

VALIDITY, STANDING, COMMUNITY



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Raymond Mason
“The Illuminated Crowd” (1985)
Montreal, QC

A COMMON VIEW, ROUGHLY-SKETCHED

- A. Moral validity is universal—that is, valid moral norms bind all persons qua persons; indeed, it is the distinguishing mark of moral norms, as opposed to social norms, that they bind universally.
- B. Because moral norms bind universally, when someone violates a moral norm, they violate a principle that binds us all; and that gives anyone and everyone *prima facie* standing to sanction this individual for that violation (validity → standing).
- C. Thus, each of us is accountable to the moral community as a whole, understood as the community of all persons – that is, as the community formed by the fact that we are all bound by these same norms (standing → community)
- D. It is a further consequence of this view that there are no moral outsiders, no one outside of the moral community to whom we might intelligibly direct moral sanction: on the contrary, moral sanctioning presupposes mutual membership in the moral community (practical implications)

FOCUS TODAY

1. On Moral Standing and Moral Community
2. On one way of demonstrating their universality, via contrast with Social Norms

SOUTHWOOD ON THE MORAL/CONVENTIONAL DISTINCTION

SOCIAL/CONVENTIONAL NORMATIVE JUDGMENTS

- Conventional normative judgments may be grounded by appeal how ‘we do things here’
- The aptness of appeal to a ‘we’ shows that violations of social norms are “answerable in this way to the group”
- Authority to sanction based on social norms is limited to those with whom we share a social practice
- Relevance of the ‘we’ to justification shows that the social practice has taken on significance or “independent life of its own” within the group, perhaps because it has “come to represent aspects of valued identity” such that, “[w]hen we make normative judgments that are responsive to social practices, we may be somehow affirming these identities and our membership in the group.” It is essential to conventional judgments that the practices appealed to are “our practices, that they are ones to which, rightly or wrongly, we are in some important way attached”. Because of this, the “justificatory significance of social practices” differs between participants and outsiders.

MORAL JUDGMENTS

- Moral judgments are “essentially practice independent”, thus it is seriously inapt to attempt to justify them by appeal to how ‘we do things here’.
- It is “incompatible” with a moral judgment that it involve limited accountability to the social group: moral accountability is global
- Moral norms “purport to create a kind of authority that is unlimited in scope”... such that “other individuals in general (and not just the members of our community) have some kind of legitimate complaint against us” when we violate a moral norm
- Thus, moral judgments do not involve affirmation of group membership/identity in the ordinary sense: “our authority to make moral demands is an affirmation of our valuable status as individuals” *simpliciter*. Moral judgments do not apply to/claim differently insiders vs. outsiders: either there is no such thing as the “moral community,” or that community is fully inclusive so as to leave no outsiders to whom we might intelligibly direct our sanction.

CONTRA SOUTHWOOD

Where there is acknowledged disagreement over the validity of moral principles (i.e., in all cases), moral judgments may be aptly framed in ways, and serve purposes of identification and community, that Southwood alleges are peculiar to social/conventional judgments.

- E.g., Harris' "The Survival Lottery": Were there a species of being on another planet that organized their society accordingly, such that no one was seen as having an absolute right to life but each recognized an obligation to sacrifice themselves when doing so could save the most lives—whatever else we might want to say about such a society, they would be entitled to our moral respect.
- Within this society, members would sanction any individual who attempted to shirk his duty should his number be called. This sanction would clearly be moral, not conventional. The social practice of the lottery system plays a non-derivative role in this sanction—it is by no means equivalent to the arbitrary choice between making left-hand versus right-hand driving mandatory.
- If such people were aware that societies like ours (wrong-headedly) repudiate the lottery system, their maintenance of their own moral convictions through sanctioning and other practices of justification might be well important to their moral identities and the integrity of their moral community.
- N.B. Proponents endorse the validity of the relevant principle with (domain-limited) universalizing force: they believe that one ought not to violate this norm, including those who disagree—meat-eaters ought to become vegetarians; liberal individualists are selfishly insensitive to the value of each and every life that might be saved, etc. But the recognition that there are dissenters to the validity of the relevant principle means that there are insiders and outsiders with respect to the norm, those who recognize its force and those who do not.
- It is not inapt for the vegetarian or the survival lottery proponent to say 'we,' and even 'that's not how we do things', that 'we' have agreed on certain moral priorities, that our shared moral practices are the manifestation of that agreement, and to see the agreement of those they take to be their moral peers as bearing on their credences/justification.

A DIFFERENTIATED VIEW OF STANDING

Linda Radzik defends (pace Darwall) a differentiated account of the standing to sanction, but she preserves from Darwall's (internally-conflicted) view the idea that sanctioning is part of a distinctive, reason-giving practice:

“Your reason to cease your behaviour is that I have demanded, through my sanction, that you do so... sanctions, like commands, offer a distinctive kind of reason, and that reason is: because I say so. This also makes sense of the intuition that you owe it to me not to wrong me. You are not merely obliged to some abstract moral law not to mistreat me. I have a claim on you... In order to issue a second-personal reason to another person, one must have the authority to do so. One must have the sort of authority that makes “because I say so” a genuine reason.”

The standing or authority that grounds such a reason is not universally available. Demonstrating this speaks to a broader point about moral justification: can testimony ever be a right-making reason? According to ‘pessimists’ about moral testimony, it cannot — e.g. Robert Hopkins: What’s wrong with moral testimony is that it cuts me off from moral reasons.

SOME RELEVANT CASES

- R.J. Wallace: If Wallace becomes outraged by Mugabe’s treatment of political dissidents and sends Mugabe a highly condemnatory letter, he will suppose that Mugabe has good reasons for ceasing to violate the rights of dissidents. But ‘that Wallace told him so’ is not one of those reasons. The testimony of the dissidents themselves (for whom Wallace is acting as trustee) regarding their treatment may/does have authority.
- If my Indigenous friend tells me that I should not patronize a certain coffee shop because the owner is racist, it seems perfectly reasonable for me to defer to her testimony even if I’ve not seen the racism myself — my reason for refusing to patronize the shop is ‘my friend’s say-so’
- If I become offended by a comedy routine that I judge as derogatory towards some group of which I am not a member, it seems perfectly reasonable for that act of attempted ‘trusteeship’ to be subject to veto by those affected.

MORAL COMMUNITY, MORAL DISAGREEMENT, AND MORAL OUTSIDERS

1. Unlike validity and standing, ‘moral community’ appears to be a term of art
2. There are some reasonable limits to stipulative definition: (a) It ought not to derange common usage unnecessarily; (b) It ought to shed light on, rather than obscure, our moral practices and situation; and (c) It ought not to be used strategically to avoid awkward facts about moral disagreement
3. The ‘universalists’ described here rely on quasi-realist stipulations in defining moral community that violate (a) and (b): Richardson — we are in moral community whenever there are (whether we realize/accept it or not) “dyadic” moral relations involved (rights and duties); Scanlon — we are in moral community whenever it is possible to wrong another.
4. Re: (a), as P.F. Strawson and our ordinary use of ‘community’ (as a form of identity/belonging) suggest, having moral obligations to someone requires a situation in which there is “reciprocal *acknowledgement* of rights and duties.” The apt use of the moral ‘we’ refers to such shared acknowledgment — to internal/shared reasons.
5. The idea of community loses all its ordinary connotations if we allow, at the limit—but as Richardson and Scanlon clearly do, and as Darwall and Southwood seem to—that I can be in moral community with someone who grants me no moral standing whatsoever, who does not accept that I am authorized to make any demands of them, that my interests impose any constraints upon their deliberations; who denies that I have any right to justification when their actions impose costs upon me. Since even this extreme case is actual between certain anti-egalitarians and those they denigrate, [re: (b)] talk of universal moral community should be avoided as obscuring important moral realities (esp. around disagreement)

RE: (C) — AWKWARDNESS AND MORAL PATERNALISM

Southwood: The authority of social norms is tied to membership in a group, but there is no logical impossibility in members of a group claiming universal validity for their particular norms. It's just that doing so is morally objectionable:

“it may be important to us that others do those things [that ‘we’ do], even if we recognize that they are of no importance to the other people concerned. This may involve a highly objectionable parochialism, a willingness to impose the familiar practices of one’s group onto the world at large... Appealing to a social practice in which you and I are both participants—a practice with which we both identify—in order to justify a principle that will license me to hold you to account is one thing... But to appeal to a social practice in which you are not a participant involves an objectionable presumption, a failure to take you seriously as an agent. A social practice in which you are not a participant is just not the kind of thing that I can reasonably expect to give you reasons. Where conventional normative judgments involve principles that are global in scope, there is necessarily something morally objectionable about these judgments.”

- Moral judgments are held as valid with domain-limited universality: we necessarily apply them even to those who disagree with us about their validity
- But doing so differs from the appeal we make to someone who shares with us the endorsement of the specified norm, to whom we offer ‘internal’ reasons.
- E.g., when I take myself to validly condemn the racist, since the relevant norm affects them if they can violate it, their (dis)agreement is presumptively relevant. But from my POV, their actual disagreement is defeated by various considerations; at best, I believe that a deliberately more perfect version of this person—for whom I therefore act as trustee—would judge differently than this actual person judges—who seeks to veto my trusteeship.
- That is clearly paternalistic; the reasons I cite are ‘external’ from the POV of the racist. The awkwardness isn’t avoided by insisting that it’s only the deliberations of idealized agents in any case that determines moral validity, so that I am no better off as my actual self than they are. Because I do believe that I am better off: I believe that my actual self has reliably ascertained what could not reasonably be rejected even by ideal deliberators, while I believe that the racist has failed quite asymmetrically to accomplish this.
- The awkwardness is equally clear from the other side, where the white supremacist judges the anti-racist white person as failing a duty to ‘protect their kind’, etc.

A QUICK NOTE ON CONSEQUENCES



- It has been argued by moral community universalists that practices of social exclusion are inherently unjustifiable because they fail to respect the dignity of persons, no matter how abhorrent their behaviour or views, which is the basis for the right to inclusion in the moral community — e.g., Guy Aitchison and Saladin Meckled-Garcia have made this argument against forms of online public shaming that aim at the ostracization or “cancelling” of a person, their exclusion from the “moral community”.
- But if it is implausible and obfuscating to insist that we share moral community with the committed neo-Nazi (to whom Aitchison and Meckled-Garcia explicitly extend their defence), then this argument is off the table: Because moral validity is not limited in ways that are coterminous with moral community, it does not follow that all bets are off in our dealings with the neo-Nazi. But because we are not in a relationship of reciprocally acknowledged standing with the neo-Nazi, as the actual people we each are, we cannot be said to bear directed obligations to one another. To use a phrase familiar from other literatures: I may have obligations concerning my treatment of the neo-Nazi, but I do not have obligations to him.