

L'éthique sans principes: la diversité des contextes du particularisme moral

Ethics without principles: the diversity of contexts of moral particularisms

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British moral philosophy is nowadays confronted with a new challenge, under the name of moral particularism. The main theses of this position were first explicitly formulated in Mind in 1981, and then reiterated even more forcefully in 1983, by Jonathan Dancy. Belonging to intuitionist tradition, Dancy refined some of its ideas, inspired partly by John McDowell, but also quoting the names of Ludwig Wittgenstein and Jean-Paul Sartre. He attained thus a form of anti-anti-realism in moral philosophy, characterised by two major theses: there are no moral principles, and moral motivation is not something special as compared to any other motivation one might have. Dancy adds to those features the idea of holism of reasons, i.e. the idea that a consideration that is a reason for acting in a certain way in one case may not be a reason for acting in that way, or even a reason for not acting in that way, in other cases. This requires taking carefully into account the whole set of reasons relevant in given circumstances. This metaethical enterprise is to be understood in a broader context of English-speaking philosophy dealing with the problem of reasons and the one of normativity; here, a significant work is made by, among others, John Skorupski.

This tradition of careful scrutiny of particulars is also quite lively in France and goes far beyond the Sartrian heritage. In the most contemporary moral philosophy one might notice a growing interest in philosophical positions refusing general answers and suspicious of principles, both from members of “continental” and “analytic” traditions. In this context, we would like to confront one of the most stimulating movements in moral thought in the English-speaking world with the ideas purported by thinkers who do not belong directly to the same metaethical tradition, but whose methods, analyses and conclusions might contribute to understanding the new requirements and needs emerging in today’s moral philosophy. We also aim to provide a framework for thinking about the epistemological constraints entailed by a non-systematic account of ethics, and ask some questions about the relevance and legitimacy of moral discourse.

Keynote speakers are **Jonathan Dancy**, **Sandra Laugier** and **John Skorupski**.

Anna Bergqvist: « Particularism and Semantic Normativity »

Smadar Bustan: « How far can a particularist go? Dancy, Levinas and Putnam »

Darragh Byrne : « Moral particularism: epistemology or metaphysics? »

Solange Chavel : « Se passer des principes dans le raisonnement moral ? Sur l'usage du mot “principe” »

Nora Hämäläinen : « Two particularisms – between Dancy and Swansea »

Philipp Schwind : « Does holism imply moral particularism? »

Alan Thomas : « Another Particularism: Reason, ‘Status’ and Defaults »

Pekka Väyrynen : « Explaining Exceptions in Ethics »

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Particularism is often thought to be a doctrine restricted to moral philosophy but in fact its picture of normativity and practical rationality is of general relevance, and in this paper I apply that picture to semantics, and in particular to the issue of linguistic competence (or semantic rationality). Like its ethical counterpart, semantic particularism is suspicious of any attempt to explain semantic normativity in terms of rules; although meaning is in some sense a rule-governed matter, linguistic competence with words in a language is not itself a matter of the correct application of rules; whether explicit or implicit, and no matter how sensitively done. In this paper I exhibit just what the grounds are for the particularist's suspicion concerning the idea of semantic normativity in terms of rules, with the intention of showing that the doctrine of particularism in the theory of meaning points toward an appealing alternative to the standard 'generalist' conception of linguistic competence.

The springboard for my contribution to this topic is Daniel Whiting's recent defence of semantic generalism in *Analysis*, which responds to the positive argument for the alternative view that Jonathan Dancy propounds in *Ethics Without Principles*. I argue that Whiting's discussion fails to establish its desired conclusion that the particularist challenge leaves semantic generalism a perfectly viable option; my contention is that we have at least no good reason for endorsing Whiting's version of generalism. My defence of this claim consists in showing, first, that Whiting's claim that the relevant 'invariant' semantic rule for use can be made more specific to cover for all the eventualities cannot be sustained. Although the idea that one can always construe a more specific rule that provides for non-standard or exceptional circumstances is a familiar point that is often made against particularism in the moral domain, I argue that the eventual force of such an argument against moral particularism does not carry across into the debate over particularism about linguistic competence in the theory of meaning. Secondly, I argue that Whiting's defence of semantic generalism relies on a problematic and un-argued for distinction between 'invariance' at the level of word-meaning and contextual variation and "extra-linguistic" sensitivity at the level of semantic judgement; of determining on occasions whether or not using a term would accord with its meaning (as specified by the rule for use). The point here is not merely that Whiting does nothing to undermine the alternative particularist view that such a contrast is bogus because the fluidity of what happens at the level of judgement infects what happens at the other, supposedly primary level. But rather, the key is to show that the particularist model of linguistic competence is ultimately more attractive because it does not depend on the idea that competent speakers of language possess, at any given time, a finite and definite stock of 'in principle' articulable propositions about the correct use of linguistic expressions.

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What is to be a moral person without moral principles? In Johnathan Dancy's view it means to be a particularist, arguing that ethics has no need for principles at all. But despite its name, I consider Dancy's view to be *generalist* in nature since it reverses the model of foundational ethics by favoring the constant variation in reality as substance for moral judgments. His refusal of prior conditions put forth by principles of reason, of religion, of social civism, rejects the possibility of an ethical directory (even for a short list) by claiming that no such list may ever exhaust all moral properties. Thus Dancy's norm of norms becomes that of exterior constraints to guide our choices. Moreover, to go his way is to accept that it is in defense of ethics that we may not impose an a priori set of principles (2004, 1). In this paper I wish to challenge this remarkable view and examine *the possible extent of morality without principles* by introducing two similar patterns based on Emmanuel Levinas' and Hilary Putnam's positions in ethics. The comparison of the three models – Dancy's particularism, Levinas' situationsim and Hilary Putnam' neo-pragmatism would allow to raise two main problems that follow from the particularist's reflection: first, in admitting to the variations that cannot be included within a set of principles, we retain the risk of the arbitrary. Second, there are certain universal invariants that are hard not to recognize as having the role of guiding principles.

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Moral particularism appears in the first instance to be a position in moral *epistemology*, as its central thesis is one about moral reasoning or justification. This is the claim that while agents' moral judgements and actions may often be guided by their understanding of generalizations concerning actions' moral properties, virtually all such generalizations are prone to defeat in certain circumstances. Real moral knowledge incorporates the ability spontaneously to recognize such circumstances, and to discern how one should act in them. Because of this, moral competence or rationality is, according to particularists, *anomalous, uncodifiable*.

Particularists also defend a related position in *metaphysics* (and indeed, sometimes seem to suggest that the metaphysical thesis is the more important). Particularists accept the common claim that moral properties *supervene* on non-evaluative properties, so that a proposition encoding *all* of a world's non-evaluative truths would entail another, encoding all of its moral properties. Many particularists go further, accepting the intuition that not all non-evaluative properties are relevant, and that each moral truth is determined by a specific set of non-evaluative properties. Dancy's term for this relation is 'resultance'. The particularists' distinctive metaphysical thesis is that nonetheless, moral properties are *shapeless* relative to non-evaluative ones: the relation of *resultance* is, like the structure of moral rationality, irregular and uncodifiable.

In this paper I attack the metaphysical thesis, but defend a version of particularism that restricts itself to the epistemic one. To this end, I defend three principal claims:

1. *The best argument for particularism fails to establish the particularist's metaphysical thesis.*

Dancy's best argument for particularism is explicitly an argument for the epistemic thesis. He observes that if there were fully general moral principles, these would identify morally relevant properties of actions which always contribute in the same way to the actions' moral evaluation: i.e. always *favouring*, always *disfavouring*, or always neither. He argues that morally relevant characteristics of actions – which he labels 'features' - do not behave in this way. Rather, they are *multivalent*: a feature that favours an action in the context of suitable enabling conditions may fail to do so in a distinct context in which the enabling conditions are not satisfied, and in a context in which suitably different enabling conditions are satisfied, the very same feature may disfavour the action. It follows that as long as some of the contextual background of the situation at issue remains unknown to a subject, the justificatory contribution made by a feature to her judgements or actions is for her at best provisional: and provisional in the interesting sense that *the very thing* that favours the action in one context may come in another not to, or even to disfavour it.

This argument may establish that there are no fully general moral principles which normal, finite agents can know and use, and that's probably all the particularist needs to establish his *epistemic* thesis. However it does not seem to me to establish the impossibility of exceptionless moral generalizations, *per se*. The considerations raised by Dancy seem not to undermine the possibility that an 'ideal moralizer' – a merely theoretical being fully cognizant of *all* relevant aspects of the contexts at issue - could decisively identify *univalent* features as such and encode them in exceptionless generalizations. These identifications might be heavily qualified – the distinguished features very fine-grained, and the associated generalizations of little *practical* use. But for all that, the identified features would be univalent, and the generalizations would be more informative (specifically, more *explanatory*) than what is delivered by mere supervenience.

2. *The metaphysical thesis cannot accommodate the objectivity of moral judgement.*

There are good reasons to agree with particularists that the ‘truth-makers’ of moral judgements are the *features* invoked in moral judgements: i.e. that however anomalous resultant relations may be, their left-hand-side relata are favourers and disfavourers. Even so, if true moral judgements are to count as *objective*, these features must, as it were, do their truth-determining independently of anyone’s (actual) *making* the relevant judgements. It’s plausible that a range of different meta-ethical accounts (some of them more robustly realist than others) can accommodate this combination of views, but I suggest that all are at odds with the particularists’ metaphysical thesis. As an illustration, I suggest that the most austere (least contentiously realist) meta-ethical proposal in this range is the claim that the moral truths *result* from facts about what the ideal moralizer *would* eventually identify as such. As we saw above, even if moral principles are not in general available to ordinary thinkers, we’ve been given no reason to deny that exceptionless generalizations encoding resultant relations would be manifest to the ideal moralizer. So even this – I claim minimally austere – version of moral objectivism undermines the particularist’s metaphysical thesis.

3. *Repudiation of the particularist’s metaphysical thesis is consistent with acceptance of the epistemic one.*

It’s natural to wonder whether the combination of views I’m promoting really is consistent. If there are moral principles, as I have argued, does it not follow that the best way to evaluate the moral landscape would be in their terms? My answer is that this would indeed be *best*: however it seems unlikely to be possible outside the idealized circumstances I considered above. That deliberation in terms of the correct principles would be best doesn’t entail that they are or should be invoked by ordinary subjects in ordinary circumstances. According to my hybrid account, the defeasible generalizations and less general considerations invoked in everyday reasoning are provisional in precisely the interesting sense promoted by particularists, but nonetheless, in favourable circumstances, provide perfectly genuine (and often perfectly sufficient) *justification* for moral judgements and actions.

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Le particularisme moral, dans la version qu'en propose par exemple Johnatan Dancy dans *Ethics Without Principles*, se présente comme une thèse polémique précise : il s'agit, contre une tradition de philosophie morale bien ancrée, de soutenir qu'un raisonnement moral droit n'a nul besoin de recourir à des principes généraux, qu'une personne morale n'a pas besoin de – voire n'a pas à – « avoir des principes ». Il s'agit donc d'une thèse descriptive et normative à la fois sur la manière dont il convient de raisonner moralement, sur la manière de constituer une critique de jugements comme « cette action est bonne » ou « cette personne est mauvaise ».

L'accent placé sur le particulier n'est donc pas, comme y insiste également Dancy, une façon de pencher vers le relativisme moral, mais simplement de s'opposer à l'idée que les principes pourraient être informatifs ou utiles. Il s'agit d'une thèse sur la structure de nos raisons morales : il n'y a rien de tel que des principes généraux dominants.

La difficulté qui apparaît à première vue pour le particularisme moral consiste alors à montrer comment il peut y avoir une justification du jugement moral par des raisons, qui fasse pourtant l'économie de tout principe général, tant l'idée même de justification rationnelle semble liée à l'usage de principes. Cette difficulté tient peut-être d'abord à une ambiguïté dans l'usage du mot principe, qui oscille entre l'idée de vérité universelle, décisive et intemporelle d'une part ; et l'idée plus modeste de fil directeur ou de guide, éventuellement provisoire et amendable, d'un raisonnement en procès. S'agit-il là d'une simple question de vocabulaire, ou y a-t-il une divergence sur la manière de comprendre ce qu'est un jugement moral correct ?

On voudrait donc simplement essayer de clarifier le terme de « principe » ici employé en essayant systématiquement d'illustrer les arguments en présence par des exemples de justifications effectivement données par les agents moraux. On voudrait alors mettre en regard les arguments théoriques avec ce que des études empiriques peuvent nous dire du raisonnement effectif des agents, et de leur recours à des « principes » généraux (par exemple les études des Oliner sur la manière dont les « Justes » ont motivé leurs agissements pendant la seconde guerre mondiale, ou dans un tout autre contexte, les études sociologiques sur les valeurs des Français).

On procédera alors en trois temps. D'abord, on cherchera à synthétiser la position particulariste : quels arguments sont avancés contre les principes et surtout, quelle acception du mot principe se trouve impliquée dans cette attaque. Ensuite, on soulignera le rôle que les particularistes conservent néanmoins à la justification par des raisons : ce faisant, la distinction entre particulier, général et universel apparaît comme un élément incontournable d'un jugement moral qui se veut criticable en droit. Cela nous amènera enfin à demander (en suivant notamment la suggestion développée par Jackson, Pettit et Smith dans leur article « Ethical Particularism and Patterns »), si le terme de « principe » n'est pourtant pas inévitable pour indiquer l'idée d'une hiérarchie entre les différentes « raisons » avancées pour expliciter, décrire et justifier nos jugements moraux.

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In this paper I discuss the interrelation of two different kinds of moral particularism which have appeared on the scene of Anglo-American moral philosophy in the 1970's and 1980's.

The first one is the meta-ethical discussion of moral particularism, which explicitly argues the meta-ethical superiority of a particularist position. The most prominent defender of this kind of particularism is Jonathan Dancy, and due to his relative fame in the analytic tradition the meta-ethical discussion is what is most commonly associated with the label of moral particularism. In Dancy's version moral particularism is based on a holism of moral reasons. Although this approach rejects the possibility of adequate normative moral theories, it leaves the field open for theoretical inquiry in meta-ethics.

The second one is an expressly post-Wittgensteinian variety of particularism following Peter Winch, which is represented by e.g. D.Z. Phillips, Raimond Gaita and Cora Diamond, and which I will here call Swansea particularism, due to the long term affiliation to the philosophy department at the University of Swansea of some of its central proponents. This position differs from the meta-ethical discussion in its explicit refusal to engage in ethical theory of any kind. Moral philosophy, on this view, ought to be a constant criticism of our tendency to make ethical generalizations. Ethical theorizing, whether it is done in normative ethics or meta-ethics, is, according to this view, harmful for our correct perceptions and judgments.

Although both of these positions go under the label of moral particularism and have appeared around the same time on the academic scene there has been fairly little communication between them, mostly due to differences in style and in conception of the nature of philosophical inquiry. But these differences should not be overrated.

In the introduction to his major statement of his particularist theory (Dancy 2004) Dancy makes a reference to another way of going about the business of particularism. This would be to "try to show that no suggested principles are anything like flexible enough to cover the ground and do the job we require of them." (Dancy 2004, p. 2) This is a case by case method where the consideration of particular instances of human moral deliberation would show the particularist nature of morality. Such an inquiry would, he claims, show that principles play no role in adequate moral judgment.

A closer look at the philosophical method of the Swansea group reveals that this is precisely what they attempt to do; to proceed case by case.

I will argue that we need to consider both of these forms of particularism together, in order to fully understand the nature of the challenge they present to the generalist paradigm of contemporary analytic moral philosophy.

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The main argument in favor of moral particularism, the idea that “the possibility of moral thought and judgement does not depend on the provision of a suitable supply of moral principles” (Dancy (2004), 7), consists in the claim that reasons behave holistically. Holism holds that different contexts can alter the way a reason works. What constitutes a reason in favor of an action in one situation might under different circumstances be no reason at all or sometimes even count against performing it. If this is true, the prospect for exceptionless principles looks bleak.

In recent discussions, the relation between holism of reasons and moral particularism has received much attention: Some philosophers believe that holism entails particularism (See Little (2000), 284), while others argue more cautiously, that holism offers “at best an indirect argument in favor of particularism” (Dancy (2004), 7 and 73). It has even been claimed that holism “provides no positive support for particularism” (McKeever and Ridge (2006), 45; emphasis added). The discussion focuses on the issue of whether the conditions which might affect a reason can be codified or not. If the conditions are finite and codifiable, then it is possible to formulate principles that include these conditions. These generalizations would be compatible with the context-sensitivity of reasons and therefore sever the link between holism and particularism.

The aim of my talk is to demonstrate that the question of whether particularism is a logical consequence or logically independent of holism comes down to the question of how to understand holism of reasons. An analysis of the phenomena that motivate holism – cases in which the valence of a reason switches from situation to situation – demonstrates against McKeever and Ridge that context-sensitivity and codifiability are incompatible. The argument is that in every situation, unexpected features can appear and change the way a reason works. If this phenomena is properly analyzed, it is possible to reformulate holism in a way that excludes codified principles. This offers not only an answer to McKeever and Ridge’s attack against particularism, but it clarifies as well the general issue of how to conceive the relation between holism and particularism. At the same time, it reveals a problem for the particularist: The force of holism depends on how the notion of principles is conceived. Only if principles have to be valid in all possible circumstances, as particularists like Dancy argue ((2004), 76), holism provides an argument against principled ethical theories. This is however a contentious claim that many normative theories would reject. It might turn out that while holism implies the truth of particularism, this does not pose a serious problem for most principled ethical theories.

Dancy, J. (2004) *Ethics Without Principles* (Oxford: Oxford University Press).

Little, M (2000) ‘Moral Generalities Revisited’, in Hooker, B. And Little, M. (ed.) *Moral Particularism* (Oxford: Oxford University Press).

McKeever, S. and Ridge, M. (2006) *Principled Ethics. Generalism as a Regulative Idea* (Oxford: Oxford University Press).

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This paper argues for a significantly different form of particularism from that defended by Jonathan Dancy, although it reflects both his influence and that of Sartre. It is argued that particularism follows directly from three other theses:

1. The nature of practical reasoning. It is argued that materially good practical reasoning lacks the feature of monotonicity: any arbitrary addition of new information can alter the cogency of reasoning to a practical conclusion. This has several radical consequences for how one conceives of particularism. If practical reasoning is non-monotonic, then there is an ineliminable role for practical judgement in every practical decision. One way of deflating the contemporary debate over moral particularism has been to argue that both particularists and generalists share a “non-algorithmic” account of practical judgement. That fails to distinguish the rationale for the particularist model of practical reasoning.

2. The nature of default reasoning in general. The fact that any piece of materially good practical reasoning could be overturned by any arbitrary piece of new information can have sceptical consequences. In order to avoid this, the particularist – like everyone else – needs a theory of default reasoning. A theory is outlined drawing on the work of Sellars, Brandom and M. Williams. Epistemic agents have an epistemic status that is the presupposition of their possessing default entitlements. These ungrounded reasons are defaults. Dancy has been motivated to concede the existence of default reasons in order to accommodate the phenomenology of moral reasoning; this has been taken by some generalists as conceding the truth of their position. However, the account of default reasons presented here is part of a general account of practical reasoning that, as section one has established, involves an ineliminable role for practical judgement. Status, in the relevant sense, is explained as that standing in the space of moral reasons that we assign to appropriately acculturated virtuous agents. Default reasons are those default commitments whose exercise always requires the exercise of practical judgement.

3. A Sartrean account of character and virtue. A convergent inference to the best explanation is described in which a virtue ethical approach to moral reasons must accommodate insights from Sartre’s account of transcendence and facticity. Finite and cognitively limited agents deal with complexity by possessing virtues and Sartre argued that one’s character cannot be an object for your practical reasoning. Epistemic status plus orientation by default reasons is the substance of character and it is what one reasons from, not what one reasons with. Responsibility for character, Sartre argued, was open with every decision and the idea of character lacks sufficient determinacy to allow one clearly to distinguish acts “in character” from those “out of character”. Practical questions focus one’s character in a way that is always open, indeterminate and involve judgements for which one is held responsible.

Conclusion. The particularist/generalist debate has recently focused on the question of whether moral thought is so much as possible without general principles; that seems to me a mistake. This paper, by contrast, argues for a particularism based on the nature of practical reasoning. It follows from truisms about reasoning, character and default status, but they are not trivial truisms and generalists have to contest each of them. Taken together they form a distinctive form of particularism.

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Moral theories aspire to explain why things have the moral features that they do. It is sometimes thought that moral principles would have to be exceptionless to play this explanatory role. Yet many of us think that generalizations like 'Promises ought to be kept' or 'Lying is wrong' can be explanatory while thinking that they tolerate certain exceptions that would refute the corresponding universal claims. Should this make us agree with moral particularists that there are no moral principles capable of playing the relevant explanatory role or that, even if there are, the availability of these explanations in no way depends on the existence of such moral principles?

I say No. In a longer paper (“A Theory of Hedged Moral Principles”), I develop an account of how moral principles can play various important explanatory and epistemological roles even if they admit of exceptions. This talk presents my answer to the main question for any account of this kind: What makes some but not other counter-instances to a generalization like 'Lying is wrong' into permissible exceptions that are irrelevant to its truth (like albino ravens are to 'Ravens are black')? I develop an account of what makes an exception permissible and briefly explain how we can use it to hedge moral principles so as to make them tolerate exceptions.

The main idea is, roughly, that if a feature of actions is not a moral reason for (or against) doing what has it, this is a permissible exception to its status as a positive (or negative) reason when, and because, the action fails to instantiate the “normative basis” of that feature's status as such a reason. By its normative basis, I mean that factor (property, relation, condition) in virtue of which the feature in question is a reason for (or against) doing something, and which thereby explains why it is a reason. So circumstances are permissibly exceptional when those factors are absent which explain why the given feature is a reason (when it is one). A normative basis is a “role property” which has as its candidate “realizers” the various properties that different substantive moral theories put forward as those that account for what is right and wrong (etc.).

Having developed this account, I defend the following schema of hedged principles:

(HP) Any x that is G is M [e.g., if x involves lying, that is always a moral reason against doing x], provided that x instantiates the designated normative basis of G's contribution to M.

I show what kind of genuine and deep explanatory work such hedged principles can do regarding the status of various features as moral reasons and as generating permissible exceptions – even when we make no substantive assumptions about what properties fill the relevant normative basis roles. And I argue that hedged principles can offer satisfyingly unified explanations of why certain features are moral reasons and why certain cases are permissible exceptions to their status as reason – unified because both explanations rely on the notion of a reason's normative basis.