

## On Philosophic Method

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PERHAPS WE should say that there is no such thing as meta-philosophy. "What is philosophy?" is itself a philosophic question. To talk about the nature of philosophy, its end (with its *double-entendre*), or its worth (or lack thereof), is, if this talk has any depth at all, to engage in philosophical discussion and argument. And while an obsession here can keep us from doing what may be—if philosophy has a point or some intrinsic worth—fruitful work in philosophy, Wittgenstein's obsession with such "meta-philosophical questions" was neither irrational nor pointless and it surely did not keep him from doing probing philosophical work.<sup>1</sup> Some have said that "meta-philosophical" interests are a sign of a waning interest in philosophy, but while this has never been true for me, I do remain ambivalent about philosophy and caught up in doubts about what (if anything) we can achieve in philosophy and about the worth of our achievements. (Recall Marx's famous remark in the *German Ideology*: "Philosophy and the study of the actual world have the same relation to one another as masturbation and sexual love"). A. R. Manser in his interesting inaugural lecture "The End of Philosophy: Marx and Wittgenstein," hit just the right note when he remarked:

. . . whatever else philosophy may be, it certainly involves constant questioning of all that is normally taken for granted, whether it be the existence of the external world or the value of a present-day university education.

However, if philosophy confined itself to challenging others' ideas, to dealing with problems that arose in other disciplines, it would be an arrogant subject, which indeed it often seems to be to those on the outside. It also, and necessarily if it is to be really questioning, finds its own existence its greatest problem. The mark of modern philosophy, and of any worthy of the name, is self-doubt.<sup>2</sup>

<sup>1</sup> It is rather fashionable now to ignore this meta-philosophical side of Wittgenstein. Yet on any "naive" first reading of the *Philosophical Investigations*, it is one of the first things to strike one. K. T. Fann succinctly and accurately stresses this side of Wittgenstein in his "Wittgenstein and Bourgeois Philosophy," *Radical Philosophy*, 8 (Summer, 1974), 24-27.

<sup>2</sup> A. R. Manser, *The End of Philosophy: Marx and Wittgenstein* (Southampton, England: Camelot Press, 1973).

This calling of itself into question is, of course, a vast project and I try here to catch only a corner of it. I try, after its programmatic demise, to show both something of importance which remains in proceeding by philosophizing from ordinary language and what its principal limitations are. I then take a new tack by examining a methodological turn taken by a way of philosophizing and looking at philosophy much under the influence of Quine. I say something directly about that turn and then attempt to show how that basic methodology, when utilized and developed as Rawls develops it and applies it in his magisterial *A Theory of Justice*, is caught in what appear at least to be crippling difficulties.

## I

The Stalinist phase of ordinary language philosophy has long since passed; "ordinary language" is no longer the rallying cry it once was. In spite of his extensive influence, few philosophers continue to follow Austin's stringent and rather rigid methodological restrictions and directives. What has lived on in the thought and practice of many philosophers is the belief that ordinary language—any natural language—contains important and indeed refined conceptual distinctions which it is essential for philosophers to display perspicuously and indeed in their practice not to run rough-shod over by ignoring through adopting and/or perpetuating crude philosophical distinctions—reason and passion, analytic and synthetic, descriptive and evaluative, cognitive and non-cognitive—which ignore the subtle and refined concepts which are to be found at work in ordinary language in everyday life.

Against this very widespread and, I believe, important conviction, philosophers of a Marxist persuasion (Gramsci and Althusser, for example) have claimed that such an appeal to ordinary language is a very serious blunder, for ordinary language with those subtle and ramified conceptual distinctions in effect "expresses and enforces ideologies which systematically conceal the realities they refer to."<sup>3</sup>

Modern Anglo-American moral philosophy has been much concerned with ordinary language. Indeed many have thought this an important source of its at least putative aridity. I will try to unsnarl something of what is at issue here and, if possible, to move some distance toward a reasonable resolution of the difficulties generated by the issues in question. It is well to see initially that we are on the thoroughly contested and perennially perplexing ground concerning what philosophy is, what it can do and what point—if any—such an activity has. I want to proceed initially from some brief remarks Bernard Williams made about J. L. Austin's philosophical method and practice.<sup>4</sup> They are im-

<sup>3</sup> See here the editorial in *Radical Philosophy*, 6 (Winter, 1973), 1.

<sup>4</sup> Bernard Williams, "J. L. Austin's Philosophy," *The Oxford Magazine*, III

portant in their own right and relate significantly to some Marxist and radical criticisms, which I will consider later.

Williams notes that if we examine Austin's *Sense and Sensibilia* we will notice, at quite distinct levels, three different general aims being pursued. The first and most obvious, and by far the least important, is to establish that a number of key arguments used by A. J. Ayer in defense of phenomenalism will not work. Williams believes that these criticisms are for the most part "very effective"; others have thought that they were not and that Austin was indeed flogging a strawman and hardly coming to grips in any careful fashion with Ayer's arguments. It is not at all my purpose to try to adjudicate this here. Rather, no matter what we say about this, it seems to me that Williams is clearly right in claiming that this could not be Austin's central aim. *Sense and Sensibilia* were lectures of Austin's edited and published after his death. He repeatedly gave them at Oxford and it is difficult to believe that a philosopher of his stature would in lectures year after year be content simply to give a hostile review of a twenty-year-old book.

A second and wider aim, Williams remarks, could be to undermine phenomenalism or sense-data theory of which Ayer's book was an important statement. That is to say, we could look on Austin's purpose as showing that it was not the case that there are certain "private objects" called sense-data which "we perceive in a way more direct or immediate than we perceive tables, chairs and so forth."<sup>5</sup> But if this is how we are to take Austin here, *Sense and Sensibilia* was remarkably unsuccessful, for it quite explicitly leaves out of consideration a key argument used by both Ayer and Price in arguing for sense data and in addition ignores very central issues raised by Moore which could well lead one to argue for sense data. Again, given Austin's very considerable philosophical acumen and his fierce integrity, it is very unlikely that he would have remained satisfied with such an incomplete performance if this had been his central aim in *Sense and Sensibilia*. Rather it is, I think, wise to follow Williams' hunch here and view Austin's concern with sense-datum theorists as only incidental.

What we should do is move to a third level and look for a quite different aim in *Sense and Sensibilia*. Williams states this third presumptive aim as follows: Austin wished to illustrate with his examination of Ayer's arguments for sense-data, how philosophers' arguments—in this case an important one—"tend to obliterate important distinctions, to ignore the diversity of the facts and to take little notice of how our language actually works."<sup>6</sup> To show this it is sufficient to examine some

(December, 1962), 115-17.

<sup>5</sup> *Ibid.*, p. 115.

<sup>6</sup> *Ibid.*

reasonably important philosophical arguments. Austin proceeds to do this by showing how Ayer's arguments fail because Ayer (a) ignores a considerable variety of relevant situations and (b) because he neglects or misunderstands many subtle distinctions in ordinary language. Ayer fails to command a clear view of how the expressions in question are used and in what contexts they are used; he fails to keep in hand distinctions between many different linguistic expressions and different uses of the same expression which apply quite differently in different situations. When these things are kept in hand and clearly noted, Ayer's arguments will be seen to collapse. (In this respect Austin's approach was very much like that of the later Wittgenstein.)

However, even assuming this approach is successful in showing how certain philosophical arguments went astray, how is it that—since Austin did not have a completely therapeutic ideal—linguistic observation is of use in *establishing* philosophical theses? Here, Williams argues, Austin pursued what in effect is a Baconian ideal and was in fact remarkably unsuccessful. Indeed he could in reality have hardly been anything else, for he had set himself an impossible task. This task—following out the lines of his Baconian ideal—was to patiently assemble distinctions in ordinary use and then cautiously and very tentatively elicit from them a theory. But, as Williams has remarked, and MacIntyre has as well, the “trouble about this is, that if taken literally, it is just impossible. There is no classification without a purpose—in theoretical matters, without a theory or a problem. Without some pre-existing notion of what one wants the distinctions for, their number is entirely indeterminate: one can go on making as many as one likes.”<sup>7</sup> It is such an unachievable and in reality impractical Baconian commitment that gives force to the radical claim that British philosophy is anti-theoretical. Austin certainly is not “British philosophy” and indeed this criticism of Austin has come from within establishment philosophy, but he is a very central figure in Anglo-American philosophy.

Let us look at the matter of appealing to ordinary language and at Austin's utilization of it from another angle. Aside from being a potent device for exposing hasty and indeed confused philosophical theses, showing them to be either utter or partial muddles, Austin also found a rationale—a rationale which Williams believes is actually a rationalization—for this close scrutiny of ordinary uses in what Williams calls, tongue-in-cheek, Austin's *Wisdom of the Ages* thesis. This is a much stronger version of what I said at the outset was an important element which survived the demise of ordinary language philosophy. The *Wisdom of the Ages* thesis is the claim that “our ordinary speech contains a battery of distinctions that men have found useful through the centuries, and which have stood the test of time, and that these are

<sup>7</sup> *Ibid*, p. 116.

likely to be sounder than any which a theorist can—at least when in a hurry—think up.”<sup>8</sup> We have, Austin claims, good *prima facie* grounds for believing that the distinctions built into our ordinary language are very good; it is *perhaps* possible to improve on them but at present at least it is foolish to undertake that, for we are not yet in a position to do so. It is first necessary to see with some tolerable clarity what these distinctions are. But, at present, we are not within a country mile of achieving that.<sup>9</sup>

Williams is justified in claiming, I believe, that, true or false, the Wisdom of the Ages is conservative. It may not, as it was first thought, be linguistically conservative, but it is conservative and it is *not philosophically neutral*, for it presupposes without argument that philosophical attempts to show that people are mistaken about some fundamental features of the world are themselves quite mistaken. (Here, for all his very important differences with logical empiricism, Austin’s account and logical empiricism share a fundamental assumption.) Austin’s approach has, as well, two further conservative features: (1) its Baconian methodology would, if this methodology were followed, make philosophical investigation literally interminable and (2) we have from Austin what in reality is a total innovation-stopper in his insistence that before we can be justified in even trying out some tentative conceptual innovation in philosophy, we must first have examined in depth our ordinary stock of uses. That is to say, if this latter methodological injunction were followed, it would make it the case that we would in practice never be justified in making even the most tentative conceptual innovations. Moreover, as Williams remarks, if these Baconian counsels had been followed, it is doubtful if we would ever have had in ordinary language these very subtle distinctions, which Austin regards as so important. It may very well be that in the past those despised theorists may have initiated many of these very distinctions which Austin, rightly, so very much prizes. Indeed any kind of claim one way or the other here is such that for it we would need some rather extensive historical evidence—evidence which we do not have. But the shoe is surely on Austin’s foot, for without it we are not justified in proclaiming as confidently as Austin does.

Austin has the commendable desire to give us plain truth undistorted by ideology, questionable profundity, or elusive obscurity. Yet, as we have learned from Popper, human thought is not advanced by just accumulating as many accurately expressed truths as possible. In his prohibition of innovation, of taking chances, of boldly speculating and perhaps in the process talking nonsense, Austin and Austinian method are conservative and indeed harmfully so. Indeed freewheeling specula-

<sup>8</sup> *Ibid.*

<sup>9</sup> J. L. Austin, *Sense and Sensibilia* (Oxford: Clarendon Press, 1962), p. 63 and *Philosophical Papers* (Oxford: Clarendon Press, 1961), p. 163.

tion with little concern for what it makes sense to say can get out of hand, as it has sometimes on the Continent and with British Absolute Idealists, but such rigidities as Austin stressed out of his fear of blather are stultifying.

However, behind the *Wisdom of the Ages* thesis, there is the milder claim I initially stated. That is to say, what we can take away, among other things, from the study of Austin—and from Moore, Wittgenstein, and Ryle as well—is that (a) our natural languages contain refined and important conceptual distinctions which it is crucial to have clearly before our minds before we rush off to make grand or even not so grand philosophical claims and (b) that indeed some philosophical perplexities can be resolved or better dissolved by carefully attending to those distinctions. If some philosopher claims that in making moral utterances we are only expressing or evoking emotions, or that we only see our own brains, or that no inductions can ever be justified, such an ordinary language technique is very much to the point and it does not commit one to conservatism or to the general claim that ordinary language is all right as it is and that the only legitimate philosophical task is to perspicuously display it. (This last restriction was Wittgenstein's, not Austin's.)

It is even of use in more interesting philosophical cases in moral philosophy. If someone tries to define or characterize good in terms of interests and in turn says that to talk about interests is to talk about what people want and attach importance to, then an attempt to get reasonably clear about the use and context of use of 'good,' 'wants,' 'interests,' 'needs,' 'prefers' and the like is going to be an important first step in assessing such a claim, though this does not mean, as far as I can see, that we must set out a complicated logical geography of these terms displaying all their logical interrelations. But we need here to attend to the standard employment of the terms involved (and their relatives).

Sometimes we need to do no more than to assemble enough such reminders to ascertain the intelligibility or the truth of a bald philosophical thesis, e.g. the thesis that for something to be extrinsically good is for it to have a capacity to satisfy our wants and for something to be intrinsically good is for it to be wanted for its own sake. (Another such example would be the bald claim that to act rationally is to act as a prudent maximizer; such that all those acts and only those acts, which, on the available evidence, promise to maximize an agent's expectable utility are for him the rational thing to do.) Yet while such an attention to ordinary language may often be effective against a crude ideal language philosopher or a certain kind of reductionist, it by no means is always decisive. Yet, as Austin recognized, and as many have come to recognize, it is at least often an important first move. In our care to avoid the conservatism, ideology, and anti-

theoretical posture of ordinary language philosophy we should not lose sight of this important insight.

## II

This rather bland but (I hope) sensible response will not seem nearly strong enough in some quarters. Sean Sayers concludes a metaphilosophical discussion of "Ordinary Language Philosophy and Radical Philosophy" with the following declaration: ". . . ordinary language philosophy is an essentially conservative style of thought: it is incompatible with any genuine radicalism. It is anti-theoretical and anti-philosophical."<sup>10</sup>

I think it is an evasion to respond, as people responded years ago to a similar broadside by Gellner, that there is no such thing as ordinary language philosophy. Certainly there are important differences between Ryle, Hare, Austin, Malcolm, Strawson, Hart, Foot, Cavell, and Grice, to mention only some of the many people philosophizing roughly in that manner, i.e. from ordinary language. But certainly when one stands back, say from the perspective of a Quine, a Carnap, or a Merleau-Ponty, one can see important common assumptions and even more importantly a common philosophical posture. The utilization of an appeal to ordinary language—to what we would say when—is one very crucial common "philosophical policy" (if that is the right word).

It certainly seems to me right to challenge the claim that most philosophical errors are due to mistaken conceptions of language. Some are, and some important ones at that, and Strawson, Ryle, Austin, and Wittgenstein have shown great penetration in exposing them. But if one works through the philosophical problems discussed and reasoned out in Henry Sidgwick's *A Method of Ethics* or John Rawls' *A Theory of Justice*, one will find only a few problems that will be resolved or even profitably treated by such an approach.

It is fair enough to say, with certain caveats I shall bring out below, as Sayer does, that ". . . philosophy is a theoretical enterprise which cannot be conducted merely by reporting ordinary usage," though a sense of historical accuracy prompts me to remark, whoever thought that it could: Austin, Hare, Malcolm, Strawson, Ryle?<sup>11</sup> They use ordinary language but they argue and argue carefully as well. The appeal to ordinary usage is only one element in their complicated and varied manner of philosophizing. But Sayers makes a cutting point when he remarks that "ordinary language philosophers invariably do not merely 'report ordinary usage,' 'assemble reminders' etc., but in the process

<sup>10</sup> Sean Sayers, "Ordinary Language Philosophy and Radical Philosophy," *Radical Philosophy*, 8 (Summer, 1974), 37-38.

<sup>11</sup> *Ibid.*

also suggest a certain general view about how things are."<sup>12</sup> A similar thing about substantive matters obtains in moral philosophy in such severely metaethical treatises as the major works of Stevenson, Hare, and Nowell-Smith. Surely what is to be done is to be explicit about such matters and to argue for these substantive points in as systematic and as rigorous a way as possible.

However we should also see, as Bernard Harrison reminds Sayers in a response, that part of the force of the appeal to ordinary language is against forms of reductionism (much of the work of Hobbes and Ayer, for examples).<sup>13</sup> Against "reductionist philosophical schematics," it is important to remind ourselves "of the real complexity of the conceptual distinctions which we draw without thinking about it in everyday life."<sup>14</sup> This element is prominent in the work of Wittgenstein and has to some been a source of annoyance in the work of Cavell, Rhees, and Winch. Yet it is extremely useful against reductionist accounts of philosophical concepts. It shows that there are certain things that reductionist accounts do not capture and that it is essential to capture them in order to understand such concepts as power, community, love, good, obligation, justice, rationality or law, to cite only a few of the more obvious examples.

It would certainly appear to be true that some ordinary language philosophers are too content with just assembling such reminders against reductionistic and over-simplified metaphysical accounts and do not recognize, as Harrison recognizes, that one "needs in addition a theory which exhibits the epistemological bases of the distinctions in question."<sup>15</sup> (Cavell and Rhees are paradigms.)

However, one must go much more carefully than Sayers does about the claim that such an account must be anti-theoretical, anti-scientific and anti-intellectual. It is all well and good to call for a *philosophical* theory, but one first needs to have some reasonably clear sense of what a *philosophical* theory would look like. Contemporary philosophy, and particularly what has been called ordinary language philosophy, has developed powerful arguments to show that the theories of traditional speculative philosophy were all pseudo-theories. We have some understanding of what it is to have a theory in empirical science and in logic and mathematics and even in meta-mathematics. But we lack a clear sense of what it is to have a *philosophical* theory. Wittgenstein has (to put it minimally) given us reason to think that often at least what has

<sup>12</sup> *Ibid.*, p. 37.

<sup>13</sup> Bernard Harrison, "Response to Sayers," *Radical Philosophy*, 8 (Summer, 1974), 38-39. Harrison illustrates this brilliantly in his "Fielding and the Moralists," *Radical Philosophy*, 6 (Winter, 1973), 7-17.

<sup>14</sup> Bernard Harrison, "Response to Sayers," *Radical Philosophy*, 8 (Summer, 1974), 38.

<sup>15</sup> Bernard Harrison, *op. cit.*, p. 38.



paraded as grand metaphysical theories, which will reveal to us the nature of "ultimate reality," have turned out to be houses of cards.

It is not at all a matter of being dogmatic on this point and denying that there can be philosophical theories which reveal and systematically display substantive philosophical truths. Rather there can be, as F. C. Copleston shows, scepticism about whether a study of the history of the subject with its clash of doctrines shows anything like that. There can be, as well, a sense that the conceptions 'philosophical theory' and 'philosophical truth' are so problematic that it is not clear that anyone knows what he or she is asserting or denying when he or she claims to be making such an assertion or denial.

Lastly, and very minimally, there can be the kind of healthy scepticism that Michael Dummett brings to the fore in his discussion of Gellner. Gellner, like Sayers and many present day radical philosophers, attacked linguistic philosophy for limiting philosophy to a second-order activity. The sole task of philosophy, on such an account, was to give a correct or at least a perspicuous account of the workings of our concepts so as to clear up the confusions that have arisen when we come to reflect on our concepts. Gellner's complaint was that such a limitation "excludes the possibility of a philosopher enunciating any substantive truths."<sup>16</sup> But what we want from philosophers in addition to conceptual analyses, Gellner goes on to remark, is just such substantive truths systematically accounted for and explained in a comprehensive philosophical theory. Instead of responding, as many linguistic philosophers might, by saying that what those people—the unspecified "we"—want from philosophy is something that cannot be had, such an exacting philosopher as Dummett, writing in 1960, simply and sensibly remarks:

I think that most Oxford philosophers would not be dogmatic on this point (thereby eliciting Gellner's accusations of evasiveness). They would not reject the possibility that philosophy could arrive at substantive truths: they would merely say that they do not see how this is to be done, and add that, while much past philosophy makes clear sense, understood as elucidation of concepts, they have not found a single convincing example of a philosophical demonstration of a substantive truth.<sup>17</sup>

Certain philosophical theologians thought they could demonstrate the existence of God. If this could be done, we would have an example of such a substantive truth, for, as Dummett well remarks (*pace* D. Z.

<sup>16</sup> Ernest Gellner, "Logical Positivism and After or The Spurious Fox," *Universities Quarterly*, II (August, 1957), 348-64; *Words and Things* (London: Gollancz, 1959); and *The Devil in Modern Philosophy* (London: Routledge & Kegan Paul, 1974), Chapters 2, 3 and 12.

<sup>17</sup> Michael Dummett, "Oxford Philosophy," *Blackfriars*, 41 (1960), 78.

Phillips), "the existence of God is not just a fact about concepts."<sup>18</sup> But it is, of course, highly problematical whether any philosophical theologian from Anselm to Plantinga has succeeded in that task. However, it need not, perhaps, be demonstration or proof that is required. It might well be enough by some movement of plausible reasoning to give plausible grounds for believing that substantive truths of the order of the existence of God or the correctness of central state materialism have been attained. That is to say, it would be enough to show that it is more reasonable to believe that God exists or that central state materialism is true than it is to deny these things or to doubt that it is the case that God exists or central state materialism is true.

One of the things that it is interesting to note is that in two closely reasoned books in the domains of moral and social philosophy, John Rawls and David Richards are both maintaining that they have given us at least plausible reasons for believing that even in these very problematical domains there are substantive truths—in some not very clearly specified sense of 'truth'—to be attained.<sup>19</sup> (But should we count them as substantive 'philosophical truths'?)

It is unclear whether, as carefully articulated as these accounts are, they will not turn out, as have so many efforts in the past, to be houses of cards or whether, against the dominant scepticism of our time in and over morals, we have good grounds for believing some substantive results have been attained or at least some guideposts have been erected, which would lead to such an attainment. If for no other reason, it is because such an issue is at issue that these accounts need a careful examination.<sup>20</sup>

### III

In thinking about the work of Rawls in particular, it is important to keep in mind that he has been deeply influenced on foundational matters by his colleague Quine. In particular this means that he does not attach philosophic significance to the distinction (putative distinction) between the analytic and synthetic and he does not regard it as his proper philosophical task to give an analysis or an explication of moral and political concepts. Making no sharp distinction—indeed regarding such a distinction as artificial—between, on the one hand, the analytical task of the explication of concepts and, on the other, an

<sup>18</sup> *Ibid.*, p. 78.

<sup>19</sup> John Rawls, *A Theory of Justice* (Cambridge: Harvard Univ. Press, 1971) and David A. J. Richards, *A Theory of Reasons for Actions* (Oxford; Clarendon Press, 1971).

<sup>20</sup> Stuart Hampshire, "What is The Just Society?," *The New York Review of Books*, XVIII (February 24, 1972), 34-40.

examination of substantive matters, let alone regarding it as the only proper philosophical task to do the former, Rawls makes substantive claims, builds his account on contingent matters of fact, appeals to scientific theories, and takes it as his task—and the task of moral philosophy—to give an explanation of our moral capacities, including our capacities to make and defend our considered judgments of rightness and wrongness and goodness and badness.

Where he gives explanations, 'explanation,' Rawls contends, has the same sense that it has in science, the methodological approach is the same, and Rawls' preferred explanations are open, he claims, to tests of a similar sort to what we have in the empirical science of linguistics. At least this is his rather surprising official programme.<sup>21</sup> (Often what a philosopher actually does is not what he sets out to do or even what he thinks he is doing. It is not only with the work of artists that self-deception runs high.)

Quine with his wholistic approach is well-known for refusing to make a sharp division between science and philosophy and for stressing that there is no domain or approach that is distinctively philosophical. This seems to be Rawls' belief as well and it means that he will approach the problems of moral philosophy—indeed even define the problems and scope of moral philosophy—rather differently than his immediate predecessors.

Many philosophers, less relativistic than Quine, but influenced by his approach and in agreement with the attitudes I have just articulated, take it as a working goal that philosophy need not carry on as a matter of warring of mutually disinterested schools or postures with essentially contested approaches, but should in unity with science, and indeed as part of a "scientific conception of the world," theoretically elaborate such a conception of the world. A ruling assumption here is that there are no clearly demarcated divisions—let alone methodological barriers—between scientific and philosophical activities.

With such an approach (J. J. C. Smart and David Armstrong are good examples) there is the confident belief—a belief challenged by Kuhn and Feyerabend—that in science we have clear progress and the accumulation, systematization, and sophistication of knowledge. Indeed we have in science, as Armstrong puts it, a "Book of Knowledge." That, in looking at the matter historically, there should be an invidious contrast made here between philosophy and science is perfectly natural. Yet we should recognize, as well, that in philosophy, though at

<sup>21</sup> See also Rawls' presidential address to the American Philosophical Association, "The Independence of Moral Theory," *Proceedings and Addresses of the American Philosophical Association*, 48 (1974-75). For vigorous opposition to the basic methodological moves here see R. M. Hare, "Rawls' Theory of Justice-1," *Philosophical Quarterly*, 23 (1973), 144-47, and Peter Singer, "Sidgwick and Reflective Equilibrium," *The Monist*, 58 (July, 1974), 490-517.

a slower and more vacillating rate, we also have had progress, and that, as Armstrong confidently expresses it, with the really extraordinary increase in philosophical talent over the last thirty years, philosophy may well be on the way to a "break-through" such as occurred in science at the beginning of the Seventeenth Century.<sup>22</sup>

This last remark, also put forth earlier in our century by pragmatists, will strike many, as it strikes me, as a little fanciful, and indeed Armstrong puts it forth hesitantly. The important thing for us to fasten on to is not this last remark, but the general claim that there can be a *scientific philosophy*, a system of thought using rigorous argument (in many domains mathematical logic) and *not* sharply separating itself off from science by any rigid dichotomies, such as the analytic/synthetic and the *a priori*/empirical, which can attain definite and cumulative knowledge. Whether this can be achieved, as Rawls and Richards believe it can, in the domains of moral and political thought—a place where one might least expect it—is something that deserves a careful but also a most sceptical examination. (Indeed it should have a sceptical reception in any area of philosophy.)

#### IV

Given the above methodological and foundational conceptions, it is all the more remarkable that the aim of *A Theory of Justice* is to provide a conception of justice which, when taken together with the values of community, contains an ideal of the human person which provides an "Archimedean point for judging the basic structure of society."<sup>23</sup> It is Rawls' belief that the relevant general principles of justice and judgments of value can be specified and rendered determinate through rational inquiry. He appeals quite freely to general facts about society and to well established scientific knowledge, but he also appeals to our considered, everyday judgments as to what is just and unjust, right and wrong, and, to a certain extent, to what is good and bad. Indeed, in testing the adequacy of abstract guiding principles of morality, one of the things we must do—though not the only thing we must do—is to see that they *match with our most firmly fixed and well considered ordinary moral beliefs*. Rawls claims that this appeal to our most entrenched considered judgments is unavoidable. We construct a theory, as Rawls puts it, "of our moral sentiments as manifested by our considered judgments in reflective equilibrium."<sup>24</sup>

<sup>22</sup> D. M. Armstrong, "Continuity and Change in Philosophy," *Quadrant*, XVII (September-December, 1973), 19-23.

<sup>23</sup> John Rawls, *A Theory of Justice* (Cambridge: Harvard Univ. Press, 1971), p. 584.

<sup>24</sup> *Ibid.*, p. 120. It is instructive to see, on at least one plausible reading of Sidgwick, how very fundamentally he would be opposed to Rawls' method here. See Peter

Steven Lukes, as might be expected of a careful student of Durkheim and the social sciences, is worried about the appeal to the "our" and "we" here. He points out that "'we' manifestly do not all agree and are in any case only a tiny segment of the human race."<sup>25</sup> Indeed, he claims, Rawls' particular "our" and "we" turn out to be that very considerable, usually relatively well educated group who constitute generally the "liberal-social democratic consensus."<sup>26</sup> They are people who seek a world where "there would be less inequality of wealth, no inherited privilege, no educational discrimination against social groups or the economically disadvantaged, no unearned income except on the basis of need, no inequalities of reward except those based on need, merit, and contribution to the common good, equality of opportunity, no deference not based on praise, the authority of positions to be mutually agreeable in advance of their being occupied, maximum consultation before administrative decisions and unlimited comparisons between social positions in the bringing of claims against one another."<sup>27</sup> They are people who would not believe that a hierarchical society could possibly be just and would take Aquinas' intolerance of heresy to be irrational.<sup>28</sup>

In these considered judgments we have clearly reflected the values of certain modern Western men—liberal, democratic, individualistic men. But why should only their considered judgments be appealed to in seeking considered judgments against which to test abstract moral principles? There are certainly problems in replying "Because their considered judgments are the right ones, the most rational ones, the correct ones, the ones reasonable men should accept," for how do we know that or do we know that? Lukes draws our attention to the fact that there are—just to consider our own present Western societies—"Ultra-conservatives, clerical authoritarians, Empire Loyalists, fascists, racial separatists, Saint-Simonian technocrats, individualist liberals, anarchists, radical egalitarians" all of whom would in important respects dissent from many of the above typically Rawlsian considered judgments.<sup>29</sup> They, of course, would differ very much among themselves: their own considered judgments would differ very considerably and, indeed, importantly conflict. But the crucial thing to see here is that none of them would accept the particular and distinctive cluster of considered judgments that Rawls relies on as a partial but very central test of abstract moral principles. Why should it be that these convic-

Singer, "Sidgwick and Reflective Equilibrium," *The Monist*, 58 (July, 1974), 490-517.

<sup>25</sup> Steven Lukes, "Relativism: Cognitive and Moral," *Aristotelian Society Supplementary*, 48 (1974), 184.

<sup>26</sup> *Ibid.*, p. 182.

<sup>27</sup> *Ibid.*

<sup>28</sup> John Rawls, *op. cit.*, p. 215.

<sup>29</sup> Steven Lukes, *op. cit.*, pp. 182-83.

tions are the convictions which are to be accepted as the considered convictions which are normative for humankind? Why should we—that is you and I—even if we happen to share Rawls' liberal Western convictions, take them so uncritically as such fundamental end points in moral assessment and justification, that we simply rule out other voices from the start?

I find it difficult to believe that so careful, so intelligent, and so fair-minded a philosopher as John Rawls could intend that, but his text seems at least so to commit him. *Perhaps* Rawls believes that there is some kernel of cross-culturally agreed on judgments that is quite universal which we—a culturally ubiquitous “we”—would accept at least when we all have and share certain tolerably correct factual non-normative, non-evaluative beliefs and are avoiding certain purely conceptual blunders which would skew our view of the moral terrain. But just which judgments are they and are they rich enough—that is have sufficient content—to play the role in rational moral assessment that Rawls assigns to our considered judgments? The thin theory of the good seems at least to be just too thin for the task.

The considerations we have raised in the past few paragraphs—for the most part following Lukes—seem both evident and important, but, curiously, Rawls says little about them. (This in spite of the length of his book and its long maturation period.) However, he does in the final pages of *A Theory of Justice* make a few remarks concerning such difficulties about appealing to these “fixed points of our considered convictions.”<sup>30</sup> Rawls remarks there that *proof is not justification*; and that ideally “to justify a conception of justice to someone is to give him a proof of its principles from premises that we both accept, these principles having in turn consequences that match our considered judgments.”<sup>31</sup> For proofs to become justifications, the starting point must be mutually recognized “or the conclusions so comprehensive and compelling as to persuade us of the soundness of the conception expressed by their premises.”<sup>32</sup> Because of such considerations, Rawls claims, we must recognize that the very nature of justification is such that argument for principles such as the principles of justice and the principles of morality more generally should “proceed from some consensus.”<sup>33</sup> But if this is so—as it seems plausible to claim—we are indeed saddled with the problem raised by Lukes, for, as Rawls had remarked on the page just before the passage cited above, it “. . . may be said that the agreement in considered convictions is constantly changing and varies between one society, or part thereof, and another.”<sup>34</sup> And why say “It may be said”? Is it not, if we give a rea-

<sup>30</sup> John Rawls, *op. cit.*, pp. 580-83.

<sup>31</sup> *Ibid.*, p. 581.

<sup>32</sup> *Ibid.*                      <sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*, p. 580.

sonable interpretation to 'constantly,' plainly so? It would surely seem to be at least. If Rawls thinks there is some core that does not change, he needs to state what that core is and show how it could be used, in conjunction with his principles of rationality and his overall method, to give him his Archimedean point for judging the basic structure of society. Perhaps no such Archimedean point in morality can be attained; perhaps, as Lukes holds, "justice is an essentially contested concept and every theory of justice arises within and expresses a particular moral and political perspective."<sup>35</sup>

It is not clear how Rawls thinks he has answered this difficulty about the variability of "our" considered judgments and the problems raised about why we should take what appear at least to be the considered judgments of liberal Westerners as "our" considered judgments and as the judgments which are so essential in assessing the justifiability of opposed sets of moral principles, e.g. justice as fairness, average utilitarianism, classical utilitarianism, pluralism, perfectionism, and the like. My surmise is that Rawls would want to say that the considered judgments he appeals to as such fixed points are not so peculiarly and distinctively liberal and Western as Luke's remarks give to understand. But he does nothing to show that this is not so and appearances tempt us in a Lukesian direction.

I do not see how it helps solve this problem, if it indeed was even intended to, to remark, as Rawls does, "that justification is argument addressed to those who disagree with us, or to ourselves when we are of two minds."<sup>36</sup> In so arguing, he continues, we try to "proceed from what all parties to the discussion hold in common."<sup>37</sup> Now, while it no doubt will be the case that most of Rawls' readers will have considered convictions which are those of the broad liberal democratic consensus, those very readers realize that there is not, generally speaking, that consensus in their own societies, let alone in all societies and in all periods of history. The justification then, on Rawls' own terms, only proceeds from people who have this agreement, but surely reflective people, when they realize there is this disagreement—this lack of consensus—will want to know if there is any way of knowing which set of principles are superior.<sup>38</sup> They will want to know if their own principles are justified, whether it would be more reasonable to adopt some

<sup>35</sup> Steven Lukes, *op. cit.*, p. 184. There is a reading of Marx which squares very well with Lukes' conception here and, given its argumentative strength, gives further plausibility to Lukes' arguments about the nature of justice. See Allen W. Wood, "The Marxian Critique of Justice," *Philosophy and Public Affairs*, 1 (Spring, 1973), 244-82.

<sup>36</sup> John Rawls, *op. cit.*, p. 580.

<sup>37</sup> *Ibid.*

<sup>38</sup> I have set out the kind of question we face in my "On the Diversity of Morals," *Cultural Hermeneutics*, 2 (1974).

other principles matched with different reflective considered judgments, or whether nothing at all could be rationally settled here, there just being those different forms of life.

In appealing to consensus, Rawls does remark that in his own case, if we attend to the *features* of the consensus appealed to, we will see that it involves a list—not wholly arbitrary—of alternatives, including the leading traditional theories. Such a list “is not simply *ad hoc*: it includes representative theories from the tradition of moral philosophy which comprises the historical consensus about what so far seem to be the more reasonable and practical conceptions.”<sup>39</sup> To simply respond to Rawls by asking “Reasonable and responsible to whom?” is too easy, for what is being appealed to here are conceptions which have had and continue to have a central role in the history of Western thought. It is true that these conceptions have emerged at different times, but some have had a long history and an elaborate development. There are, of course, still cultural problems here; Western society is not the whole of the human world but it still is not just (or so it would seem) a matter of assuming Western liberal democratic values.

However, this does little to solve our original problem, for, still using our considered judgments, we need to make a *choice of principles from this list*—settling for justice as fairness, average utility, perfectionism, or what not. But in making such a selection we must at crucial points rely on our particular considered convictions and here we are faced with the fact that considered convictions are variable with no agreed-on procedure for resolving which considered convictions are to be appealed to. (Can we look on Rawls’ whole method as such a procedure? But then just how does it work? We are very much in the dark here.)

In a similar and perhaps even more distressing way, in making his own particular commitment to the principles embedded in justice as fairness, Rawls seems at least to need to appeal to particular considered judgments which are peculiarly and distinctively liberal democratic, e.g. societies which are intolerant of heresy are unjust, societies committed to religious, hereditary or inherited wealth hierarchies are unjust, societies protecting (without equal opportunity provisions) cultural elites are unjust, societies without equal representation are unjust. But faced with a reflective and informed de Maistre, Burke, or a Nietzsche, who would not share those considered judgments, which seem at least to be required for the adoption of Rawls’ principles, what is Rawls to do? Is he to simply stamp his feet and insist on his cluster of considered judgments?

It is not clear to me how Rawls could effectively respond here. He seems to be caught in a kind of relativist and perhaps even ethnocentric bind. Indeed, that different people have importantly different con-

<sup>39</sup> John Rawls, *op. cit.*, p. 581.



sidered judgments does not establish that they are all equally justified or are all equally rational.<sup>40</sup> Perhaps something crucially revealing can be teased out of that conceptual consideration. But exactly or even inexactly what is not evident and, given the pivotal role of Rawls' appeal to considered judgments of a distinctive sort, the question becomes quite pressing: why accept Rawls' particular considered judgments, that is, why accept the considered judgments which are distinctive of the liberal democratic consensus? There appear at least to be no resources within Rawls' theory to answer that. It then looks like, unless some such resources can be found, an arbitrary stand, letting in the bug-bear of relativism and scepticism, which one moral philosopher recently has told us "must be purged altogether."<sup>41</sup>

Perhaps Rawls could show that his principles of justice as fairness could be shown to be justified without such an appeal to distinctively liberal democratic considered judgments. It is anything but clear that he can show that, but if he cannot, it seems to me that he has failed to obtain his Archimedean point and the concept of justice appears at least to be much more of an essentially contested concept than Rawls gives us to understand. If this is so, Rawls' account may still square with what he takes to be his explanatory programme—which he at one time calls the function of moral philosophy—namely, to explain our moral capacities.<sup>42</sup> But now the 'our' must be given a much more literal reading as referring to people who inherit the basic normative commitments of liberal democratic societies. But, if this is all Rawls can do, these theses in what has been called *descriptive ethics* are hardly of any very considerable philosophical interest and hardly give us the Archimedean point that Rawls seeks. It does not provide what traditionally moral philosophers have most fundamentally sought, namely the justificatory apparatus to assess moral codes, social structures and conceptions of society.

## V

There is another tack that Rawls might have taken, though as a matter of fact he does not take it. Quite consistently with at least much of his overall approach, he could stress that the considered convictions to which we appeal should be considered convictions purified in the following ways: they should be the considered convictions of thoughtful and informed people who have reasonably wide experience,

<sup>40</sup> Some of the standard and indeed important points concerning relativism are nicely introduced and arranged by Paul Taylor in his anthology, *Problems of Moral Philosophy* (Encino, Cal.: Dickenson Publishing Co., 1972), pp. 39-83.

<sup>41</sup> E. J. Bond, "The Moral Rules," *Dialogue*, XII (September, 1973), 496.

<sup>42</sup> Peter Singer, *op. cit.*, raises serious questions about the justifiability of viewing such a programme as the central function of moral philosophy.

who are aware both of the different meta-ethical and normative ethical theories in the philosophical traditions of the world and of the supporting arguments for and against these competing theories, and finally they must be people who (with an understanding of history) have a reasonably adequate understanding of the social and other human sciences and an adequate understanding of the empirical assumptions and conceptions of man and society built into these normative theories. It is the considered judgments of such human beings that should be appealed to—or at least primarily appealed to—and they should be the “our” and the “we” in Rawls’ appeals to “our considered convictions” and the like.

This might be unwelcome to Rawls, for it smacks of *The Republic* and “philosopher kings,” “moral experts,” and a kind of elitism. There is certainly to be borne in mind, at least as a cautionary note, the Tolstoyian insight that often very unlettered, “simple folk” have deeper and indeed more reasonable considered convictions in such domains than intellectuals, who typically have biases of their own, are rather fanatical about their hobbyhorses, and are sometimes even “clever sillies.” Moreover, we have the Marxist insight about the class bias of such intellectuals—a bias which gives a distorted ideological thrust to their considered judgments even under the above ideal conditions. (There are, of course, some intellectuals whose views are not so distorted. The above generalization is intended as a sociological one.)

It is tempting to say that these are “practical difficulties” which can be surmounted. If people really are informed, really have a reasonably wide experience, really do have an educated understanding of philosophical accounts of morality and a knowledge of economics, sociology, anthropology, and the like, as well as a concrete sense of the implications of their normative commitments, then they will not be biased or have a distorted view of things. It is the considered judgments of such people, deliberating under such constraints, which should be decisive or at least crucially important in assessing abstract moral theorizing. It is their considered convictions with which we must seek to match our abstract moral theorizing in reflective equilibrium.

Against this it could be responded that perhaps non-rational things, such as sympathy or the ability to empathize or just knowing from experience what it is to be exploited, racially assaulted, or treated as a sex object, are even more crucial than the “cognitive background” stressed above. And there are, moreover, just the sociological facts about the biased attitudes and commitments of many—perhaps even most—intellectuals who might be thought in the normal course of events to be people who would satisfy the conditions sketched above. It is indeed true that the vagueness of the characterization given above gives us room to manoeuvre so that we can deny them membership in the idealized “our.” That is, they, if they so respond, are “not really

thoughtful" or "really well-informed," or at least they have not taken their knowledge to heart or have not felt the full force of certain moral theories or certain social theories. But it remains the case that there is in such implicit *persuasive* definitions room for extensive cultural maneuvering, ethnocentrism and rationalization. In practice, how do we decide who is a really thoughtful person? To be informed about economics in the way a non-economist intellectual should be informed—after all we must be selective—is it enough to know about Samuelson, Arrow, and Friedman or must we know our Marx, Luxemburg, and Baran as well (or should it be just the reverse)? There are obviously going to be deep and not easily resolvable cultural disagreements over such matters.

There is a plethora of entanglements to be unsnarled here. To sort out the above matters would need a monograph. There certainly are difficulties about the very conception of "moral experts." One wants to say that such a notion smells. Yet, given a genuine emotive neutralization—something which often seems quite possible—it may not be something which is utterly and indeed even (in certain contexts) dangerously mistaken. And surely we need to recognize that the problem of class bias is a very real one. In our culture the bourgeois affiliation of intellectuals—either explicit or implicit—is patent. But all the same, given the kind of qualifications on the relevant considered judgments and considered convictions that I articulated—and indeed a more precise articulation is needed—it seems to me that there still may be something in such an appeal. And whether Rawls would go in that direction or not, it seems to me that it is a fruitful road to explore, for unless something like this can be sustained and justified, without itself falling into class or ethnocentric bias, Rawls' appeal to our considered convictions seems at least to be vulnerable to Lukes' perceptive criticisms.

## VI

Shifting abruptly the direction of my argument, I want in closing to say something crude, but something that is, I believe, important to say. If Rawls' account, and accounts of similar scope and intention, cannot help in some considerable measure to answer questions such as the following, then it would seem to me that they are seriously at fault: that somewhere in their methodology, in the assumptions they make, in the tools they utilize or the type of substantive theories they erect, they have gone badly astray. The questions I have in mind are these: what is a just and humane society? Are societies, such as the bourgeois democracies, the Eastern European countries, China, Cuba, Allende's Chile, any or all of them—given the state of their material resources—sufficiently well-ordered societies so that we could rightly (justifiably)

characterize them from a moral point of view as reasonably just and/or humane societies? Given some tolerable factual information, could we with the help of such theories, even tentatively rank them or answer questions about whether the U.S.A. is more or less just and humane than China, or Rhodesia than Cuba, or Canada than Sweden? I do not mean that we should be able just to grind out the answers, without a good bit of factual information and historical and cultural understanding, from theories such as Rawls', but *if* such theories can (given such information) give us no guidance here, and if they could give us no guidance in trying to decide between the comparative justice and humaneness of a capitalist society and a socialist one, then I, for one, would take this to be a monstrous defect in such substantive moral theories.