs are presented as dichotomies, and Rorty always picks one side as the winner. But these are arguably just as much *false* dichotomies as those which Rorty was so adamant to replace. So on the present account, the Counter – Enlightenment, dystopian, and ethnocentric answer that he wants us to accept remains too much a mirror image in reverse of Enlightenment ethical objectivism.<sup>14</sup>

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<sup>14</sup> The claim that there is no universal standard of ethical right and wrong is an ambiguous claim, hanging between the descriptive claim that there is no universally *applied* standard, and the normative claim that there is no universally *applicable* one. This ambiguity makes it too easy to

The remainder of the chapter considers a family of theories that lie not at the extremes that Rorty's guiding terms identify, but rather between "soft" universalist and moderately more particularist ethics. This approach to ethical normativity, called the "second-personal" standpoint, is helpful in avoiding treating the source of ethical norms as entirely subjective if not rooted in objective reason. The source of ethical norms is neither first nor third personal, neither 'subjective' nor 'objective'. Rather, it is second – personal and hence "intersubjective." The next section describes several variants of this approach.

### **Ethical Objectivity from the Second-Person Standpoint**

Empiricism and rationalism have both arguably failed to provide a 'comfortable home' for values. We must find better ways to accommodate recognition that what are traditionally called

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slide from failed absolutism to relativism. Even the descriptive version of ethical relativism is a disguised inference to the best explanation, and so depends on the plausibility of generalizing from cultural variation to there being no ethical values or virtues that are invariant between persons/cultures. This generalization can also easily overlook the fact that some substantial universality over values and virtues can easily be "masked" by divergent background beliefs or situation. For example, wilderness tribes that expect aged members to walk out to their death at the start of winter. That our culture, living and more abundant circumstances, finds this practice abhorrent need not always mean that we do not share the underlying values and virtues. There are many situations where by closer attention we might find that people of other cultures share our fundamental ethical values and virtues, but disagree with us about what background beliefs to hold, or what situation we confront.

theoretical and practical judgments are different, yet overlapping and mutually entailing ways of parsing human reasoning. Ethical judgments are clearly different from judgments about matters of fact, even if arguments about right and wrong actions or good and bad intentions normally rely on factual claims for their justification. If, indeed, it is still valuable to treat ethics as subject to standards of objectivity, we need to start with objectivity in one of its softer senses, not implying mind-independence, but rather impartiality or intersubjectivity. These latter it should be clear require only relative independence from particular perspectives, biases, etc.

In his book *The Second-Person Standpoint*, Stephen Darwall defines this standpoint as “the perspective you and I take up when we make and acknowledge claims on one another’s conduct, and will.”<sup>15</sup> Darwall’s account of the second-personal nature of ethical concepts is the first we will look at. He focuses on deontic concepts of moral right and wrong, duty, obligation, requirement, demand, and related ideas of moral rights. Orders and requests do not make sense where there is only one person addressing him or herself. They do not make sense when addressed to an inanimate object like an apple, or to non-human animals that lack second-personal competencies. The theory we are considering presents moral obligations and demands as second personal, and so places them not in an objective or a subjective realm, but in an intersubjective realm.

This metaethical assumption makes available substantial resources needed to evaluate agents and their actions. Darwall argues that the second-personal address has certain presuppositions built into it. In order to enter into the second-person stance and make claims and demands upon one another, “you and I must presuppose that we share a common second-

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<sup>15</sup> Darwall (2006), 3.

personal authority, competence, and responsibility simply as free and rational agents.”<sup>16</sup> Perhaps the “competence” component is the least problematic of these claims, since we usually think that a person’s failing to have such competence is exculpatory: lacking competence, one also lacks responsibility, and so is not personally subject to ethical censure or blame, however bad their action. If we treat their wrongdoing as a matter of incompetence, it suggests a psychological diagnosis that partly or wholly exculpates the person because their agency was in some way curtailed or limited. It may suggest that what is ethically justified is treatment rather than punishment.

The claim that humans must share a common second-person authority “simply as free and rational agents” is more controversial. Darwall like Kant builds a lot into the idea of reciprocity or mutual respect. Kant describes autonomy as “the property of will by which it is a law to itself independently of any property of the objects of volition.”<sup>17</sup> Autonomy, the dignity of persons, and the supreme authority of moral law are mutually entailing for Kant.<sup>18</sup> Darwall accepts only part of this picture, but he affirms human autonomy and the dignity of persons as “presuppositions we are committed to from a second – personal point of view.”

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<sup>16</sup> Darwall (2006), 5.

<sup>17</sup> Kant (1981 [1785]).

<sup>18</sup> Kant held that, “A human being regarded as a *person*, that is, as the subject of a morally practical reason... possesses a dignity... by which he exacts respect for himself from all of the rational beings in the world.... Humanity in his person is the object of the respect which he can demand from every other human being.” Kant (1981 [1785]).

Darwall's neo-Kantian account of ethical objectivity has been subject to numerous criticisms. One objection is that the demands that a slave-owner makes upon a slave presuppose a sharp hierarchy of power. How in such cases of unequal power or authority can the addresser and the addressee be said to share equal normative standing as free and rational persons? Such cases appear to contradict the claim that second-personal address "invariably commits us to a common authority of addresser and addressee alike, as second – personal competent, to hold themselves and one another responsible for complying with whatever demands can be authorized from this perspective".<sup>19</sup>

A second objection to Darwall is that the account is anthropocentric, granting moral status to persons able to speak up for themselves, or persons simply as members of the species *Homo sapiens*. But how does this accommodate issues of justice in the treatment of mentally incompetent – for instance, of comatose human patients or non-human animals? If "Respect for persons is a responsiveness to what someone can claim by virtue of being an agent with second–personal competence" (127), then the theory appears committed to holding that if something lacks second personal competence it also lacks the dignity or authority to demand anything from others. But the founder of Utilitarianism, Jeremy Bentham argued that the question we should ask is not "'Can they reason?' nor, 'Can they talk?' but 'Can they suffer? Making second personal competence a condition of having their interests taken into account in our ethical deliberations might be too strong a condition on moral status and responsibility. It appears to mirror Kant's ethics in taking an anthropocentric stance in relationship of non-human animals.

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<sup>19</sup> Darwall (2006), 215 and 272.

Darwall believes that the second personal account has resources for responding adequately to both objections. Although we cannot look at them in detail, he argues that as a normative ethical theory his account actually provides the right kind of censure or criticism in cases of unequal authority, since “addressing a demand always presupposes the distinction between legitimate (second – personally justified) ways of relating to someone...that respect him as a free and rational person, on the one hand, and illegitimately coercing him, on the other.”<sup>20</sup> He also discusses animal – abuse cases and argues that we need not conceive those having second – personal competence as all and only human beings. Darwall thinks that these concerns can be accommodated in terms of “trustees” (for example, human members of the moral community) with authority to demand certain treatment on their behalf.

A second version of a second – personal account of ethical normativity is what Jurgen Habermas refers to as “discourse ethics.” Habermas presents discourse ethics as responding to our historical situation, a period in which an older, metaphysical basis for ethics in moral absolutes has largely given way to post-metaphysical culture. This culture finds itself in a predicament: the background consensus on moral norms has been shattered by the realities of ethical disagreement and the need to recognize pluralism, but in which we still accept the Enlightenment trust in reason and are committed to trying to adjudicate our disagreements by offering others reasons for our beliefs and values. Discourse ethics and its grounding in a theory of communicative action is aimed to ensure that for pluralistic societies like our own there is still an adequately objective foundation for morality residing in the pragmatic presuppositions of

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<sup>20</sup> Darwall (2006), 271.

discourse itself. While still deeply influenced by Kant, Habermas holds that ethical values and ethical objectivity needs no further metaphysical foundations than this.

For Habermas the presuppositions of argument are vital in discourse ethics, not because they reveal *a priori* foundations but because to say that the validity of a norm is determined intersubjectively is to say that it must be justified through the dialectical processes of argumentation between individuals.<sup>21</sup> Habermas' thinks his account requires philosophy to maintain a cooperative relationship with the human sciences, and this in turn leads to rethinking the Kantian approach to normativity. As one commenter puts it, "Habermas undermines both of the traditional Kantian roles for philosophy: philosophy as the sole judge in normative matters and as the methodological authority that assigns the various domains of inquiry to their proper questions."<sup>22</sup>

In Habermas' dialectical approach, Kant's principle of universal respect, the categorical imperative is given a discourse-theoretical interpretation. This basically means that the validity of an ethical claim is not measured not by the universalizability of its underlying principle but by reference to a theory of communicative action. Communicative action theory is about how

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<sup>21</sup> Bohman and Rehg (2011). "Habermas' theory of communicative action rests on the idea that social order ultimately depends on the capacity of actors to recognize the intersubjective validity of the different claims on which social cooperation depends. In conceiving cooperation in relation to validity claims, Habermas highlights its rational and cognitive character."

<sup>22</sup> J. Bohman and W. Rehg (2011).



speakers come to mobilize their potential for rational dialogue and action through cooperative behavior in pursuit of goals mutually recognized as reasonable. Habermas finds that validity claims, including judgments of the ethical rightness or wrongness of actions, are not like empirical truth claims in being answerable to the world. But *like* empirical claims their validity is nevertheless tied to the giving of reasons and the sharing of the ends of discourse. They involve beliefs, and like empirical claims are open to criticism and revision in the light of reasoned argument.

The intersubjective grounds of discourse ethics ties it with recent work on group and individual deliberative virtues. Work in deliberative democratic theory is our third variety of second – personal theories of ethical normativity. This research focuses on identifying social – political conditions and frameworks within which citizens can cooperate and satisfy one another’s key interests despite substantive ethical disagreements. Deliberative democratists also sometimes prescribe active redesign of political processes to better incorporate the procedures of a vibrant democracy based on principles that include reciprocity, publicity, and accountability. This work asks, “*Which traits of character [does] the ideal deliberator possess, and what should the role of the state, via the institution of public schools, be in inculcating them?*”<sup>23</sup>

Democracy has long been hailed as a form of politics requiring an informed and active citizenry. “Deliberative democratic citizens must be disposed to seek agreement with other citizens, possess deliberative traits that facilitate this process, and adopt a questioning,

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<sup>23</sup> Kahane et.al. (2010), 7.

potentially critical, attitude toward their own conceptions of the good.”<sup>24</sup> The editors of *Deliberative Democracy in Practice* (2010) write,

The issue of deliberative engagement across deep differences leads straight to a ...[question of] the characterization of the virtues necessary in a deliberative polity. If value pluralism is in fact at the heart of political disagreement... then the virtues of reflexivity, reciprocity, and ‘distanciation’ with respect to one’s own values really are required. But these virtues may be less essential when conflict is viewed as a clash of political interests...; indeed, where disputes are grounded in political conflict rather than value pluralism, the call to abstract from one’s conception of the good, or from individual and community interests, can seem like a pernicious move in a political game...[Hence different perceived functions of deliberation] affect the moral psychology of participants, the delineation of appropriate virtues, and the mechanisms needed to inculcate these virtues.<sup>25</sup>

Some accounts like Habermas’ are proceduralist because collective reasonableness and the legitimacy of decisions as perceived by the citizenry both emerge from the openness of the political process. Other accounts place greater emphasis on the common epistemic benefits of multi-perspectival democratic decision-making—its greater ability to develop a social

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<sup>24</sup> Kahane et.al. (2010), 7.

<sup>25</sup> Kahane et. el. (2010), 13-14.

environment conducive to collective learning: “Deliberative virtues contribute to the deliberative synergy of the group, not only in terms of improving the quality of the group’s present decisions, but also improving the background conditions for continued group deliberation....Hence, those of us who concern ourselves with the truth-seeking process have reason to encourage and to develop in ourselves and others these virtues in order to achieve our own goals and facilitate epistemically fruitful democratic deliberation more generally.”<sup>26</sup>

### **Pragmatism and Ethics**

Setting aside Rorty’s postmodern pragmatism discussed earlier, pragmatist approaches in ethics can generally be considered versions of the “second – personal” approach. We will see how they combine features of philosophical naturalism with soft universalism. Pragmatists like Dewey think that a distinctive mark of ethical norms is that they involve responsibilities for relationships: social relationships are the basis of social ties and obligations. Moral norms are built into norm-governed practices, practices that make possible the realization of the goods internal to them. Special relationships, including a special role such as parent, invite recognition of claims or demands intrinsic to that relationship. So pragmatists locate the authority of moral norms “in the intrinsic connection between such norms and the social roles and relationships.”<sup>27</sup>

Pragmatism’s special focus is habits and their role in the conduct of inquiry. Norms are not different than habits aside from their becoming more formalized and codified in various

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<sup>26</sup> Aiken and Clanton (2010), 421.

<sup>27</sup> Lekan (2003), 142.

collective practices. As concrete ways of thinking and feeling, a focus on habits provides a naturalistic, inquiry-focused alternative to intuitionist and principle – based theories ethical theories. The domain of the ethical is the domain of habits that involve responsibilities for relationships. But habits are dynamic response patterns and not merely mechanical or rote responses. “Habit” and “norm” are closely associated terms for pragmatists. We will use “norm” when connoting the idea of proper response, and “habit” for personal and collective traits. This is because "Norm" implies the idea of "proper response...Norm users acquire a sense of propriety when they acquire norms of thought and action".<sup>28</sup> Meanwhile, habits are traits, but traits are located in socially-shaped and norm-governed activities. Norm – governed activity is typically expressed through established practices and social roles, such as "being a teacher," or "being a parent."

The internalization of the norms of any activity brings to light the connection between the second and first personal perspective on norms. John Dewey writes, "The community without becomes a forum and tribunal within, a judgment – seat of charges, assessments and exculpations. Our thoughts of our own actions are saturated with the ideas that others entertain about them, ideas which have been expressed not only in explicit instruction, but still more effectively in reaction to our acts."<sup>29</sup> Norms express certain goods or values, whether cognitive, ethical, or pragmatic. The first-personal perspective on inquiry involves habits attaching to a conception of oneself as a user of norms. A second personal perspective values the resources that

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<sup>28</sup> Lekan (2003), 63.

<sup>29</sup> Dewey (1972, *MW* 14:146 – 47); quoted from Lekan, 87.

inquirers need, but turns attention to norm-governed activities themselves, and to *how* norms should be established, critiqued, or revised.

### **Emotion and Imagination**

Reflective morality is also aided by the ability to reason critically and effectively. Habits of mind that enable responsible ethical agency include higher-order reflective thinking dispositions, and contemporary cognitive psychology confirms that our hypothetical or ‘if...then’ reasoning abilities are among the most valuable of these higher-order abilities. Treating reflective morality as a dynamic, generative process underlines the vital role of the moral imagination. Imagination is often devalued by those who hold an intellectualist conception of mind, but our higher – order reflective thinking abilities would hardly be available to us without it. So pragmatist approaches are also distinguished from other second – personal accounts like those of Darwall by this emphasis. Not only are moral character, belief, and reasoning part of a social and historical context, reflective morality or what is typically referred to as moral “deliberation” is, when de-intellectualized, an imaginative, dramatic rehearsal of possibilities.<sup>30</sup> Reciprocity, for example, widely recognized as a key deliberative virtue, indicates an attitude of mutual recognition and cooperation. But the motivation for adopting such an attitude of reciprocity becomes a shallow, shrill demand apart from our trained ability to “take perspective” by imaginatively putting ourselves in the shoes of other stakeholders.

Stuart Rosenbaum highlights the connections between reason and imagination in a more direct way: “Our ideals are products or outcomes of experience and reflection, but also resources

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<sup>30</sup> On Dewey and moral imagination, see Fesmire (2003).

antecedent to occasions for ethical reflection and choice. Moral ideals have this Janus – faced character facing both backward and forward – retrospective and prospective – which the moral imagination enables.”<sup>31</sup> Imagination not only improves our reasoning by engaging hypothetical thinking and associated critical reasoning dispositions, it also expands our range of emotions and potential emotional sensitivities. Adam Morton (2013) highlights the close connections between emotions and imagination, on the one side, and emotions and concepts of virtue and vice on the other. Whereas, Dewey associates a virtue – theoretic perspective in ethics with social facts about moral approval in condemnation, Morton extends Dewey's pragmatic naturalism by insisting that we should not take "complex emotions, particularly moral approval and condemnation, at face value, [but rather] see how they can result from really basic emotions – anger, fear, discussed, hope – gathered and structured in terms of our ability to imagine from different points of view" (2013, 87). Our ability to imaginatively take perspective also gives rise to perspective – formed moral emotions. "Disapproval, admiration, pride, approval, blame, anger, disgust, disappointment, outrage , gratitude, contempt, respect, disdain, shame, remorse, repulsion. These are all emotions that can be important in moral life." (117)

Many of the most complex moral emotions rely upon social-emotional intelligence, and the capacity to put oneself in a point of view other than one's own. Morton highlights how these capacities are changed by practice. We experience moral emotions based on imagination of the emotions of a particular person or group, or based on imagination of something less particular. Nurtured, sophisticated sentiments make use of a greater variety of emotions. "Emotional learning" is aided by our having a language of thick concepts that allows us to name and emotion

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<sup>31</sup> Rosenbaum (2009), 90-91.

or to appropriate the perspective that a named virtue or vice might indicate. But what about the availability of moral emotions? Morton thinks they become more available. "By giving them attention, grasping their perspective nature, and imagining occupants of their points of view" (201). All three are arguably enhanced by having name is not only for emotions, but also for associated virtues and vices. With virtues and moral emotions we want to have them in a full way by having a word for them, being able to describe cases where people experience them, and being able to imagine having them (199). Pragmatic naturalism and naturalized virtue theory thus arguably mesh better than some other approaches in ethics with the empirically-based "new sentimentalism" of writers like of Jesse Prinz and Jonathan Haidt. Both recognize that, as Rosenbaum puts it, our moral ideals must be concrete, not abstract; "They must be psychologically available to ordinary individuals, not an achievement of reason or theory." One need not embrace whole hog the Humean, sentimentalist thesis of 'the emotional dog and its rational tail' to view empirical studies of emotion and moral judgment as another potent objection to normative ethics of the hard universalist kind.

### **Means and Ends: The allure of Instrumentalism**

While John Dewey was a harsh critic of traditional Western metaphysics, he also opposed the "new broom" attitude towards metaphysics and normative ethics that swept across Anglo-American education ethical theory between the two world wars. That attitude, as we saw in Chapter 3, was supported by a fact/value dichotomy that pragmatists has sometimes been identified as one of the key "dogmas" of logical empiricism. What is philosophically problematic is allowing functional distinctions and gradations to be solidified into rigid dichotomies. This is what occurred with the means/ends and fact/value distinctions. Recasting them as dichotomies

allowed scientific thinkers to sharply contrast the objectivity of the language of science with the subjectivity (non-cognitive status) of the language of ethics. In a particularly candid statement of this prosaic account, Herbert Feigl (1952) writes,

...there are limits beyond which rational (i.e. logical and/or factual) argument cannot be extended. Intelligent reflection concerning means and ends, conditions and consequences operates within the frame of basic evaluations. Beyond those limits there could be only conversion by persuasion, propaganda, suggestions, promises, threats, re-education, psycho-therapy, etc. (669).

Rational qua logical and/or factual argument can attach to *using* a standard, since we can always then just treat the standard as a strictly *instrumental* relationship, a matter of the effectiveness of our means to the achievement of some end-in-view. But Feigl is essentially claiming that rationality, and with it logical and/or factual argumentation, cannot attach to the choice of ends—to *choosing* a standard. Over-statement of this distinction between using versus choosing a norm led positivists to what Dewey viewed as a highly imbalanced view of norms. Positivism greatly undervalued the degree to which critical intelligence can be applied to the choice of values. At the same time it assumed a false completeness in instrumental reasoning, confusing rigor with completeness.

Dewey recognized the importance of instrumental reason in speaking of inquiry as the application of critical intelligence to problems of life. Instrumental rationality is a powerful tool; it can be enormously useful but needs to be distinguished from any metaphysical doctrine of fixed ends. It is plural, since different interests in economic thinking, legal thinking, game



theory, etc., reflect different aims in order to serve different prescriptive and explanatory purposes. Many things valued as goods are goods internal to particular practices: for instance, achieving excellence in baseball or in chess. Dewey's approach to ethics valued instrumental reasoning, as it must to make sense of goods internal to practice. Instrumental reasoning allows for the discovery of new facts related to the efficacy of chosen means to a given end. But Dewey resisted any *reduction* of rationality to instrumental, means-end reasoning.

There are, to be sure, important facts about how various courses of conduct contribute to basic shared human interests like the desire for life, liberty, and the pursuit of happiness. But even these most intersubjectively valid wants are a matter of constructing values, and ethical inquiry is not conducted under assumption of a doctrine of "fixed ends" in nature. Human flourishing, well-being, and mutual cooperation are concepts important in ethical inquiry, but their substance is dynamic and not static. Reflective moral is an effort to convert situations from problematic to consummatory. The success of these efforts relies upon our ability to use critical social intelligence in framing hypotheses about courses of action that can transform a problematic situation. But our problems are many and neither the values that emerge from this process, nor any single source of ethical value, are discovered already in existence.

Beyond rejecting the doctrine of fixed ends, Dewey actually argued for the "thoroughly reciprocal character of means and ends." We cannot escape the burden of evaluating our own aims and values, any more than we can escape evaluating our own beliefs. So Dewey insisted on the necessary interrelatedness of "genuine instrumentality" and questions of consummatory or final value. The ongoing coordination of means with ends is not unidirectional, but bidirectional. This bi-directionality of adjustments between means and ends is especially important for the effectiveness of our practical reasoning. Poorly chosen means—for instance, resorting quickly to

force or violence to achieve an end-in-view—have, as Arendt pointed out, a potential to *overwhelm the ends* and to undermine their realization. So a big part of the evaluation of means is to gain new perspective on the suitability of present aims and values. The exercise and application of intelligence in the course of practical reasoning almost always transforms our original aims and desires, generating new ends for action. So, Dewey writes that “all judgment, in the degree to which it is critically intelligent, is a transvaluation of previous values.”<sup>32</sup>

### **The Reflective Life**

Dewey directly responds to the hard Universalist claim that one or another normative ethical theory supplies the uniquely right way of prioritizing our philosophical concerns with human character and conduct. “Why,” he asks, “must moral theorists decide if becoming a good character or doing the right actions is the end of our moral life?”<sup>33</sup> Character and conduct are relational terms that cannot be divided in either of the ways that duty ethicists and consequentialists sometimes assume. There being no fixed ends to the moral life, there is also no good reason to take either character considerations (virtues, ideals, projects) or act considerations (rules, principles, consequences) as the defining paradigm of moral engagement.

In *The Pragmatism and the Reflective Life*, the pragmatic naturalist Stuart Rosenbaum (2009) points out that ethical theory in the Western tradition has tended to focus on “abstract principles and large ideals such as justice, goodness ... applicable to all of humanity.” But in concert with virtue ethics and care ethics, pragmatists highlight the importance of thick

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<sup>32</sup> Dewey (1972, *MW* 8), 47.

<sup>33</sup> Dewey (1985, *LW* 7, 133).

evaluative concepts like those of virtue and vice.<sup>34</sup> They argue that, “We should not be tempted by the abstract, or thin character of moral principles and large ideals to locate their source in ontologically transcendent realities, ends given by human nature, *a priori* foundations, etc.”<sup>35</sup> The historical emphasis on thin concepts like “good/bad” and “right/wrong” that remains today so prevalent in hard universalist ethical theories can be balanced by incorporating more particular ethical ideals, exemplars of virtue, and thick as opposed to thin evaluative discourse. This is the language of virtue and vice, of emotions, and sentiments. These concepts are among resources available in ethical inquiry to aid agents in transforming a morally problematic situation. But this brings us to one of the most vexing problems of ethical objectivity, the problem of the universality or particularity of moral reasons.

### **Universalism and Particularism**

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<sup>34</sup> Dewey treats facts about social approbation and disapprobation as somewhat external to the debate between duty ethics and consequentialism. But perhaps anticipating the resurgence of virtue theories over the past half-century, he pointed out a similar danger with prioritizing concepts of virtue and vice: the danger of dividing *character* and *conduct*. He warns that focusing on character at the *expense* of conduct potentially erects a new false dichotomy or ‘great divide’ in ethics: Not, in this case, between moral theory and moral psychology, but between our standard, action-focused ‘ethics of doing,’ and an ‘ethics of being’ claimed to be its replacement. For the pragmatist when we are talking about conduct and character we are not dealing with two different things but with *two poles of the same thing*.

<sup>35</sup> Rosenbaum (2009), 92.

We noted earlier that duty ethics and utilitarian ethics are both hard universalist normative ethical theories in that the decision criteria (following the categorical imperative, or maximizing happiness overall), are taken to be what any fully rational person should base their actions upon. Roughly, universal reasons are taken to be reasons that should carry force for any person similarly situated. But some ethical theories are more particularist, holding that there is no uniquely correct decision criteria, and that moral reasons are particular to agents in ways that do not necessarily hold for others similarly situated.

An example of the contrast might be the debate between Socrates and Euthyphro in Plato's dialogues. Socrates encounters Euthyphro on his way to court. Euthyphro is planning to charge his own father with culpability for the neglectful death of a slave. In explaining his actions, he articulates the view that a wrongdoer should be punished as a matter of just deserts and apart from any special consideration of your special relationship as a friend or relative. Universalists share the intuition which views partiality as a bias to be overcome. But Socrates himself suggests Euthyphro's actions are brash.<sup>36</sup> Interestingly enough, in traditional Chinese culture where ethical obligations were traditionally stratified according to the Five Relationships and especially by one's role within the family unit, charging one's parent with a crime was *itself* a crime perhaps punishable by death. Filial piety in this tradition over-rides impartiality; reflective morality recognizes the particularity of reasons.

Claims of the *impartiality* of moral reasons can be quite as radical, whether in the form of a *categorical imperative*—a duty incumbent upon all rational agents as such— or the form of a

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<sup>36</sup> Plutarch, somewhat contrary to the Plato passage, has Socrates express a more radically cosmopolitan view: "I am not an Athenian or a Greek, but a citizen of the world."

strong *principle of impartiality* to which the utilitarian Peter Singer appeals. Singer appeals to his principal to support expectations on the affluent to take responsibility for alleviating famine worldwide. The expectation of charitable giving, Singer (1972) argued in an early paper entitled “Famine, Affluence, and Morality,” should be to give all the way up to the point where the giver herself is reduced “very near to the material circumstances of a Bengali refugee.”<sup>37</sup>

Interestingly, Singer version of universality has substantial overlap with Nagle’s association of objectivity with self – distancing and the ‘objective self.’ For Singer associates objectivity with is an ability to reason in a way that “shows me the possibility of detaching myself or my own perspective, and *shows me what the universe might look like if I had no personal perspective*” (italics added). A strong impartiality principle makes it ethically required to apply a kind of impartial reason that “enables me to see that others have similarly subjective perspectives, and that from ‘the point of the universe,’ my perspective is no more privileged than theirs.”<sup>38</sup>

Most defenders of utilitarianism would likely take issue with Singer over how he applies his principle. His principle of impartiality might be a criterion of right action, without making adherence to it a matter of ethical obligation. All ethical theories grapple with the common-sense distinction between ethical obligations and praise-worthy but non-obligatory acts of benevolence. What determines that line? Mill doesn’t say nearly enough about this, but he says that it is a misconception of utilitarianism to think it demands that we always or even often act directly in the interest of public utility. The times when ethics obliges one to this are actually

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<sup>37</sup> Singer (1972), 236-7.

<sup>38</sup> Singer (1995), 229.

quite exceptional, and the rest of the time “the interest or happiness of some few persons, is all he has to tend to.” Singer does not parallel Mill in this respect but largely treats adherence to the principle of impartiality as a matter of ethical obligation. At the least, he thinks that if we were ideally rational, we would. But the present account still disputes this expectation that rationality or objectivity simply tracks his ideal of perfect impartiality.

If these concerns are well-founded, they make it doubtful that ethical objectivity consists simply in the maximization of these certain conception of impartiality, whether that of utilitarians *or* duty ethicists. Singer like Mill identifies objective reason with a "disinterested" standard of right action, yet the closer we look the basis for expanding moral circles is not the impartial demand of rationality so much as the engagement of what Mill called conscientious feelings of mankind. Consequentialist impartiality is not the only kind, of course. The deontological impartiality of Kant demands impartial application of the test of whether the rule underlying one’s action is universalizable. But what starts out looking like a purely logical test, soon implicates psychology and the Kantian doctrine associating moral worth with the “good will.” Kantian universalizability, as one critic put it, “implies a certain level of altruism or charity, in the form of the imperfect duties we owe towards other individuals.”<sup>39</sup>

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<sup>39</sup> “[I]t is not clear just how the universal willing of a maxim such as “When others are in need of help, I always ignore their needs” give rise to any sort of *contradiction* .... It is all too easy to assume that the word impartiality must denote a positive, unitary concept — presumably a concept closely linked with, if not identical to, morality. This, however, is simply not the case. Rather, there are various sorts of behavior that may be described as ‘impartial,’ and some of these obviously have little or nothing to do with morality. ...Feminist critics have paid particular

What are the differences between “hard” and “soft” universalism? For reasons just discussed, both deontology and utilitarianism are standardly understood as hard universalist normative ethics. Both the Kantian test of the rightness of an action by the universalizability of the principle underlying it, and the utilitarian test of whether the action aims to maximize utility (happiness overall), take reflective morality to center around impartial or “agent-indifferent” reasons. What I should do, so long as my moral reasons trump my non-moral wants and desires, and is what any similarly situated person should do. Adhering to the duties of impartiality is the achievement of appropriate self – distancing, and the overcoming of innate bias by reasoned reflection. People can be rationally persuaded of the ethically right course of actions by agent-indifferent reasons even though being personally impartial on many questions may not be possible or even desirable.

But the desirability of an ethics that insists this strongly on the primacy of agent-indifferent reasons can also be questioned, as it is by particularists and by soft as opposed to hard universalism. We can certainly admire the disinterested character of both forms of hard Universalism. But ethical objectivity does not easily reduce to Mill's utilitarian's instrumentalist standard of maximizing overall happiness, or to Kant's performance of duty for its own sake. The age-old adage that morality is made for humans, and not merely humans for morality, reflects upon the tension between the aspirations, and natural limits of normative ethical theory.

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attention to the ways in which liberal conceptions of neutrality and impartiality presuppose and reinforce traditional male-dominated, individualistic approaches to moral theory, and in doing so reinforce the social status quo.” Jollimore (2011).

Pragmatist ethics takes a soft universalist orientation in contrast to hard universalism on the one side, and radical particularism and anti-theory on the other. Pragmatic naturalism shares much with virtue ethics also, so long as the latter does not unrealistically divide character and conduct. Pragmatists, virtue ethicists, care ethics, and other soft universalists acknowledge what Homiak described (above) as “the role of emotion and of the non-universalizable particularity of human life.”<sup>40</sup> Soft universalists are in better shape to acknowledge and explain ethical disagreement, and how values and virtues differ substantially across time and culture. But they can still maintain that values like liberty, justice, and toleration should be respected in all cultures. Some virtues like honesty, integrity, trust, prudence, and compassion are almost universally admired. This kind of intercultural and intersubjective validity is *built* in the course of cultural exchange about shared needs and wants, but to appeal to a fixed human *telos* (aim) to ground the virtues would be to neglect the importance of cultural variability.

Perhaps we cannot say that all second-personal ethical theories are soft universalist. But Dewey’s ethics seem describable this way, in light of his defense of our ability to apply critical intelligence to personal ethical judgment and collective decision-making. Dewey attached importance to the particularity of human life, but Deweyan pragmatic naturalism is still soft universalist. As with the other second-personal accounts of ethical normativity we have described, pragmatist reconstructions of the concept of objectivity retains the value and vibrancy of this concept. So Todd Lekan in *Making Morality: Pragmatist Reconstructions in Ethical Theory* (2003) writes that, "Pragmatism thinks that morality is 'objective' not just in the sense that we can locate patterns of behavior and belief that people call 'moral' but also in the sense

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<sup>40</sup> M. Homiak (1996), 2.



that moral norms, like other practical norms, reside in norm – governed practices that transcend the lives of particular people."<sup>41</sup>

### **Some Sources of Ethical Value**

Normative ethical theories are usually presented as providing both the objective basis for the evaluation of the moral status of an action, and guidance to agents faced with a morally problematic situation. But Dewey viewed practical reasoning as fragmented across several dimensions, several different sources or “springs” of value. In his 1930 essay, “Three Independent Factors in Morals,” he explains why normative ethical theories struggle to do justice to our moral experience, routinely falling short in the evaluation and guidance-related tasks they take themselves to perform. According to Dewey, “there are at least three independent variables in moral action,” none of which can be reduced to the others. The three factors that he identifies are the *facts* pertaining to a) “principles” (the Right), b) “consequences” (the Good), or c) “approbations and disapprobations” (virtue and vice).<sup>42</sup> The focus on “facts” pertaining to these three factors derives from the pragmatist concerned with habits, and also indicates the naturalism of Dewey’s approach.

It is the initial act of privileging one or another of these factors that gives rise to our main contrary *systems* of normative ethics. Each account is one-sided, incomplete, with duty ethics “exclusively emphasizing the ‘how,’ the spirit, and the motive of conduct” and consequentialist

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<sup>41</sup> Lekan (2003), 138.

<sup>42</sup> Dewey (1985, *LW* 5, 280).

ethics “dwelling exclusively upon its ‘what,’ its effects and consequences.”<sup>43</sup> The strife of systems that ensues may be unavoidable if systematic coherence is to be maintained. At least so claims their proponents. But this strife is heightened by reductionist ambitions on the part of many ethical theorists. In order to be true to moral experience Dewey thought that an agent has to recognize the partial or limited perspective that a normative ethical theory provides. Utilitarianism, for example, promotes a common good, but its account of impartial moral reasoning threatens to negate the ethical relevance of your own special roles, projects, relationships.

Dewey is therefore critical of the competing claims of consequentialism, deontology, virtue ethics or other normative ethical theory as providing a uniquely correct decision procedure. “Theories are treated not as incompatible rival systems which must be accepted or rejected, *en bloc*, but as more or less adequate methods of surveying the problems of conduct.”<sup>44</sup> He was explicitly a pluralist, holding that reflective morality is improved by comparing the perspectives and normative prescriptions that each theory provides, despite their limitations. But to perform this hat-switching, one needs to see normative ethical theories as limited tools, resources to improve perspective-taking and reflective reasoning. They are best utilized in the course of ethical reasoning when not confused with rival systems one and only one of which can be philosophically correct. On Dewey’s account, an indeterminate and irreducible plurality of things might carry weight in a person’s reflective morality: ideals, duties, long and short-term ends, roles and relationships, etc. might each be a morally relevant factor. “The essence of the moral

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<sup>43</sup> Dewey (1985, *LW* 7, 173).

<sup>44</sup> Dewey and Tufts (1908), 4.

situation is an internal and intrinsic conflict; the necessity for judgment and for choice comes from the fact that one has to manage forces with no common denominator.”<sup>45</sup>

Some ethicists will find these views disconcerting and pessimistic. Dewey’s pragmatist ethics does seem to concede an ambiguity among the candidate dimensions of moral value, an ambiguity that resists a unitary theoretical resolution.<sup>46</sup> However, Dewey argues that all three factors are very often present in problematic moral situations and no single theory does justice to all of them. Privileging one such theoretical system or viewpoint can easily lead to neglecting how problematic moral situations may and typically do require us to consider all three factors. So being pluralistic about normative ethical theories and adopting a pragmatist understanding of theories as tools clears roadblocks to inquiry, facilitating sounder ethical argumentation. The pluralistic attitude arguably allows for more accurate estimations of the part played by various factors in the complexity of moral life.<sup>47</sup> On the present view it is not this pluralism that encourages moral scepticism, it is rather a competition of systems that give varying prescriptions for right action, while *presenting themselves* as rivals in pursuit of a single correct moral theory.

So pragmatists and soft universalists applaud Aristotle’s point that one should not impute more logical or scientific rigor into a field of study than its subject-matter naturally allows for. They might also applaud virtue ethicist Rosalind Hursthouse’s point about the limits of moral

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<sup>45</sup> Dewey and Tufts (1908), 4.

<sup>46</sup> Rosenbaum (2009, 42) discusses similarities and differences between Nagle, Dewey and others over the view that moral reflection is fragmented across numerous dimensions of value, and how this impacts the prospects of normative ethical theory.

<sup>47</sup> Dewey and Tufts (1908), 4.

theory: We should *not* assume that “any adequate action-guiding theory must make the difficult business of knowing what to do if one is to act well easy, that it must provide clear guidance about what ought not to be done”.<sup>48</sup> Soft universalist theories deny that any single-principle moral theory does justice to special roles and relationships, or to the susceptibility of ethical norms and practices to change across time and culture. Virtue ethics and care ethics are numbered among soft universalist alternatives to hard universalism. Along with pragmatism, they recognize that the norms of objectivity are connected with person-level habits-of-inquiry, and especially with the developed sensitivity to one’s situation that allows an agent to adapt their cognitive strategies to their problem situation.

If Dewey is correct that ethical theories that purport to be mutually exclusive accounts of moral worth are really quite limited, partial perspectives, then, once again, the identification of the source of moral worth with only one of the three "springs" of value is radically incomplete. Reflective morality really calls upon us to find the best state of balance or coherence-- the best reflective equilibrium-- between the factors and perspectives we find most pertinent to our ethically problematic situation. Objectivity is best achieved when we work back and forth between such factors as: the facts of our situation; our ability to empathize or take perspective with other stakeholders; the principles or rules we believe might apply; and the theoretical or role - specific considerations that we think heightens or lessens the pertinence of those identified principles or rules.

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<sup>48</sup> Hursthouse (1991), 230-31.