

# Logi Gunnarsson

## Review essay

### Dimensions of morality

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Lutz Wingert, *Gemeinsinn und Moral: Grundzüge einer intersubjektivistischen Moralkonzeption* (Frankfurt am Main: Suhrkamp, 1993)

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In *Gemeinsinn und Moral*, Lutz Wingert defends a universalistic Kantian conception of morality of the kind developed by Jürgen Habermas in his discourse ethics. However, this book is neither an interpretative work on Kant and Habermas nor just an elaboration on their theories. Rather, Wingert carefully unfolds and defends his own intersubjective moral conception. The outcome is a work of interest for all moral philosophers.

Wingert's book falls into three parts. The task of Part I ('The Subject Matter of Morality') is to explain what moral norms regulate, what kind of judgments moral judgments are, and what we are asking in moral questions. For Wingert, part of this task is to distinguish between moral and ethical problems. In Part II ('The Moral Point of View'), he explicates the moral point of view in terms of two principles of respect, and in Part III ('The Justification of Moral Judgments') he offers a justification of those principles.

Wingert begins Part I by offering a Kantian conception of the subject-matter of morality. This conception involves a sharp distinction between the moral and the ethical. First, moral norms regulate the interaction of agents with possibly conflicting interests and conceptions of the good. Thus, moral problems – as opposed to ethical problems – do not concern disruptions in either the self-understanding of a single individual or a communally shared self-understanding.

Second, moral judgments are commands and specify our duties. They are formulated in should-sentences which say what each may demand of others. In contrast, ethical judgments formulate recommendations based on a judgment as to what is good for the agent. Third, moral questions are questions of justice, whereas the answer to ethical questions ultimately depends on who the person can affirm herself as truly being. However, this does not mean that moral justifications are given in abstraction from the good. It only means that we must distinguish between moral and ethical justifications.

As these remarks indicate, Wingert understands ethical problems as disruptions of the relation of the person to herself, whereas moral problems are 'strains on the irreducibly intersubjective relation in which the participants in an interaction regulated by moral norms stand to each other' (pp. 48–9). The moral agent must be understood as a member of a community (*Angehöriger einer Gemeinschaft*). Assuming that moral agent A knows what the morally correct action would be and acts accordingly, she is entitled to expect an affirming reaction on behalf of agent B. In other words, the moral action of A must be understood as part of an interaction with B. This means that moral agents must be understood as members of a community in the sense that both A and B must stand on binding common ground which generates the reasons for action which A and B share. However, moral agents are not only to be understood as directly interacting agents. They must also examine the appropriateness of the interaction from the standpoint of a third person, not directly involved in the interaction. In other words, they must examine it from the standpoint of a representative of the community – from a perspective from which the binding common ground which guides the interaction may be interpreted and revised.

One of the most interesting aspects of Wingert's book is his discussion of the three dimensions of moral problems. Although moral problems are in contrast with ethical problems irreducibly intersubjective, both kinds of problems are *personal*. Moral problems have a personal dimension because moral agents do not interact simply as members of a community but also as irreplaceable individuals (*unvertretbar Einzelne*). To say that an agent is an irreplaceable individual means here that it is only by means of her own actions that the agent can be the one she is. Thus, part of a moral problem for an irreplaceable individual is that *she* is the one who must perform the act in question.

Since moral problems concern the regulation of interaction, they also have an intersubjective dimension. The moral agent is entitled to expect of others certain reactions to her action. Depending on whether the other agent is the concrete other with which the first agent is interacting or some other agent among others, Wingert distinguishes

between two components of the intersubjective dimension. Thus, in addition to a personal dimension, moral problems have a *publicly local* and a *trans-local* dimension. Wingert illustrates these dimensions by an example he borrows from Carol Gilligan. An attorney notices that the opposite side has overlooked a document which shows that the other client rather than hers is in the right. This problem has a personal dimension because by ignoring the document the attorney may be betraying a personal ideal essential to who she is. The problem also has a publicly local dimension because the concrete other with which she interacts – for example, her client – is also an irreplaceable individual. In other words, the issue is not just the attorney's private problem, since her client is the one who would have to live with the consequences of a lost case. Finally, the problem is trans-local: although the attorney and the client interact as irreplaceable individuals, their interaction is also regulated by norms meant to guide the interaction of attorneys and clients in general. The actions of the attorney and the client do not concern them alone but also affect third parties.

Wingert insists that these three dimensions are irreducibly different dimensions of each moral problem. Consequently, he rejects the proposal that the first two dimensions can be fully incorporated into the trans-local dimension. According to this proposal, each solution to the trans-local problem already takes into account solutions to the personal and publicly local problems: it already takes into account what can be reasonably expected of the agent and her concrete other as irreplaceable individuals. Wingert rejects the proposal on the grounds that it wrongly assumes that what can *typically* be reasonably expected of the agent and the concrete other as irreplaceable individuals amounts to the same as what may *actually* be reasonably expected of them.

These three dimensions and their irreducibility continue to be relevant in Part II where Wingert explicates what it means to take up a moral point of view. His aim is to give an explication formal enough not to exclude specific moral conceptions as amoral and rich enough to make it possible to understand the transition from one moral conception to another as 'internally motivated' (p. 164).

According to Wingert, to take up the moral point of view is to show morally vulnerable (*moralisch verletzbar*) beings two kinds of respect. These two kinds of respect serve to protect against two kinds of moral harm (*moralische Verletzung*). Thus, Wingert's explication of the moral point of view is preceded by a distinction between two sources of moral harm. A being may be morally harmed as an irreplaceable individual – as somebody who can only affirm herself through her own actions. Physical harm and disrespect for the will of another are examples of such moral harm. However, moral harm also has an intersubjective source. For example, it is not possible for some-

body to humiliate another without their sharing in an intersubjective practice which determines what counts as humiliation. Thus, the two sources of moral harm done to a being are her irreplaceable individuality and her membership in a community. This Wingert sums up by saying that the morally vulnerable being is 'as an irreplaceable individual involved in a communicative form of life' (p. 174). A communicative form of life he understands as an ensemble of intersubjectively shared practices and orientations which make possible the communicative interaction which rests on shared assumptions with respect to meaning and belief.

The two forms of respect which the moral point of view requires pertain to these two sources of moral harm: respect for beings as irreplaceable individuals and as members of a community. Just as Wingert insists that there are three irreducible dimensions to moral problems, he also denies that the two forms of respect can be replaced by one fundamental kind of respect. And his argument here is similar to the one in the case of the three dimensions: it may be that what is taken to be *typically* necessary to protect the integrity of morally vulnerable individuals fails to capture what is needed for this protection. And he argues that the twofold respect is needed in order to maintain sensitivity to this possibility. The respect for the individual as an irreplaceable individual is sometimes necessary to get non-stereotypical conditions of integrity in view at all, since this respect involves recognition of a genuinely subjective perspective under which the individual is not just treated as one among others. The respect for the individual as a member of a community is necessary for two reasons. First, it guarantees the equal right of all to have their possibly non-stereotypical conditions of integrity heard. Second, by making the subjective perspective subject to the criticism of others, this respect is meant to prevent the respect for the individual as an irreplaceable individual from degenerating into a subjective prerogative.

According to Wingert, by ignoring one of the three dimensions of moral problems, a person would show lack of respect in one of its two forms. By ignoring the trans-local dimension, one would not show proper respect for an affected third party as a member of a community with a right to equal respect. By treating the moral problem as a private rather than as a public problem, one would not properly respect the concrete other as such a member. Finally, by ignoring the personal dimension, one would lack respect for the agent or the concrete other as irreplaceable individuals.

Obviously, Wingert's insightful discussion of the twofold respect and the three dimensions of moral problems is of relevance for contemporary controversies about consequentialism and the debates 'ethics of care versus ethics of justice' and 'communitarianism versus

universalism'. However, I suspect that he is trying to have his cake and eat it too. His aim is to provide a formal explication of the moral point of view which does not simply rule out certain moral conceptions as amoral. Now it seems that in his insistence on the irreducibility of the three dimensions and of the two forms of moral respect he is taking a stance against moral consequentialism. Moral consequentialism is precisely the attempt to reduce moral problems to the trans-local dimension and moral respect to respect for individuals as members of a community rather than as irreplaceable individuals. Now, Wingert may be right in thus distancing himself from consequentialism. However, doing so seems incompatible with offering a merely formal explication of the moral point of view.

Part II ends with a chapter where Wingert argues that the two forms of respect are among the conditions which make communication possible. This argument is not only supposed to be of interest in its own right but is also meant to explicate the concept of a member of a community. Moral agents are members not just of a historically given community but also of a community of those involved in a communicative form of life. And it is precisely because these forms of respect make communication possible that the latter kind of community is structurally open in the following sense: to restrict membership of that community to, say, the members of a particular historically given group would be incompatible with one of the two forms of moral respect.

The aim of Part III is to show that interaction should be governed by the two forms of respect. This Wingert wants to show by demonstrating that the morality of twofold respect can deal better with the moral problems of interaction than the relevant alternatives. Two of his examples of such alternatives are a religious morality where certain norms are beyond criticism and a traditional morality where agents are merely respected as members of a particular community rather than as irreplaceable individuals. The point is not to show that among these alternatives it would be *prudent* to favor the morality of twofold respect but rather that only this morality is capable of generating *intersubjectively shared reasons* as a solution to moral problems.

The basic idea of Wingert's argument in favor of the morality of twofold respect is that it alone subjects moral judgments to the proper kind of potential criticism and revision. If such criticism were not possible, we would not be justified in assuming that the reasons for moral judgments are intersubjectively shared. Wingert makes his case by arguing that moral discourse – as discourse is understood in discourse ethics – operationalizes the moral point of view expressed in the two forms of respect. An operationalization of the moral point of view amounts to a procedure which is to guide the formation of moral judgments so as to make them do justice to the two forms of respect.

And it is precisely because moral discourse subjects proposed reasons to critical examination that the morality of twofold respect is superior to its alternatives.

As an illustration of Wingert's argument, we may consider how he wants to show that the morality of twofold respect is superior to the attitude of the kind of rational Nazi discussed by R. M. Hare and others. The rational Nazi takes himself to offer intersubjectively good reasons for his racist views which would also be valid reasons for him even if he himself were the victim. Against this racist position, Wingert argues that it is incapable of generating intersubjectively shared reasons because the rational Nazi must suppose that the victim must undergo a conversion to a Nazi before the reasons become acceptable to her. In other words, contrary to the morality of twofold respect, such views are incapable of generating reasons which are acceptable to others *qua* others.

One great virtue of Wingert's book is that it is written in the awareness of possible objections and often explicitly discusses those objections. In the case of his argument for the morality of twofold respect, he discusses at length whether the argument is circular. For example, he raises the objection that the argument against the rational Nazi relies on a moral principle when it rules that intersubjectively good reasons may not be arrived at through a conversion of this sort. However, I think that the circularity objection would have been even harder to deal with had Wingert discussed moral consequentialism as an alternative to his position rather than focusing on the rational Nazi and other alternatives. The consequentialist differs from the rational Nazi in that she professes to generate reasons which are acceptable to others *qua* others. Of course, Wingert could argue that consequentialism is incapable of giving reasons which are acceptable to others as irreplaceable individuals. But if he were to do that, then the suspicion becomes really pressing that his argument is indeed circular in that it assumes that we should respect others as irreplaceable individuals.

In fact, I think that Wingert faces a dilemma. *Either* he must say that his argument is not meant to rule out consequentialism, since it is merely supposed to support the moral point of view and his explication of the moral point of view is to be neutral between consequentialism and other alternatives. In this case, the trouble is – as I argued earlier – that Wingert's explication of the moral point of view does indeed rule out consequentialism. *Or* he must argue that consequentialism does not respect agents as irreplaceable individuals. In that case, the argument becomes circular.