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Constructivism: Metaphysical Not Political

<u>Summary</u>

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Ph.D. Thesis

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Cycle XX

1. The Constructivist View

All of us, or at least most of us, have moral convictions. But some of us, maybe most of us, are not as confident about our moral convictions as we are about some other kinds of convictions; for instance, convictions about the existence of empirical objects. Somebody would hardly deny that there are things like mountains. This is because the subject matter of moral theory is different in nature from the subject matter of empirical sciences. Can claims about this moral subject matter be as objective as empirical ones? The simple answer is that moral claims can be objective, but that they are objective in a different way from empirical ones. Giving a philosophical account of this difference, however, is a more complex task.

The objectivity of moral claims is not just a philosophical problem. Many of our everyday moral evaluations make claims of objectivity. When someone says that an action is *wrong*, sometimes she is just presenting a personal opinion, but often she is claiming that the action in question is *objectively wrong*. Anyone who performed that action would, *ceteris paribus*, be doing something wrong. At least, the judgment that something is wrong makes a stronger claim of intersubjective acceptability than other kinds of evaluation. But what makes an action *wrong* for everyone and not just for someone? Is it the mere capacity to think about it? Or something different, something independent of our capacity to think about questions of right and wrong?

In the history of thought, philosophers provide different answer to these questions. Some have opted for a robust form of justification that derives the objectivity of judgments from moral entities provided of a peculiar existence; others claimed that there are properties of facts that instantiate moral properties, such as being right or good of an action or of a trait of character. Moral properties could be natural

(they can be accounted for as other natural properties) or non-natural (moral properties are sui generis). Both approaches see the subject matter of ethics as independent of us, of our thinking.

Some other philosophers think that this way to approach moral theory requires excessively strong ontological commitments: it implies the postulation of peculiar ethical objects. According to practical reasoning theorists, for instance, a moral claim is objective if it provides the correct solution to a practical problem and motivates us to behave accordingly. The objectivity of moral claims is not derived from any independent order of truths or facts. This "practical turn" in moral theory leaves all metaphysical issues aside. So, what could an appropriate account of moral objectivity without ontology possibly be?

Our commonsense conception of objectivity is, without a doubt, influenced by a scientific view of the world. According to this view, everything that exists belongs to the empirical world. So, a judgment is objective when it reports or describes facts and properties of facts in the world outside of us. From this point of view, a judgment is objective (everybody is warranted in believing and asserting it) just in case its content refers to something true of the world. For example, "there is a pencil holder on my desk" is objective if there really is an object on the table and that object happens to be a pencil holder. However, there are disciplines where the same intuitive conception of objectivity that relates the content of judgments and facts does not apply. The subject matter of moral theory, for instance, cannot be considered as real as the objects on my desk are. Thus, one might think, a strong conception of objectivity could be applied to ethics only if there were either facts or *sui generis* properties of facts tracked by the content of moral claims. The problem here is not finding a conception of objectivity

that would fit this framework, but how could there be such entities and how one could possibly be in touch with queer abstract entities that moral claims allegedly refer to.

Many philosophers accept the claim that there are objects in the world outside us whose existence does not depend on our thinking about them. For instance, I would not say something bizarre by affirming that there is an object on my desk and its existence does not depend upon my cognitive activity, roughly my thinking about it. Thus, I can say that it is true that "there is an object on my desk" (it is not a matter of my parochial opinion). That statement reports an objective fact of the world. Now, some people might question my saying that the object on my desk is a pencil holder. Somebody might protest that the proposition "there is a *pencil holder* on my desk" is as objective as "there is something on my desk". Indeed, for someone that thing could be a container for drinks. The attribution of a specific property (to be a container for drinks rather than to be a pencil holder) could be a function of the attitude that I form towards the object in front of me. And the fact that other people have my same attitude towards this specific object does not prove that the property of being a pencil holder shows the same kind of mind-independence as other physical properties do. Some people, like realists, would look for some property (something like its shape, or the material it is made from) that makes this object either a container for drinks or a pencil holder. If the object on my desk is made from leather, it is a pencil holder rather than a container for drinks. So, claimants of a realist-like conception of the world would say that there are some facts about this object, something like the fact that it is made from leather, or it is round. Those facts, which are true of the object on my desk, give me a reason to believe that it is a pencil holder and not a container for drinks.[1] Properties

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[1] One might say that "being round" or "being made from leather" is not a brute fact, since they

such as "being made from leather" or "being round," realists argue, do not depend on one's conceiving of the object on my desk. This object is "round" and "made from leather," whether or not one develops any attitude towards it. Therefore, we can conclude that "there is a pencil holder on my desk" is an objective statement, since it does not depend on my subjective attitudes (like my believing it).

One may wonder how judgments can be objective without referring to something real. But there are disciplines where a strong conception of objectivity holds even though their subject matter is abstract. If we enter the realm of moral and political theorizing, we can still talk about facts, properties etc., but the epistemological status of ethical-political claims cannot be as objective as the empirical one, simply because moral facts and properties do not exist as other facts and properties in the world outside of us. However, there are disciplines where a strong conception of objectivity holds even though their subject matter is different from the subject matter of empirical sciences. Even if our common conception of morality can admit a certain degree of relativity,[2] it is not easy to make the same admission about the objectivity of judgments such as "two and two are four." It is usually said that mathematics cannot be dependent on our opinions, even if it is a matter of convention. According to the intuitionist conception of mathematical reasoning, for example, the objectivity of mathematical judgments depends not on the ontological reality of numbers (or the

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can be explained by some other facts. True: These properties can be explained in terms of their atomic structures. But, once we arrive to some subatomic particle, we need to stop to some true propositions that, through reasoning, provide me with reasons for defining that object a pencil holder.

[2] Here, I take "relativity" to mean that standards of right and wrong (or good and bad) can vary according to the moral or political communities we take into account. Further distinctions, even if important, are not needed here.

alleged existence of any other mathematical objects), but upon the possibility of getting a correct result by correctly applying a procedure of calculation. If a calculation allows us to get the result "four units" by adding two units to two units, the correctness of that result depends neither on the nature of what we are summing, nor on the existence of entities such as numbers. Rather, it depends on the existence of a procedure that allows us to perform such a calculation. The judgment "two and two are four" is objective if a procedure of calculation (i.e. a piece of mathematical reasoning) has been correctly applied to what one is summing, leaving aside the issue of what one is summing.

Does the same argument apply in moral and political theory? If it does, then the claim would be that the notion of objectivity in this domain, like in mathematics, does not depend upon the ontology of its subject matter. Ethical objects, like values or reasons, are products of our mind.[3] Possibly, for an action to be right or for a social institution to be just is not a matter of moral properties somehow possessed by the objects we are evaluating; rather it is one's intentional conceiving of them, through a process of reasoning under certain constraints, that makes that action right, that social institution unjust. And this does not undermine the objectivity of the normative statement such as "the action X is right." Its objectivity is warranted by the correct application of a suitably specified procedure of reasoning, which gives a reason for conceiving of a plain fact as a morally or politically relevant fact. This is the bald idea

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[3] Another way of expressing this idea could be this: constructing moral entities makes them real. But this formulation, even if consistent with my understanding of constructivism, can be interpreted in a subjectivist way, according to which whatever is constructed is real. Accepting this formulation could imply that any value constructed by a moral agent is valid for her. But this is not my view.

held by constructivists.

Constructivism is a form of cognitivism. It claims that judgments are truth-apt (they can be true or false), but do not describe an order of things and do not track natural properties of things. The objectivity of judgments is not derived from any independent order, but from their capacity to be practical (namely, their capacity to give us reasons for actions).

2. Constructivism and Objectivity

This thesis concerns criteria of justification of moral norms and principles of justice. That is, it focuses on conditions of justifiability in moral and political theorizing, rather than on substantive moral norms or principles of justice. The topic of my dissertation is a rather *vexata quaestio* for philosophers: the question of objectivity of moral and political claims. My aim is to (try to) show that, in moral and political theorizing, constructivism can provide a robust notion of objectivity. Put in other words, constructivism can support the universality of certain moral and political claims.

My project consists in defining constructivism in such a way that it could be possible to provide a robust conception of objectivity, which does not ground moral normative claims on the existence of ethical objects that are independent of us, but rather on a specific response to plain facts of the world (without reducing moral facts to plain facts).

Constructivism is said to be a new and promising approach to moral and political theory. Nevertheless there are no precise statements of it. Many theories are

defined as constructivist or attacked for being constructivist. But most of the time, those theories are so different from one another that is not clear whether there is a unified approach that one can really call constructivism. As a result, before entering the contemporary debate on moral and political constructivism, I want to introduce its general, intuitive idea, in order to get a general definition and a better understanding of what it is about.

Constructivists claim that moral norms or principles of justice are justified (namely, there are reasons for endorsing those principles as guidelines and employing them in our normative evaluations) when they are issued by a suitably specified procedure of construction. This procedure is thought as a device that allows for the selection of valid normative principles.

Constructivists share moral realism's aim of a robust notion of objectivity: indeed, both the constructivist and the realist admit the possibility of objective moral norms or principles of justice. But the realist and the constructivist disagree about the kind of independence of us the subject matter of moral and political theorizing has, and about what makes objective our moral claims. While realism requires strong commitments to a mind-independent order of moral facts or properties that exists independently of us, constructivism aims at ontological parsimony about these facts or properties. Constructivists claim that moral facts or properties exist, but they depend on our conception of them. In this sense, constructivism amounts to an anti-realist position.

Non-cognitivist approaches to normative theory make the same objection against the metaphysical commitments that realism implies. Consider theories that oppose realism like moral expressivism or error theory. Expressivists claim that our

moral evaluations are expressions of some non-cognitive attitudes. Expressivists give up the standard notion of objectivity of evaluative practices and the universality of judgments. Indeed, different people might have different attitudes towards the same object. And they might as well have different attitudes towards the same action or political institution. Accordingly, the same action can be considered right for some and wrong for others. What makes things right and wrong, or just and unjust, depends upon process of attitudes formation, influenced in their turn by processes of socialization, cultural elements, geographical circumstances and so on. Error theorists, on the other hand, claim that even if our moral discourse has some realist pretensions, that is just an illusion. If there were something like moral facts or properties they would be of a kind really different from other objects in the world. Realists have to prove how it is possible for such bizarre ethical entities to exist.

Constructivists share expressivists' anti-realist worries about the metaphysical extravagance of moral realism. They agree with expressivists on the fact that judgments do not refer to a pre-given order of moral properties. But constructivists do not renounce to the project of a cognitivist-objectivist account of moral and political theorizing. Constructivism represents an anomalous position since it accepts a cognitivist claim (there are facts of the matter about morality) and an anti-realist claim (facts of the matter about morality are worked out by a function of our practical reasoning) at the same time.

Whether or not it is possible to keep these two claims together depends upon the definition of the procedure of construction and its criteria of objectivity. Here, the problem does not consist in defining what makes correct normative principles. As said, it is the procedure that makes judgments correct. Rather, the issues are, first, how a

procedure is able to yield justified principles, and, second, what makes a procedure the correct one for yielding justified principles. They are different problems, even if they are related.

The selection of a certain procedure has a bearing on the kind of principles we get, and, consequently, the objective status of claims we are going to make. Principles are valid if yielded by a correct procedure. There are different strategies to justify procedure of construction, as well as different forms of constructivism. The great variety of constructivism worked out in recent years makes impossible to give a complete overview of this approach. Indeed, we can have procedures embedding theoretical considerations (such as the coherence among the elements of the overall system of thoughts), empirical considerations (like factual circumstances in which agents perform morally relevant actions), or a combination of them. In this dissertation, I will take into consideration the most prominent examples of constructivist theory – or those so considered. My intention is not to provide a full analysis of all the possible constructivist theories, but rather to argue that constructivism is the most tenable strategy for justifying our normative claims in moral and political theorizing.

3. Some *Caveat*

It might be helpful to clarify some points in order to prevent misunderstandings about the kind of approach I am presenting and the way I use certain philosophical terms.

First of all, I take "constructivism" to be a theory about the foundations of

moral and political theorizing. I do not provide any substantive normative theory. In this sense, my aim is quite narrow in scope: I claim that constructivism is a theory about the way we should think about the nature of normativity in moral and political theorizing, and not a theory about what one ought or ought not to do.

Second, my reading of constructivist is not to be associated with any relativist or skeptic view of morality. That would be *social constructivism*, namely the claim that moral norms or principles of justice are social conventions or something similar to norms of etiquette (something that most of the people approve of). I claim that constructivism can account for the objectivity of normative judgments, without commitments to any moral realist or platonic-like view on the foundations of ethics.

Third, for those who think that there is a distinction to be made between moral and political theory, I need to add as third caveat: I am well aware that moral theory and political theory are two different things. Moral theory is concerned with what is right and wrong, or just and unjust. For simplicity we can think of moral theory as having two branches. On the one side there is *ethical theory*, where questions of right and wrong applies to actions (things done on a particular occasion) and practices (things done repeatedly over time) performed by individual agents. On the other side, there is *political morality* that I take to be concerned with the moral permissibility of political, legal and social structures, namely those norms that regulate our public affairs, our living together as members of a society. I accept the idea that principles of justice apply to the basic structure of a society, while moral principles apply to individuals. But this kind of considerations, I believe, does not have any bearing on the foundations of both moral and political theorizing. My point here is a methodological one: I am concerned with the way in which we should think about what one ought to

do, either at the social or individual level. So, I will keep referring to moral norms and principles of justice in order to account for the distinction.

Forth, note that when I use the world "normativity", and the correspondent adjective "normative", I am not referring to any general theory of the practical reasons that people have for doing what they do. I limit my inquiry to moral and political realm. Therefore, in my work, normative principles are guidelines for regulating our behaviors, while normative reasons are either moral reasons or reasons of justice, namely normative considerations that move moral agents to act respectively at the individual level and the social level.

Fifth, other labels often associated to constructivism, namely contractualism and proceduralism, might mislead someone. Constructivism is usually defined as a method that specifies in which conditions moral agents can work out justified moral norms and principles of justice. In some cases it is assimilated to social contract theories, in others it is used to qualify as 'procedural' a kind a practical reasoning. I do not deny these two options. Indeed, it is possible to find plausible theories that take constructivism in one or both of these interpretations. Contractualism is a type of ethical or political view that tries to justify moral norms and principles by some appeal to a rational or reasonable agreement among moral agents in suitable circumstance. The outcome of the agreement so achieved provides criteria of justification and hypothetical acceptance for moral norms and principles of justice. Forms of contractualism vary depending on the way the agreement is defined and the philosophical aims it has.[4] The focus of contractualism, then, is about what moral or

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[4] A taxonomy of the varieties of contractualism is not required here in order to distinguish this view from the constructivist view I shall present. For a general discussion on this issue, see

political principles are or can be proved to be objective. The kind of constructivism I want to defend, instead, is a broader view. Not only it addresses the epistemological question about the justification of moral norms and political principles; it also aims at providing an ontological view about the existence and the nature of moral properties and facts, and the related semantic issue concerning the moral discourse. Contractualists, instead, seem to remain quiet on ontological questions.

Proceduralism, on the other hand, is a normative thesis about the content of principle of justice, according to which moral agents come up with principles through an appropriate device of deliberation. Can constructivism be reduced to one or both of these substantive theories? Or, does constructivism constitute an independent position? Moreover, are there constructivist theories that do not necessary endorse either contractualism or proceduralism in ethics? I suffice to say that as far as I see constructivism is a form of proceduralism: there are no constructivist theories that do not involve some procedure of construction. Some contractarians, then, are constructivist insofar as they rely on some procedure for finding an agreement on a set of principles. But not all of the contractarians are constructivist: for instance, John Locke holds that social and political institutions are created by an agreement, but the agreement itself does not fully justify institutions so constructed. Indeed, on Locke's account, human beings have a special commitment to God to be taken into account for assessing the justice of social and political institutions.[5] This view might be defined as a combination of contractualist epistemology with realist metaphysics. On the other

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Geoffrey Sayre-McCord, "Contractarianism" in Hugh LaFollette (ed.), *The Blackwell Guide to Ethical Theory*, Oxford: Blackwell Publishers, 2000.

[5] John Locke, *Two Treatises on Government*, 1690, in *Political Essays*, Cambridge, Cambridge University Press, 1997.

hand, not all constructivists are contractarian. Immanuel Kant, assuming he was a constructivist, does not imply any notion of agreement or contract in his a priori account of morality.[6]

A last point. Constructivism in moral and political theorizing was introduced by John Rawls, one the greatest philosophers of the last century. His work has influenced and keeps influencing my thinking and my writings. Nevertheless, I do not take Rawls to be right by default. I tend to disagree with Rawls's on many points. So, for the hard-core Rawlsians, I will not refer to Rawls's *political constructivism*, as presented in the "III Lecture" of his *Political Liberalism*, but to the view first presented in *A Theory of Justice*, and later in "Kantian Constructivism in Moral Theory" and "Themes in Kant's Moral Philosophy". In his later works, Rawls deliberately leaves the metanormative debate aside. So, while later Rawls's motto was "Justice as Fairness: Political Not Metaphysical," I titled my dissertation "Constructivism: Metaphysical Not Political". I must warn, then, those political philosophers who think that metanormative questions are irrelevant for normative theorizing. In this presentation I will enter what the recently retired Oxford Chichele's Professor of Political Philosophy, Gerald A. Cohen, has sarcastically defined "realism/anti-realism/quasi-realism/a-little-bit-of-realism-here-not-so-much-of-realism-there controversy." All I want to say as a preliminary is that it is not clear why political philosophers should remain silent on questions about the foundations of their conceptions, hiding themselves behind philosophically bizarre expressions such as "this is common sense" or "that is a shared intuition about justice" or "this conclusion would be counterintuitive". Whose common sense is this? Shared

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[6] Immanuel Kant, *Groundwork of the Metaphysical of Morals*, 1785, Cambridge: Cambridge University Press, 1998.

by whom? For whom is it counterintuitive? Unfortunately, there are not plain vanilla

thoughts, or assumptions that cannot be challenged.