

DISCUSIONES

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HOW SHOULD WE UNDERSTAND THE PROJECT OF THE MORAL POINT OF VIEW THEORISTS? REPLY TO KAI NIELSEN

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In his article “Moral Point of View Theories”,* Kai Nielsen gives us a very rough overview of the main aims of the moral point of view theorists, of two of the objections that have been raised against them, and of some of the replies that these theorists have offered to these objections. In the first part of my comments I will summarize Nielsen’s article. In the second part I will discuss two points that come up in the first part of the article concerning how we should understand the project of the moral point of view theorists. First, I will reject Nielsen’s suggestion that the moral point of view theorists should follow John Rawls in limiting their theory to liberal societies. Second, I will claim that there is an ambiguity in Nielsen’s article regarding whether we should understand the project of the moral point of view theorists as a descriptive or as a normative one. I will argue for the normative understanding.

* Véase *Critica*, no. 93, vol. XXXI, pp. 105–116.

I

I could discern three parts in Nielsen's article. In the first part, he characterizes very briefly the main claims of two of the moral point of view theorists, namely, Stephen Toulmin and Kurt Baier. Nielsen tells us that, according to Toulmin, ethical theory's central task is "to give an account of sound moral reasoning" (p. 106), which will allow us to distinguish good from bad reasons in ethics. Nielsen also tells us that, according to Baier, "we discover the criteria appropriate to a distinctive type of moral reasoning by carefully examining, in the live contexts of its use, paradigms of moral reasoning," and that we adopt the moral point of view if "we regard the rules belonging to the morality of the group as designed to regulate the behavior of people all of whom are to be treated as equally important 'centres' of cravings, impulses, desires, needs, aims and aspirations" (p. 107). The moral point of view, according to Baier, is the point of view "of an independent, unbiased, impartial, objective, dispassionate, disinterested observer" (pp. 107–108).

In the second part of the article, Nielsen mentions what he refers to as the "reification charge" against the moral point of view theorists. According to this charge, there is no such thing as a *general* point of view that we might call *the* moral point of view; instead, there are a plurality of "differing, sometimes conflicting and sometimes incommensurable moral points of view" (p. 109). On this view, Baier and company think they are characterizing *the* moral point of view, but they are, in fact, speaking of one morality in particular—that which can be broadly characterized as "the liberal moral point of view of modern morality". Nielsen reports that most critics have taken this point to be evident (p. 108) and suggests that the moral point of

view theorists could bite the bullet and admit that this is just what they are doing.

The third and final part of the article addresses a different kind of objection, namely, that the moral point of view theorists fail to “push questions of justification deeply enough,” since they fail to answer the question “Why be moral?” (p. 111). Nielsen tells us that Toulmin, following H.A. Prichard, took this to be a pseudo-question. As is well known, Prichard argued that the question admits only of either a circular or an irrelevant answer: if we give moral reasons for being moral, the answer will be circular; if we offer self-interested reasons, the answer will be irrelevant.¹

Nielsen explains that, by contrast, Baier, W.K. Frankena, Paul W. Taylor, and himself thought the question “Why be moral?” to be important and tried to answer it, though they claimed that it could not be answered from the moral point of view itself. Frankena and Taylor, we are told, thought that the moral point of view theorists could not demonstrate the irrationality of not being moral. Nielsen himself, on the other hand, distinguished between “being in accordance with”, and “being required by”, rationality, and argued that, though it has not been shown that morality is required by rationality, the former is not incompatible with the latter. On his view, “In almost all circumstances in reasonably stable societies being reasonable is *both* the decent thing to do and in accordance with our rational self-interest” (p. 113). Finally, Nielsen approves of Baier’s answer to his (Baier’s) own version of the question, which asks “Why should *we* be moral?” instead of “Why should *I* be moral?” Baier offers a Hobbesian answer according to which it is collectively rational to be moral.

¹ H.A. Prichard, “Does Moral Philosophy Rest on a Mistake?”, *Mind*, no. 21 (1912). Reprinted in *Moral Obligation and Duty and Interest. Essays and Lectures by H.A. Prichard*. Edited by W.D. Ross and J.O. Urmson, Oxford University Press, Oxford, 1968.

Nielsen says that this answer “is right on the mark and is fully integrated into taking the moral point of view” (p. 114).

II

Nielsen’s article touches on several important issues. I will focus on two of them concerning the first objection, the “reification charge”. First, I want to challenge his reasons for thinking that the moral point of view theorists could bite the bullet and claim that all they are doing is characterizing the point of view of liberal morality. Second, I want to raise the question whether we can call “morality” a normative outlook in which not all persons have equal moral standing. I will take up these two points in turn.

1. Nielsen offers no decisive reasons for accepting the claim that the moral point of view theorists are, as a matter of fact, characterizing a specifically liberal morality. He mentions that, according to Taylor, Baier, and Frankena, “hav[ing] an attitude of equal respect for all persons or a belief in their having equal intrinsic worth (or having equal basic rights)” (p. 108) is a necessary condition of someone’s taking the moral point of view. On his view, however, this is “clear enough evidence that in speaking of ‘the moral point of view’ they are speaking of a restricted cluster of moralities and of liberal moralities preeminently and not of all those things and only those things that are moralities” (p. 108). Nielsen offers no argument to back up the dubious assumption that the attitude of equal respect for all persons, and the belief in their equal intrinsic worth, are specific to liberals. Does he mean to claim that socialists, say, do not share this attitude and this belief? Or, to refer to a recent debate, does he mean that communitarians and libertarians affirm moralities in which this attitude and this belief have no place?

As I mentioned above, Nielsen suggests that moral point of view theorists should just admit that they are characterizing this particular, liberal, moral point of view. He compares this move to John Rawls's shift to a "political" conception of justice, which is addressed to the citizens of liberal societies only. But this seems to be an unfortunate comparison.

I want to begin by trying to understand just what Nielsen might mean with this suggestion. He writes that "As John Rawls has moved to a political conception of justice which is meant only to include modern liberal societies, so moral point of view theories could be rationally reconstructed as attempting to give an accurate characterization of the core features of liberal moralities" (p. 110). The main difficulty here is to figure out whether Nielsen assumes the project of the moral point of view theorists to be merely descriptive or normative in character. If descriptive, they could just limit themselves to a description of the "core features" of liberal moralities; but in so doing they would not be following Rawls's lead, because he is engaged in a normative project. If, on the other hand, their project is normative, they should not follow Rawls, because were they to do so they would not be doing moral theory at all. In what follows, I will assume that the project of the moral point of view theorists is normative, as I think that it should be understood, and argue that they should not take Rawls's shift to a political conception as their example. I will come back to the ambiguity between a descriptive and a normative understanding of their project below.

Nielsen claims that "just as Rawls does not seek to show how his liberal principles of justice are superior to those extant in illiberal societies [...] so a moral point of view theory could assert that it is not concerned to so characterize the moral point of view so that it could include Medieval Icelandic moralities, moralities sanctioning eth-

nic cleansing or widow burning, or severely fundamentalist Jewish, Christian, or Islamic moralities” (p. 110). But it is not quite right to say that Rawls has never argued for the superiority of a liberal conception of justice over an illiberal one. A liberal society is one in which persons regard themselves and each other as free and equal citizens and as having different conceptions of the good. It is true that Rawls has never tried to show why illiberal societies should regard all persons as free and equal citizens, but in his debate with the proponents of communitarianism, he has warned us against the dangers of not accepting the fact of reasonable pluralism as an inevitable feature of a free society.² Nor is it right to assume, as Nielsen does, that Rawls’s move from a comprehensive to a political conception of justice can be cashed out as a shift from a “universal” conception of justice to a specifically liberal one. Rawls’s conception of justice as fairness has always been liberal and addressed to the citizens of liberal societies, for he has always assumed that these citizens regard themselves and each other as free and equal and as having different conceptions of the good. It is true, however, that the arguments supporting the conception of justice in *A Theory of Justice* provided a more universal kind of justification than those that appear in *Political Liberalism*.³ The earlier arguments seemed to ground a liberal conception of justice on a more solid basis than the later ones. In *A Theory of Justice* the conception of justice appeared to be addressed to human beings as such and not only to the citizens of liberal societies. But this was just an appearance. Rawls came to reject some of these earlier arguments because he

² See J. Rawls, *Political Liberalism*, Columbia University Press, New York, 1993. Introduction.

³ J. Rawls, *A Theory of Justice*, Harvard University Press, Cambridge, Mass., 1971.

realized that they were of the wrong kind given his own aims and premises in *A Theory of Justice*, not because he narrowed down his focus to liberal societies. The shift from a comprehensive to a political conception of justice concerns something else.

Rawls takes it to be a step forward in the development of political philosophy that he has provided a “political” justification of the principles of justice for a modern liberal society. To say that his conception is “political” is partly to say that it is not derived from, or presented as part of, a comprehensive moral doctrine; that is, a doctrine that addresses political as well as non-political moral questions. A political justification is a step forward, according to Rawls, because it is the only one that allows for an agreement on principles of justice among the citizens of a pluralistic society. This is a society in which citizens affirm a plurality of comprehensive doctrines, which might be either moral, religious, or philosophical. A comprehensive moral doctrine contains moral values that govern political as well as personal relationships. Two examples would be Kantianism and utilitarianism. A political conception, by contrast, is limited to values that belong to the domain of the political and makes no claims regarding values of personal character and interpersonal relationships, nor about the nature of morality and the foundations of moral value. The political ideas upon which Rawls builds the political conception are the ideas of persons as free and equal citizens and of society as a fair system of social cooperation. Though the rationale for this limitation is to allow for the possibility of an agreement among citizens, the restriction also marks the limits of the domain of the political in much the same way in which earlier liberals placed religious controversies outside of this domain. The political conception excludes controversial issues upon which it would be unreasonable to demand agreement among citizens, just as liberals be-

lieve that it would be unreasonable to demand agreement on religious issues as a condition for justifying principles of justice.

Rawls believes that his conception of justice as fairness might be the focus of an “overlapping consensus” of comprehensive doctrines, including comprehensive moral theories, which will tell us different stories about the nature of morality. Presumably, the political conception could be endorsed by Kantians, utilitarians, intuitionists, realists, sentimentalists, and so on. From Rawls’s point of view, moral point of view theories should be included among the comprehensive moral doctrines that are part of the reasonable pluralism in modern liberal societies.

Should the moral point of view theorists take as their example Rawls’s shift from a comprehensive to a political conception of justice? As I just mentioned, there are two sides to this move. On the one hand, the political conception does not presuppose or prescribe moral values for guiding our conduct outside of the political domain such as, for instance, the value of personal autonomy. On the other hand, the political conception makes no metaphysical claims regarding the nature of morality and the origin of moral value. It would be absurd to claim that a moral theory should be limited in the first way; that is to say, to accounting for political values only. But I think that it would also be absurd for a moral theory either to renounce the task of giving an account of the nature of morality and of the origin of moral value, or to abstain from taking a stand on this issue. Rawls’s political conception does not do either, given that the aim of a liberal theory of justice is to allow for the possibility of agreement among citizens. Perhaps the moral point of view theorists could claim that the central aim, or one of the central aims, of morality is to allow for an agreement among persons on moral questions, and that it would be unreasonable to expect agreement on

questions concerning such things as the nature of morality and the origin of moral value. From a moral theory, however, we expect answers to exactly these questions (among others), and to claim that they cannot be answered would be to renounce the task of moral theory itself.

2. If the moral point of view theorists have a normative aim, as I assumed above, the right reply for them to make to the “reification charge” would be to dig in their heels and claim that outlooks which deny the equal intrinsic worth of all persons cannot be called moralities at all. According to this objection, again, Baier’s moral point of view lacks universality because it captures liberal morality only and leaves other moralities out. Nielsen mentions the moralities of “slave societies, of caste societies, Nietzsche’s conception of master morality and his conception of slave society, and (Nietzsche aside) the conception of morality held by Plato and Aristotle” (p. 109). By his lights, moral point of view theorists are committed to regarding these other moralities as not being moralities at all, a commitment which he considers unacceptable. To get them out of this bind, Nielsen suggests that they should follow Rawls’s example and claim to be characterizing the point of view of liberal morality. In other words, the moral point of view theorists should abandon any claims to universality. Leaving Rawls aside, I want to challenge Nielsen’s suggestion on its own terms.

As I mentioned earlier, there is an unclarity in Nielsen’s article as to whether the moral point of view that Baier seeks to capture has a normative or a descriptive status. If the aim is merely descriptive, it might be true that Baier’s moral point of view fails to take other moralities into account. One of the main difficulties with this kind of project, which I will simply mention and then leave aside, is the following. In order to begin to describe the moral point

of view we need some conception of what should count as morality. The difficulty is that such a conception would be normative. Thus, the project cannot be purely descriptive: the normative task would just get pushed back to an earlier step.

If, on the other hand, we take the project of the moral point view theorists to be normative, Baier could claim that outlooks which lack the features he attributes to the moral point of view are not moralities at all. There is, indeed, an important tradition in modern moral philosophy according to which the intrinsic worth of all persons is a central element in morality as such. Kantians would say that this is the defining feature of morality: being moral is all about treating persons according to their equal intrinsic worth. This is, of course, a contested issue in contemporary moral philosophy, and one which Nielsen might have addressed directly. Different moral theories give different answers to the question “What is morality about?” Consequentialists claim that it is about producing the best outcomes; Kantians claim that it is about treating humanity always as an end and never merely as a means; utilitarians tell us that it is about maximizing pleasure and minimizing pain. When confronted with the other alternatives, proponents of these theories do not weaken their claims in order to make room for other “moralities”: they just claim that the other alternatives misconceive the nature of morality. I believe that we should take Baier’s characterization of the moral point of view in this way: not as a description of one morality among others, but as a normative claim about what it is to take the moral point of view. We find support for this view in the article itself, when Nielsen mentions Baier’s concern with the justification of moral convictions (pp. 107–108). The moral point of view is not a mere description of how people happen to reason morally, but is rather intended as a norm or standard for moral justification.

The unclarity regarding the status of Baier's moral point of view appears early on in the article. This unclarity, however, is not just a problem in the article, but a real tension in the project of the moral point of view theorists. Nielsen begins by explaining the task of moral theory following Toulmin: "to give an account of sound moral reasoning" (p. 106). He then tells us that, according to Baier, we can discover the criteria of good moral reasoning "by carefully examining, in the live contexts of its use, paradigms of moral reasoning" (p. 107). But instead of telling us how this might be done, he shifts to a discussion of Baier's characterization of the moral point of view. This shift is disorienting to the reader because it is unclear how Nielsen's discussion of Baier's account of the moral point of view is connected to his initial explanation about the tasks of moral theory and how to carry them out. There are at least two possibilities open to the reader. One might be tempted to think of Baier's account of the moral point of view as the result that we reach after examining the ways in which people go about reasoning morally. Alternatively, one could think that consideration of the moral point of view is important because in order to examine the ways in which people actually reason morally, we need a characterization of the moral point of view in order to know where to look. Though Nielsen does not mention either of these alternatives, he seems to assume the first one. On his view, we arrive at a characterization of the moral point of view by examining how people actually reason morally. In this kind of project, however, there is a tension between the empirical task of describing how people actually reason morally and the normative aim of characterizing a universal moral point of view.

If we think of the "reification charge" as being directed against this kind of project, we might take the objection in either of two ways. The objection might hold that Baier's

way of proceeding is sound, but that he fails in the task of accounting for the criteria of sound moral reasoning. Baier would fail in the task that he sets for himself because instead of taking account of the fact that there are many different ways in which people reason morally, he focuses on one in particular (that one specific to modern liberal morality) and asks us to believe that this is *the* moral point of view. So perhaps he should have examined the moral reasoning specific to other moralities. Alternatively, the objection might run that Baier's method is misguided: if he is searching for universal criteria for the justification of moral principles that are binding on everyone, he is looking for them in the wrong place. According to this version of the objection, such universal criteria could not be established by examining the ways in which people actually reason morally, because universal criteria are norms to which the reasoning of agents ought to conform and from which it might deviate. The objector would say that if what Baier wants are universal criteria, he should devise another method for establishing them.

The tension present in the aim of justifying a universal point of view by looking at the actual ways in which people reason morally has been the focus of many debates in moral philosophy. One could argue that such a tension is still present in Rawls's work, who began as a moral point of view theorist. As we know, in the search for universal criteria for the justification of moral principles, Rawls moved away from the descriptive project of his early work.⁴

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⁴ See J. Rawls, "Outline for a Decision Procedure for Ethics", *The Philosophical Review* 60, no. 2 (1951). Reprinted in *John Rawls. Collected Papers*, edited by Samuel Freeman, Harvard University Press, Cambridge, Mass., 1999.