

Phil 104, March 15, 2007
Scanlon: Contractualism on the Priority and Importance of Morality

Why should we care about morality?

- Not an attempt to convince the “amoralist”: to show that he is already committed to some premise from which a concern for morality can be derived (e.g. that he desires something that being moral would help him achieve).
- Instead, “a fuller explanation of the reasons for action that moral conclusions supply.”
- *The problem of priority*: Why does the fact that an action would be wrong override whatever reasons there might be in its favor?
- *The problem of importance*: Why is someone’s failure to care about morality such a serious failing?

Pritchard’s dilemma: Why is the fact that an action is wrong a reason not to do it?

- Because the fact that it is wrong is a reason not to do it. This seems no answer at all.
- Because avoiding wrongdoing promotes one’s self-interest, e.g., is a way of avoiding ostracism. This is not why moral people avoid wrongdoing.

We want an account of moral concern that illuminates it, but is not external to it.

Formal answers: Do not appeal to any end in particular.

- Kant as an example: Morality must be accepted by any rational agent.
- Formal answers can be unsatisfying, precisely because they are so formal. Logical principles must *also* be accepted by any rational agent. But they do not matter in the same way. (Contrast our responses to someone who violates logical principles with our responses to someone who violates morality.)

Substantive answers: Base moral concern on some particular concern.

- *General problem*: Why should this one end take priority over all of the others? Why should a failure to care about this one end be any more important than failure to care about any of the others?
- *Utilitarianism*: The end is individual well-being. Accordingly, an act is wrong if it, or something related to it, produces less well-being than an alternative.
- *Contractualism*: The end is the value of being able to live with others on terms that they could not reasonably reject, if they valued living on such terms with us. Accordingly, an act is wrong if its performance under the circumstances would be disallowed by any set of principles for the general regulation of behavior that no one could reasonably reject as a basis for informed, unforced general agreement.

Objection to contractualism: “Why isn’t it more plausible to say simply that their lives have value and that what a moral person is moved by is the recognition of that value? Why bring in justification?”

Scanlon’s Reply: What does the “value of human life” mean?

- Is it like the value of the Grand Canyon, Picasso’s *Guernica*, or the great whales? In these cases, their value gives us reason to preserve and protect them.

- Yes, in part: “Recognizing the value of human life is also, in part, a matter of seeing that it is a bad thing, a reason for sadness and regret, when people are killed or when their lives go badly in other respects.”
- But the value of human life has a further dimension: “Human beings are capable of assessing reasons and justifications, and proper respect for their distinctive value involves treating them only in ways that they could, by proper exercise of this capacity, recognize as justifiable.”
- This is why we bring in *justification* to others.

The problem of importance: Why is it such a serious fault to fail to care about morality?

- Everyone has *reason* to care about morality, whether or not he or she cares. Morality is not a taste.
- But this is not the whole story. People have reason to care about other things, whether or not they actually care. For example, people have reason to care about the environment, works of art, scientific understanding, etc., whether or not they do.
- It is not as important to fail to care about these things as to fail to care about morality. Why?
- A person’s failures to care about these other things can affect *some* of our relations with him.
- By contrast, a person’s failure to care about the justifiability of his actions to us affects *all* of our relations with him. We are estranged from him in a much more radical way.

The problem of priority: Why does the fact that an action would be wrong override reasons in its favor?

- *Worry:* morality conflicts with other genuine values. (Recall how thinking like utilitarian might be incompatible with love and friendship.)

Scanlon’s reply:

First, according to contractualism, morality will make room for other values. People would have reason to reject principles that e.g. made love and friendship impossible.

Second, contractualism shows why morality matters to us. The value of being able to live with others on terms that they could not reasonably reject. (We discussed this above.)

Third, other values will make room for morality. Those values will be partly informed by, and so sensitive to, moral concerns.

- It is part of friendship that we recognize our friends as persons with moral standing outside the friendship. (Contrast the friend who would steal a kidney for you if you needed one).
- So it is not as though the value of friendship conflicts with respecting the rights of strangers (as though you were a bad friend if you weren’t willing to steal a kidney for a friend).
- Likewise, it is part of the value of science—the collaborative pursuit of knowledge—not to deceive others about your results, in order to keep the grant money flowing in.