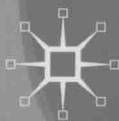# Morality and Social Criticism

The Force of Reasons in Discursive Practice

Richard Amesbury

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For Amy

But if you have any reverence for Persuasion,
the majesty of Persuasion,
the spell of my voice that would appease your fury –
Oh please stay …

Aeschylus, The Eumenides

Introduction

The phrase "the legacy of the Enlightenment" means very different things to different people, and its ambiguity derives largely from the ambiguity of the legacy itself. The truth is that the Enlightenment left us with a number of different legacies. On the one hand, it bequeathed to us a compelling vision of the dignity of the individual and her power to shape society, together with a social agenda emphasizing the twin ideals of freedom and equality. On the other hand, it left us with a philosophical program characterized broadly by rationalism, foundationalism, and the privileging of universality over particularity – all of which have since come under sustained philosophical critique. Criticism is, of course, a celebrated instrument of enlightened reason – Kant called the Enlightenment the "age of criticism," adding that "to criticism everything must submit" – and criticism of the Enlightenment might thus simply be regarded as its natural outgrowth.[1] The problem, however, is that the philosophical doctrines that are currently the subject of post-metaphysical critique were said to serve as the ground on which the Enlightenment's social hopes stood or fell.

To be sure, the dismantling of metaphysics is itself often said to embody liberative ideals. If, as Kant maintained, enlightenment is humanity's release from its "self-incurred tutelage," then perhaps the aims of the Enlightenment can best be achieved by freeing us from the strictures of a totalizing philosophical "system."[2] There are, moreover, many good non-philosophical reasons to be deeply suspicious of an overly optimistic faith in historical progress and human perfectibility – among them the horrors of the last century. Indeed, it is worth remembering that many of these horrors were perpetrated precisely in the name of *Reason*.[3] And yet it is not immediately apparent that the social hopes that seem to animate this postmodern *critique of reason* – themselves a gift of the Enlightenment – can survive, let alone thrive, in a "post-enlightened" philosophical climate. In seeking to liberate ourselves from the Enlightenment – it might be argued – we risk becoming post-critical.

Can the Enlightenment's critical spirit be preserved without its more problematic philosophical appurtenances? The present work seeks to address this question by examining the ethical implications of the rejection of what has been called *platonism* – namely, the aspiration to

step outside the contingency of human language and practice in order to view the world from "sideways on." I argue that it is possible to maintain a commitment to radical social criticism while rejecting its philosophical "foundation" – to borrow the imagery of the tradition I am seeking to supercede. In this regard, my views differ importantly from those of some of the post-Enlightenment philosophers I discuss – such as Richard Rorty – who adopt a revisionist approach to our moral discourse. As Hilary Putnam describes it, the picture latent in the latter approach "is that philosophy was not a reflection *on* the culture, a reflection some of whose ambitious projects failed, but a *basis*, a sort of pedestal, on which the culture rested, and which has been abruptly yanked out."[4] I suggest that this revisionism is itself a version of the very foundationalist enterprise it ostensibly seeks to discredit – albeit a skeptical version. By contrast, the alternative account for which I argue seeks to preserve the distinctions essential for moral criticism – distinctions that of course far pre-date the Enlightenment.

In particular, my aim in this book is to develop a philosophical account of moral criticism that would enable us to overcome the current deadlock between discourse ethics (as championed by Jürgen Habermas) and deconstruction (as championed by Jacques Derrida).[5] At first glance, Habermas and Derrida may appear as polar opposites – the former attempting to retrieve something of value from the wreckage of modernity and the latter representing the apotheosis of postmodernism – and it is true that there is much about which they disagree. However, as I will show, both are concerned to prevent the individual from being swallowed up by her society. Thus, insofar as each is anxious to preserve the possibility of social criticism, each is – to that extent – an heir to the Enlightenment's social hopes. Unfortunately – or so I argue – their efforts to sustain these hopes are hampered by the fact that both misconceive the nature of our moral norms.

According to the traditional account shared by Habermas and Derrida, moral norms are conceived as explicit rules governing human behavior, and moral judgment is conceived as the process whereby these rules are applied to particular circumstances. By contrast, I argue that explicit rules do not constitute an independent source of normative authority. A major aim of this book is to offer a *pragmatic* account of moral normativity. As Robert Brandom notes, "pragmatic theories of norms are distinguished from Platonist theories, in treating as fundamental norms *implicit* in *practices* rather than norms *explicit* in *principles*."[6] Whereas Habermas and Derrida treat moral reasoning as

analogous to *legal* reasoning, I argue that moral norms differ from laws in certain fundamental respects.

To take as one's point of departure the moral intuitions of ordinary people is, according to W.D. Ross, "the time-honoured method of ethics" – though, as Ross would have acknowledged, it is not a method that is pursued as assiduously or as universally as might be hoped.[7] The task of the philosopher, on this account, is to do justice to the data of moral experience. I contend that in seeking to explain – or, alternatively, to *explain away* – these "data," many of the rival moral theories I canvass here fall short. Of special interest in this regard are considerations of a *religious* nature. It is itself a legacy of the Enlightenment that many moral philosophers have wanted to deny such considerations any role in rational moral deliberation, while other philosophers have simply ignored the issue, as if religion were largely irrelevant to morality. However, as Jeffrey Stout notes, "[a]n account of moral language, undertaken in our culture at this point in its history and sensitive to its context, must sooner or later come to grips with the fate of religious ethics or else risk radical distortion."[8] Although it has been claimed that religion belongs to the "private" sphere – that it is a matter of what one does with one's solitude – religion appears to be playing an increasingly significant role in people's thinking about matters of "public" importance. Thus, it provides us with a helpful "litmus test" of the adequacy of philosophical theorizing about such matters.

Stanley Cavell once remarked that "the other time-honored method of moral philosophers" – a method employed by both Ross and Cavell – is "their habit of comparing moral claims (or reasons) with our claims to knowledge."[9] Whereas some philosophers contrast the former unflatteringly with the latter, I argue that the latter can be conceived broadly so as to include the former. In seeking in this way to defend the rationality of moral discourse, however, it is important not to willfully blind ourselves to those characteristic features of that discourse that have seemed to many philosophers to render problematic the analogy between moral claims and (other kinds of) truth-claims. Of special concern here is the phenomenon of moral disagreement, which I discuss at length in Chapter 6. Ours – it cannot be denied – is a *pluralistic* context, and any adequate account of moral discourse must attempt to make sense of this profusion of voices. However, I also contend that despite the recent attention it has received, this diversity itself is not simply a recent phenomenon, and that it need not be interpreted as a threat to the rationality of criticism.

The concepts articulated in the title of this work – *reasons*, *criticism*, and *morality* – are, I contend, closely intertwined. To be human is – among other things – to be the kind of being who, when properly educated, is susceptible to the force of reasons.[10] One's commitments are justifiable – in the relevant sense – when they are determined by means of what Kant referred to as "representations of reason" as opposed to "subjective causes."[11] Insofar as representations of reason are conceived *objectively*, an individual's attitudes, beliefs, and actions cannot be treated simply as private matters – in the sense, say, that one's emotions or sensations might not improperly in this context be termed "private."[12] Her commitments are thus not merely *explicable*, but *defensible*. On this account, rationality involves a *social* dimension: the individual is conceived as a participant in *discourse* – i.e., as a participant in what Brandom, following Wilfrid Sellars, calls the "game of giving and asking for reasons." It is in this way that her commitments – by being made intelligible – are at the same time exposed to the possibility of *criticism* – to appraisal in terms of publicly accessible standards and criteria.

The kind of criticism with which the present work is primarily concerned is *moral* criticism. My contention is that moral deliberation is a rational activity – a matter of giving and asking for reasons. Thus, I will draw analogies between moral discourse and what is sometimes called "theoretical discourse," especially discourse about empirical matters. In the latter contexts, *truth* is at stake. Something similar is true – I shall argue – in moral contexts. To the extent that the account for which I argue emphasizes the importance to criticism of the notion of *objectivity* – a notion with which some postmodern philosophers and social critics have advised us to dispense – it seeks to preserve certain important features of our Enlightenment heritage. However, it attempts to do so without recourse to the problematic assumptions of which these philosophers and critics are rightly suspicious.

Overview of the chapters

This book consists of seven chapters and a postscript. I begin in Chapter 1 by discussing Richard Rorty's critique of platonism and his neo-pragmatic attempt to reconstruct our moral and theoretical discourse in purely immanent terms. The problem with platonism, Rorty argues, is that there is no Archimedean point of view from which it would be possible to assess the relation between language and the world. In rejecting the platonistic urge, we thus must abandon the

realist notion of objectivity. Rorty denies the possibility of anchoring our piton in the hard rock of reality itself: instead of thinking of ourselves as answerable to the world, he contends, we ought to see ourselves as answerable to one another. In this way Rorty aims to exchange talk of truth for talk of justification and talk of moral obligation for talk of *solidarity*.

Rorty sees his project as having an essentially emancipatory trajectory. By freeing us from the putative illusion that we are beholden to something larger and more powerful than ourselves, he seeks to promote more democratic, humanistic ways of thinking. However, I argue that by abandoning the notion of objectivity, Rorty also abandons important resources required for criticizing and reforming one's culture. Since Rorty regards justification as a purely sociological affair – to be determined by observing the reactions of one's cultural peers – he is unable adequately to account for the rationality of dissent. His anti-authoritarianism thus ironically seems to harbor a bias in favor of those in the majority. Rorty's work consequently raises – in an acute way – the question of whether post-Enlightenment philosophical thought can be reconciled with the social hopes of the Enlightenment – hopes for what Rorty calls a "global, cosmopolitan, democratic, egalitarian, classless, casteless society."[13]

In Chapter 2 I examine Habermas's criticisms of Rorty and his attempt to carry forward the "unfinished project of modernity" by means of discourse ethics. Although he shares with Rorty a suspicion of the overweening ambitions of metaphysics, Habermas is concerned to distinguish the force of reasons from the merely causal efficacy of "strategic" uses of language and to establish an argumentative procedure for testing the universal validity of candidate moral norms. Whereas Rorty emphasizes solidarity with one's cultural peers, Habermas seeks to promote a more inclusive "solidarity with strangers." Although I agree with many of Habermas's criticisms of Rorty's version of pragmatism and am deeply sympathetic to the principle aims of his project, I contend that Habermas misconceives the nature of the norms whose validity he seeks to establish, and that when their nature is properly understood, his appeal to the principle of universalization – according to which a norm is said to be valid if all affected can accept the consequences of its general observance for everyone's interests – can be recognized as misplaced. I criticize Habermas's interrelated assumptions (a) that moral norms can be articulated without reference to their mode of application and (b) that morality is a means of satisfying interests that can be articulated prior to one's initiation into a

morally appropriate way of seeing. I argue that the first assumption results in the threat of a regress of rules for ensuring the correct application of rules, and that the second assumption creates a free-rider dilemma.

At the root of both assumptions lies an analogy between morality and law. Although Habermas is careful to distinguish the universality of moral principles from the more circumscribed scope of law, he argues that both kinds of rules perform a similar function – namely, the regulation of interpersonal relations. However, I contend that at crucial points the analogy between morality and law does not hold. Here I distinguish between regulative and constitutive rules and argue that moral norms should be understood as constitutive of interests rather than as contributing to their satisfaction.

Chapter 3 examines Derrida's claims that justice resides in the *application* of the moral norms he calls "laws," and that, by their very nature, these rules can be applied in more than one way. Whereas discourse ethics seeks to resist Rorty's identification of moral obligation with tradition and custom by establishing a procedure for distinguishing universalizable moral norms from merely localized ethical ones, deconstruction, while rejecting this distinction, attempts to achieve much the same result by distinguishing *all* norms from justice. In this way, Derrida seeks to relieve the insularity of Rorty's neo-pragmatic account of our practices while, at the same time, tempering the Habermasian emphasis on universality with a deeper sensitivity to the particularity of the circumstances in which moral decisions are required. As Derrida notes, such decisions always involve irreplaceable individuals and singular events. But although I believe Derrida's concern for particularity is not without its merits, I contend that his way of developing this point ultimately undermines the normativity of the norms in question. If – as Derrida contends – the act of making a decision about how to apply a norm is not itself normatively constrained, then it is difficult to see how to distinguish justice from the arbitrary and partial exercise of will. Insofar as justice is said to elude every concrete determination, Derrida leaves his ethics open to the charge of vacuity. By seeking to become radically critical, I argue, deconstruction ironically forfeits the resources required for substantive, rational criticism.

In Chapter 4 I offer an alternative account of the nature of moral norms. I begin by examining Wittgenstein's so-called "rule-following considerations." In these remarks, Wittgenstein is attempting to steer a course between two rival accounts of normativity. According to the

first account – which Brandom terms *regulism* – the propriety of behavior is always to be assessed in relation to explicit rules. But since the application that is made of an explicit rule is *itself* a behavior the propriety of which – according to this account – stands in need of assessment, regulism leads to an infinite regress of explicit rules. The second account – which Brandom terms *regularism* – attempts to avoid this problem by suggesting that rules are summaries of past performance. According to this view, each new application made of a rule contributes to its meaning. However, regularism is unsatisfactory as an account of rule-following, since it fails adequately to account for the possibility of mistakes. I argue that Habermas's account of norms is a broadly regulist account, and that Derrida's account of norms is broadly regularist.

Wittgenstein rejected both regulism and regularism in favor of a practice-based view of normativity. According to this latter view, which Brandom has developed in rich detail, *explicit* rules depend for their normativity on norms *implicit* in practices. Whereas Habermas and Derrida both treat moral norms as analogous to laws – i.e., as explicit rules that must somehow be applied to particular circumstances – I suggest that Brandom's pragmatic account of norms provides us with the resources for developing an alternative account of moral reasoning – one that avoids the respective pitfalls of regulism and regularism. I argue that although moral norms can be given expression in the form of propositions (or proposition-like locutions), they operate at a different level in our discourse. I also take up the question of whether a practice-based view of moral normativity undercuts the kind of unconditionality and universality that Habermas is concerned to preserve. I argue that this worry arises only if – like Habermas – one insists upon a purely epistemic account of moral validity. If, by contrast, one treats moral validity as akin to truth (i.e., as justification-transcendent), then it can be appreciated that the universality of what is claimed is not compromised by the particularity of the context in which the claim is made.

The aim of Chapter 5 is to build upon the view of norms articulated in Chapter 4 by developing a practice-based account of moral reasoning. I argue, with reference to Wittgenstein's *On Certainty*, that just as the game of doubting in empirical contexts depends upon there being certain matters about which doubts do not ordinarily arise, so the game of giving and asking for reasons in moral contexts depends upon there being certain commitments that are not ordinarily subjected to criticism or demands for justification. According to this account, not

all moral commitments are, at any given time, equally subject to critical appraisal, since some are basic *in* our critical activities. However, I argue that it is important to distinguish this *logical* claim from the more substantive *moral* claim – central to the concepts of moral censorship and "political correctness" – that there are certain things that one *should* not question. The point is not to disparage the questions that *do* arise, but to appreciate that such questions are intelligible only when there are matters about which questions *do not* arise. I argue that the logical limits of the critical enterprise are *conditions* rather than *limitations*.

I also discuss the great moral distances that can divide people. Of special interest, in this respect, are religiously-based considerations. Neither discourse ethics nor deconstruction can adequately accommodate the roles played in moral discourse by determinate religious convictions, given the particularity of these commitments. I point out, however, that some degree of particularity is a feature of all contexts of moral reflection and justification. Here, I argue, it is important to appreciate the role of what Wittgenstein called "persuasion." Unlike a merely strategic use of language, persuasion – in Wittgenstein's sense – is *logically*, rather than simply *causally*, relevant to the commitments the critic aims to inculcate. It is a way of *showing* something that cannot be *said*. By the same token, persuasion – in the relevant sense – must be distinguished from the kind of appeals to passion that Rorty calls "sentimental education."

Chapter 6 focuses on the phenomenon of moral disagreement. Some philosophers – including, perhaps most notably, Alasdair MacIntyre – have argued that the prevalence of such disagreement calls into question the rationality of our contemporary moral discourse and renders the would-be social critic incapable of addressing those around her in an idiom they might understand. According to MacIntyre, the apparently unsettlable character of many contemporary debates – such as the debate over abortion – can be traced to the incommensurability of the premises from which the respective parties argue. However, although I acknowledge the existence of the kind of moral distances at which MacIntyre gestures, I deny that all – or even most – moral disagreement can be accounted for in this way. In contrast to MacIntyre, I contend that the potential for moral disagreement cannot be eliminated by securing prior consensus on what are to count as relevant moral considerations, and that consequently the prevalence of moral disagreement need not necessarily be regarded as evidence of the breakdown of our moral language.

The view for which I argue recognizes with MacIntyre the importance of *traditions*, but it contends that these traditions should not be conceived as monological. Following Stanley Cavell, I argue that the modes of argument characteristic of moral debate are such as often to allow for the rationality of incompatible conclusions. Here I argue for a conception of "the personal" in ethics which does not reduce to the mere subjectivism and emotivism of which MacIntyre is rightly critical. I show that reason-giving continues to play a crucial role in moral discourse, even though the role it plays here is different than the role it plays in theoretical discourse. The view for which I argue recognizes that there is an internal relation between the positions for which one elects to take responsibility and one's *character* as a moral agent.

In Chapter 7 I argue – *pace* Rorty – that a rejection of platonism does not entail a rejection of the notion of objectivity. I contend that the choice with which Rorty confronts us – a choice between imagining ourselves as answerable to the world conceived platonistically and conceiving of ourselves as answerable only to our peers – does not reflect the full range of options, and that a more thoroughgoing pragmatism can enable us to articulate a third position, which I term "ordinary realism." According to the latter way of thinking, the world to which we are answerable is located *within* the domain of what is think*able*, but is distinct from the thought which it serves to constrain. I also argue – *contra* Habermas – that the world to which we are answerable can be conceived as a realm of moral value, and that consequently moral validity, like truth, can be conceived in non-epistemic terms. Thus, I ultimately reject Habermas's principle of universalization in favor not of the Rortian position against which it is intended to serve as a bulwark, but of the same kind of objectivity that characterizes our theoretical discourse.

The account for which I argue recognizes that although it is indeed *we* who hold each other accountable, we hold each other accountable to something beyond *ourselves* – namely, the subject matter of our discourse. Whereas Rorty regards the notion of objectivity as parasitic on the platonistic urge to transcend our discursive practices, I argue that talk of "objectivity" is inscribed right into these practices. Following Brandom – himself a former student of Rorty – I attempt to elucidate the structure of these practices in terms of a "scorekeeping" model. On this account, interlocutors are continually engaged in keeping track of one another's attitudes by distinguishing between what is *taken* to follow from what and what *really* follows from what – between commitments and entitlements. For Brandom, talk of "objectivity" is there-

fore grounded in a perspectival *form* rather than a trans-perspectival *content*. Thus, I conclude that in abandoning the Enlightenment's search for philosophical foundations we bid farewell only to what Wittgenstein called "houses of cards" while retaining our grip on distinctions internal to our practices – distinctions essential to the possibility of social criticism.

In the postscript I draw the book to a close by meditating on the perennially vexed question of the proper relation between the philosopher and the *polis*. Here I examine two rival conceptions of philosophy – two directions in which readers might be inclined to go, after having traveled together this far. The first takes its bearings from Wittgenstein's remark that "the philosopher is not a citizen of any community of ideas," while the second emphasizes Kierkegaard's observation that the philosopher is also an existing human being. I argue that the strength of the first conception lies in its appreciation of the disinterested – not to say *uninterested* – character of philosophical contemplation, but that its weakness lies in its attempt to make sense of this character by postulating a special philosophical *point of view*, a distinctive *social location*. By contrast, I contend that the strength of the second conception lies in its recognition of the fact that the philosopher is also a participant in the game of giving and asking for reasons, but that its weakness lies in its failure adequately to distinguish a *philosophical* interest in the game from other kinds of interest. What both conceptions have in common, then, is their equation of a disinterested interest in the fray with a view of the fray "from above." I argue for a third conception according to which philosophy differs from other kinds of activities, including social criticism, not because it is carried out from a special point of view, but because it aims to reflect from *within* the game of giving and asking for reasons *on* the game of giving and asking for reasons. In this sense philosophy is a *descriptive* activity pursued from within a particular *normative* space. The view for which I argue thus distinguishes between *philosophy* and *social criticism*, but not necessarily between the *philosopher* and the *social critic*. I conclude that there need be no contradiction between the view that philosophy should "leave everything as it is," and the critic's conviction that the point is not to interpret the world, but to change it.

Preliminary remarks

The present book discusses the work of a variety of different thinkers, representing a variety of different perspectives in the philosophical

debate. In so doing, it attempts – in a modest way – to bridge the divide between "Anglo-American" and "continental" philosophy, as well as the internecine divide between discourse ethics and deconstruction. My contention is that such bridge-building can be achieved by focusing on the issues themselves – issues which transcend the sometimes vigilantly patrolled boundaries of particular philosophical "schools" or traditions. The task is greatly abetted by the fact that many of the thinkers on whose work I focus – including Rorty, Habermas and Derrida – have long been involved in dialogue across these philosophical fault lines. Nevertheless, there often remain significant differences among these thinkers not only in language, style, and terminology, but also in matters of philosophical method – differences arising in part, no doubt, as a result of differences among their respective social loci and audiences. As a result, the challenge has been to frame the issues here discussed in terms that might invite rather than foreclose further discussion. Whether I have succeeded in that task I must leave for the reader to decide.

Of course, I too write from a particular philosophical locus, and thus this book ultimately contributes to the diversity rather than sublating it. The point of view from which I write is strongly influenced by Wittgenstein – although, as will become evident, I disagree with some dominant interpretations of his thought. Interestingly, Wittgenstein defies easy classification under either rubric of the analytic-continental schema. An Austrian who spent most of his professional life in Cambridge, Wittgenstein has variously been claimed and repudiated by each camp. Consequently, I believe he might be well positioned to help mediate a wider dialogue.

Admittedly, to attempt to address concerns typically associated with critical social theory from a Wittgensteinian point of view might at first appear counter-productive. As Alice Crary observes, Wittgenstein is sometimes thought to have advocated "a view of meaning that inclines toward ruling out the very possibility of criticism of practices and traditions."[14] On this reading, Wittgenstein's work is characterized by "a tendency to undermine the critical modes of thought required to make sense of demands for progressive change."[15] This is a reading that I will contest. It arises, I suggest, largely from misconceptions about the role of "agreement" in his account of normativity, as well as from the erroneous assumption that the so-called "limits of sense" constitute limitations on (or barriers to) what can be said. I will argue that Wittgenstein's method, as well as some of his insights into the nature of our discursive practices, shed much light on the topics I aim to address.

However, it should be noted that although I approach the problems of moral philosophy from a broadly Wittgensteinian point of view, I make no effort here to analyze the development of Wittgenstein's views on ethics, much less his own notoriously critical moral and social opinions.

Before proceeding further, I should also comment briefly on my use of the terms "ethics" and "morality." Some philosophers – including Habermas, whose views I discuss in Chapter 2 – distinguish sharply between the two, although not always in the same way or for the same purposes. Historically, however, the two terms have been closely related – the former deriving from a Greek word and the latter from a Latin rendering of it by Cicero. When I am expositing Habermas's views, I shall attempt to adhere to his usage; since, however, I ultimately reject Habermas's criterion for distinguishing between ethics and morality, I use the two terms interchangeably in my own discussions. In order to avoid confusing second-order reflection with first-order deliberation, I prefer the term "moral philosophy" over "ethics" in reference to philosophical contemplation of moral matters.

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