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ON "HUMAN NATURE" AND THE NORMATIVITY OF ETHICS

JON MELLESMO STAPNES

In *The Sources of Normativity*, Christine M. Korsgaard argues that the normativity of ethics can be grounded in our nature as human beings. If her argument is successful, then at least *some* ethical standards will be universal for humans. To support her theory, Korsgaard refers to the later philosophical works of Ludwig Wittgenstein. Unfortunately, she deals only with a few arguments that back up her thesis, without looking at Wittgenstein's philosophy as a whole. Being suspicious of this type of approach, I decided to analyze her argument and compare it specifically to the ethical implications of Wittgenstein's later ideas. Since Wittgenstein does not explicitly discuss ethics in the *Philosophical Investigations [PI]*, nor anywhere else in his later texts and lectures, different interpretations and theories have been proposed.¹ After laying out Korsgaard's theory, I will briefly deal with and dismiss one interpretation of Wittgenstein that propounds that nothing meaningful can be said about ethics. Having shown that Wittgenstein's ideas do allow us to discuss ethics, I will use insight from his later work, as well as discussions by other philosophers, to explore the concept of "human nature" and its relationship(s) to morality.² The paper will end with a critique of Korsgaard where I will argue that she makes an unjustified leap from merely *describing* a universal human nature to *prescribing* value on humanity at large. Any normative theory has to be prescriptive, or tell us something about what we *ought* to do; however, it will become clear in this paper that

Korsgaard's theory fails to establish the human universal *normativity* that she proposes.

Korsgaard's Theory of the Normativity of Ethics

Ethical standards constrain our behavior; they oblige, demand, and command us. When we are considering the moral implications of an action, we are often asking more than simply "is this right or wrong?"; we are asking ourselves *why* morality should have such an impact on our behavior. The question of normativity is the question of ". . . what *justifies* the claims that morality makes on us" (Korsgaard, 10). Having characterized normativity in this way, Korsgaard looks at what it is that produces our need for a justification. (Note here that she is not concerned with, nor refuting, the idea that people can be considered to act morally, or even saint-like, without reflecting; the question of normativity does not arise under such circumstances.) Obviously, it is our human capacity to reflect on our actions and reasons that creates the problem of justification, and Korsgaard argues that both the problem and the solution will come from the same source. This source is a "reflective endorsement test," a test in which we reflect on our reasons and think that either they are sufficient to endorse an action, or they are not. In other words, one asks oneself "should I do this or not," evaluates the pros and cons, and makes a decision. Every reflective endorsement test will therefore have at least two possible outcomes: 1) reflective success, namely a reason for action, an "I should do this because. . .," or 2) reflective rejection, an obligation or reason *not* to pursue the action. Of course, one might also reach no conclusion and simply suspend judgement, but in that case the reflective endorsement test is not completed.³

The next step is to say something about how we reflect and what our reflection is based on. According to Korsgaard, the background against which we measure possible actions consists of what she refers to as our "practical identities." A practical identity is a role that we have in society, e.g., as a

police officer, mother, musician, etc. These practical identities can be more or less constitutive of our complete personal identity; we can have several different practical identities, and one will often be more important than another. However, Korsgaard's claim is that some kind of practical identity is always necessary to help us decide what to do when we happen to reflect on our choices of possible actions. For example, one might say that one should not steal because one is a Christian, that as a mother I must take care of my child, or as a citizen I have a responsibility to vote, etc. This commonsensical argument reveals that a question about whether or not I should do X, is not only a question about the right/wrong of X, but also about who I am, that is, about my personal identity.

A problem with our need to base morality on some kind of practical identity is the fact that our identity can take a few exceptions. In other words, we are allowed to act "out of character" from time to time. We will often justify such slips by saying things like "I stole money from my dad once, but I would not call myself a thief," or "I can't believe I did that, that is not who I really am." Different practical identities will have different limits with regards to the kind and frequency of straying that is considered permissible.

Further, there will be actions that under no circumstance are acceptable under the constraints of one's practical identity. We all experience how complicated this can become, particularly in situations where some practical identities conflict with each other. Sometimes we might even have to give up one practical identity in order to keep another one. One common example is the priest that overhears the confession of a murder: does he keep his vow of silence or does he tell the police? However, no matter how great and difficult the dilemmas become, we inevitably rely on some practical identity in making our decisions. Korsgaard sums up:

The reflective structure of human consciousness requires that you identify yourself with some law or principle which will govern your choices. It requires you to be able to be a law to yourself. And that is the source of normativity (Korsgaard, 103-104).

The structure of our human consciousness enables and demands some kind of practical identity, which in turn is the basis for our reflective endorsement tests. Thus far Korsgaard has only *described* the way in which we arrive at and solve ethical problems. Simply put, *we have reasons and values because of the way we are* (our biological structure).

In order to make some ethical standards universal, Korsgaard makes one more philosophical move: she appeals to our common human nature. She contends that, once we realize that our practical identities are based on our more general identity as a human being, we will realize that “[y]ou must value your own humanity if you are to value anything at all” (Korsgaard, 123). (A criticism of this claim will follow later in the paper, but for now a clarification will suffice.) What Korsgaard is claiming here is that *one must value that which enables one to value something else*. In other words, when we understand that the structure of our consciousness provides us with the capacity to value things, we must value that structure itself. I take the “must” here to mean that *we must think (and act) accordingly in order to be consistent*. There are no doubt numerous people that never will value humanity in this way but, according to Korsgaard, these people have no grounds or real justification for their moral beliefs. This is a claim that goes beyond mere description; now Korsgaard is being prescriptive, telling us what we *ought* to do.

Given the above, Korsgaard recognizes three common worries/objections to her argument. First, realizing that we must value our own humanity does not mean that we have to value any other person’s humanity. Second, by basing all value upon a notion of humanity, we grant no moral standing/no rights to other animals. Finally, how do we handle suicide

and the normative sceptic? In this paper I will only elaborate on Korsgaard's answer to the first worry, since I am mainly concerned with her attempt to make universal (human) claims.

According to Korsgaard, the first objection stems from a misconception about reasons. This misconception is based on the common mistake that private mental entities and private reasons exist. Based on these false ideas, philosophers have tried to generate public reasons based on private reasons. Korsgaard mentions, for example, neo-Kantian and Hobbesian arguments, pointing out that they ". . . both assume that an individual agent has private reasons...that have normative force" (Korsgaard, 133). She then shows that this approach is flawed in two ways. First, by basing public reasons on self-interest, they are irrelevant for questions about moral conduct. This is because inherent in her *definition* of moral conduct is the premise that moral reasons cannot be based upon simple self-interest or egoism (Korsgaard, 134). Second, *if* reasons were private, the Neo-Kantian or Hobbesian arguments are still logically flawed: the result would not be an obligation to others, but only that I have an *obligation to myself* to respect your humanity (Korsgaard, 134). Korsgaard's rejection of the notion of private reasons is vital to her claim for a universal normativity of ethics; if one could have private and normative reasons, one could value one's practical identities without valuing humanity.⁴

To support this view, Korsgaard draws an analogy between Wittgenstein's private language argument and the normativity of language, and her own ideas of normativity attributed to reasons. She argues that reasons (in order to count as reasons) must be public, referring to this as "publicity as shareability" (Korsgaard, 135). For a reason to be a reason at all, it takes at least two people, ". . . a legislator to lay it down, and a citizen to obey. . . but here the two [can be] the two elements of reflective consciousness, the thinking self and the acting self" (Korsgaard, 137-38). Language, or a reason, can be private in the sense that an individual might have her own reasons, but both must in principle be shareable.

Finally, in order to back up her claim that we must value other humans, Korsgaard points out that, in most cases, we have *no choice* but to treat other humans as valuable. Since linguistic consciousness is *essentially* public, we can obligate each other just by calling out each other's name (Korsgaard, 140). When hearing our name, we are forced to react and respond. Of course, we can ignore the person that calls out our name, but to do so forces us to think of a reason. (For example, "I am too busy to stop.") However we choose to respond, the (near) impossibility of hearing words as mere noise hinders us from viewing the other person as a non-human. Therefore, humans will be humans to us and, if Korsgaard is right that we must value the humanity of others if we are to value our own (and value anything at all), a universal normativity of ethics has been established. Another way to put this is that human nature—humanity—must be the one universal foundation for any normative theory of ethics. Any theory lacking this universality will lapse into a relativism where nothing is really justified (because anything can be justified). Korsgaard argues that the kinds of morality that would arise from this, kinds that do not value *all* human beings, are inconsistent and unjustifiable.

Having presented a general overview of Korsgaard's theory, I will now move on to my critique. To reiterate, I believe that, although Korsgaard invokes Wittgenstein to create her own private reason argument (essentially the same as Wittgenstein's private language argument), her theory of normativity is not supported by Wittgenstein's views on ethics. In fact, I want to argue that *if* we accept Wittgenstein's views, Korsgaard's attempt to ground normativity in human nature becomes meaningless.

Let's Not Talk About Ethics At All

One interpretation of the later Wittgenstein's silence about ethics is that he retained his old view based on a fact/value distinction and the ineffable nature of ethics. Cyril Barrett, in

Wittgenstein on Ethics and Religious Belief both presents and refutes this argument (Barrett, 230-32). On this explanation the discussion of ethics would be subsumed under the discussion of religious beliefs (as beyond and outside of the limits of language), and so the discussion would not even get started.

Barrett shows that, in order to solve the following ethical problem, Wittgenstein (in *Culture and Value*) turns to religion:

It is hard to understand oneself correctly, since the same (action) which one *could* do out of generous and good (motives), one can do out of cowardice and indifference.

And only if I were able to submerge myself in religion could these doubts be silenced. Because only religion can destroy vanity and penetrate all the crevices (Wittgenstein in Barrett, 231).

This demonstrates the close connection between religion and ethics in Wittgenstein's thoughts. It is conceivable that Wittgenstein, as an extremely religious person, believed in a Christian ethics that to some extent could not be captured in language. However, the argument that Wittgenstein kept his old view on the nature of ethics, and that ethical discussions are nonsensical, is refuted by the few times he did in fact mention ethics. These instances clearly reveal that he wanted to allow for ethical discourse to take place and operate meaningfully within certain language games. One example is G.E. Moore's notes from a lecture given by Wittgenstein, informing us that ". . . I [Wittgenstein] have always wanted to say something about the grammar of ethical expressions. . ." (Wittgenstein 1993, 103). Unfortunately, Wittgenstein proceeded without saying much about ethical expressions at all.⁵ Nevertheless, we have no reason to believe that he would call for an overall silencing of ethics. I will now proceed to

outline the ways in which ethical discussions are possible and meaningful.

Recognizing Human Beings—What We Have In Common

A weakness in Korsgaard's theory is that she never defines "human" or "humanity." Since she wants the normativity of ethics to be grounded in our human nature, it seems necessary that this is a solid and clear concept. In his *Wittgenstein, Ethics and Aesthetics*, B. R. Tilgham suggests that the ethical dimension of the *Philosophical Investigations* lies in our general ability to "discern humanity" and that Wittgenstein has ". . . reminded us of the conceptual background that makes morality intelligible and. . .has reminded us, in effect, what it is to discern the humanity in a man. . ." (Tilgham, 116). On the surface this statement seems to support Korsgaard's theory; however, it is not exactly clear in what way. For the relevance of this section, we must carefully analyze what Wittgenstein would say about a (universal) concept of "human nature" and whether or not it could support Korsgaard's theory.

As a thought experiment, Wittgenstein asks us to imagine that the people around us are mere automata, or robots, lacking any form of consciousness:

Say to yourself, for example: "The children over there are mere automata; all their liveliness is mere automatism." And you will either find these words becoming quite meaningless; or you will produce in yourself some kind of uncanny feeling, or something of the sort. (*PI*, #420)

Although this thought experiment is primarily meant to show the meaninglessness of a dualist position, it could suggest something akin to what Korsgaard has argued, namely that it is almost impossible not to recognize human beings as human beings. What enables us to recognize other beings as humans would be what Wittgenstein refers to as "*the common behavior*

of mankind" or "the usual human activities" (PI, #206-207; emphases mine).⁶ Further, Wittgenstein allows for a fattening and fleshing out of the concept of "human nature" by pointing out a range of different activities that seem to be natural and universal for human beings:⁷

This "common behaviour" is not merely that behaviour which manifests our animal nature, our natural needs for food, drink, warmth, our sexual drives, our physical vulnerability, etc. It also includes. . . fundamental features of our lives (birth, death, and procreation), . . . [and] the basic patterns of human relationship. . . (Baker and Hacker, 187)

Now we seem to have at least two closely related arguments that will support Korsgaard's thesis: 1) It is difficult *not to* recognize human beings as human beings, and 2) all human beings have certain behavioral traits, activities and inclinations in common. I want to show that these arguments are rather insignificant, failing to have the force necessary to ground the normativity of ethics on human nature. Notice that, so far, I have only argued for the existence of universal *facts* about human beings; I have not made any claims about morality or *valuing* humanity.

According to Korsgaard's theory, any kind of de-humanising practices or attitudes are logically inconsistent. (They are inconsistent because we value something without valuing that which enables us to have values.) However, referring to *Zettel [Z]*, #528, in which Wittgenstein imagines enslaving a whole tribe, Tilgham concedes that one could hold such a position ". . . without fear of sliding into either inconsistency or nonsense" (Tilgham, 108). For example, one group of people can enslave another group and still have a coherent ethical system that corresponds to and accommodates this behavior. Tilgham explains that this is possible because of the interdependence and connections between language and forms of life, or between meaning and use; ". . . [the] behaviour

must not be understood merely as pieces of detached theoretical observations, but as expressing and reflecting the ways we deal with them" (Tilgham, 107). Coexisting with such de-humanising practices will be different standards for what counts as coherent and consistent behavior, as well as justification. If this is true, then it seems that the ability to *discern* humanity does not necessarily justify *valuing* humanity. Let's take a closer look at this relationship.

Justification

Recall that normativity is the question of ". . . what *justifies* the claims that morality makes on us," and not what *produces* them (Korsgaard, 10). What we have established so far is only that the producers, namely human beings, have a biological structure and certain behavioral patterns that are universal. In Wittgensteinian terms, these facts are part of our framework, a stable background, or the "scaffolding of facts" (Z, #350). I will attempt to show that Wittgenstein's philosophy draws a sharp distinction between this framework and the operations that take place within it. In the case of ethics, I will argue that *the framework that enables us to have values cannot in itself be valued.*

In both *On Certainty* [OC] and *Philosophical Investigations*, and in certain sections of *Philosophical Occasions* [PO], Wittgenstein points out that there are some things which it does not make sense to doubt, to wonder about, or to say that we know. For example, I can only ". . . wonder at something being the case which I *could* conceive *not* to be the case" (PO, 41). In doing epistemology, we must recognize and acknowledge that it is meaningless to doubt that, in general, our sense impressions tell us something about the world, or that the world exists at all. The existence of the world is not a hypothesis, but something that is the foundation for all empirical inquiry. In this sense it is just there; it enables us to play certain language-games, but it does not determine them. I want to extend this insight to our discussion of ethics. Even if our human nature is the framework that enables us to *have*

morality, this does not entail that it is a part *of* morality. The framework might not have any moral status or value at all. Let me illustrate this point with an example:⁸ Though gravity is a pre-condition for soccer, we can enjoy and value a good game of soccer without valuing gravity. The very stability of gravitational force makes valuing it meaningless; only if the force varied from day to day could we imagine someone saying “the gravity’s good for soccer today.” Friction, another example of a pre-condition for soccer, varies with the kind of turf and weather. It follows that it makes sense to value certain degrees of friction (if not the existence of friction *per se*), and to utter things like “the grass is too slippery today, it’s bad for the game.”

The structure of our consciousness, the capacity to reflect, relates to morality in a similar way as gravity to soccer. The biological structure is just there; it cannot be valued; it is used but it cannot be abused.

Another way of articulating this point is that “justification comes to an end [somewhere]” (OC, #192). For some people, it simply seems to end with practical identities, whereas others might take it back to human nature, the ecosystem, or the existence of air or molecules, electrons, etc. (*ad infinitum* into a wonderful regress). For example, if we were to encounter a group of people whose favorite pastime is to indulge in reckless and random violence, simply saying that we’re all humans might not affect their behavior at all. Most likely this group has developed their own nice trail-mix of justifications and judgments to go along with their violent form of life. This group might even believe that it strengthens us as human beings to kill other human beings. This is *not* a case where “[o]ne’s own [moral dispositions] may well contain elements which seen in the open one would not admire” (Blackburn, 175); in this case we are not talking about changing a few trifling opinions, but replacing a whole system of beliefs.⁹

According to G.E. Moore’s lecture notes, Wittgenstein drew a parallel between court behavior and justification in ethics or aesthetics. In ethical discourse, we attempt to defend and

clarify our point of view to get the other person to “see what you see.” But if we have succeeded in putting all available evidence on the table, and this still does not appeal to, or have any effect on, the other person, then that is the end of the discussion (*PO*, 106). Imagine proving that you have a coin in your pocket by pulling it out and holding it up, saying, “There, you see.” If the other person answers, “That doesn’t prove anything,” there is no longer any common ground for discussion. You have “. . .exhausted the justifications. . .reached bedrock, . . .[and the] spade is turned. . .” (*PI*, #217).

The same can happen in ethical discussions. For example, a discussion with the above-mentioned group of people that glorify violence will most likely come to such an end. If we say, “Look, the man is in great pain,” and they laugh or respond with “So what?”, it is difficult to conceive of any argument at all that would be effective. However, this does not mean that “. . . one of us is *blind*, blind to something *there*. . .,” an absolute value, a foundation or something of that sort. No, all that is *there* is a man in pain and two different responses, two separate worldviews (Dilman, 113).

Conclusion

Korsgaard’s statement that “. . .all value depends on the value of humanity” (Korsgaard, 121) is a very seductive thesis, since most of us already tend to ascribe value to humanity. However, the fact that this argument is often overridden, that dehumanising happens, or that the class of “human beings” does not include certain groups of people, creates a worry that Korsgaard’s reasoning does not appease. In the same way as philosophers have feared “. . .the groundlessness of our believing,” we begin to fear the groundlessness of our morality (*OC*, #166). Unfortunately, Korsgaard’s attempt to establish a universal theory of the normativity of ethics, based on our human nature, fails. As I have shown, it fails because 1) it makes no sense to ascribe value to the framework, and 2) there

is no foundation, not something out *there*, from which all justification must spring.

Finally, while I do not doubt that Wittgenstein would agree with the moral project, the humanitarian ideals, implicit in Korsgaard's theory, he would remind us of the close connection between language and form of life, or meaning and use. In her attempt to create a philosophical vision, Korsgaard bypasses and ignores this significant point. As a result, she comes off as a foundationalist, still relying in a naïve way on the persuasion of "abstract" reflection in situations where Wittgenstein would emphasize interaction and a more anthropological approach: If we want people to understand and accept an argument about valuing humanity, we must first, or simultaneously, change the way they behave, their attitudes and actions. In many cases, only action or activism can change the validity and persuasiveness of an argument. Following Wittgenstein's philosophy, we must remind ourselves that any kind of foundation and justification for morality is *created*, not there to be discovered by a philosophical investigation. "[O]ne might almost say that these foundation-walls are carried by the whole house" (OC, #248).

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Notes

1. Ethics is mentioned one time in the *Investigations* (#77), and *A Lecture on Ethics* (only eight pages long) does not develop any comprehensive theory of ethics. I will therefore draw upon most of the available post-*Tractatus* work of Wittgenstein in order to investigate what implications his philosophical ideas have on ethics.
2. I will use "ethics" and "morality" interchangeably.
3. Another peculiar twist to this is that one might come to think that one should go ahead and act, although at this point one has not reached a conclusion, nor found any reasons. However, this decision to postpone the justification is in itself a justification, and therefore a reason.
4. I must confess that I find Korsgaard's treatment of this argument rather confusing and hasty. However, what is important to understand for the sake of this paper is simply her point that private and normative reasons do not exist.

5. Instead, Wittgenstein talked mostly about aesthetics. That Wittgenstein considered ethical discourse to be similar to the grammar of aesthetics is important. Later in this paper I will return to some of the points made in the above-mentioned lecture.

6. Note here that Wittgenstein is not talking about one or a few specific activities that we *all* must have in common. It is possible that his concept of "family resemblances" (PI, #67) applies to "human nature."

7. See also Wittgenstein's *Remarks on Frazer's Golden Bough* (PO, 115-55) for comments on jokes, rituals, etc.

8. I got this idea from Baker and Hacker (229-30). Their analogy (a game of tennis) pertains to rules and the stable background conditions, but I will reconstruct it and apply it to a discussion of ethics. I am using soccer instead of tennis because I want to make another point that relates to friction.

9. This is similar to an argument given by Wittgenstein in *On Certainty* (#92): to change a king's view that the world came into existence with his birth would take a "...conversion of a special kind; the king would be brought to look at the [whole] world in a different way."