

The Primacy of the Moral

An interview with Thomas M. Scanlon



HRP: Kant wrote about “the primacy of the practical.” How do you understand that idea, and in what sense do you see the practical as primary?

Scanlon: I don’t know about primacy, but I do believe in what might be called the autonomy of the practical. I think that some things that people call metaphysical questions are better understood as practical or normative questions “all the way down.” I don’t, for example, see

a metaphysical concept of the person as a source of normative conclusions, nor do I think that we have reasons to do things because of our identity. Rather, I would say, we call a fact about us part of our identity because of the distinctive importance that we take it to have. It does not get that importance by being part of our identity. Also, as far as the “metaphysics of ethics” are concerned, the fundamental questions about morality are not really questions about ontology, questions about what kind of thing exists, but ultimately questions about what we have reason to take seriously and rely on. The presupposition of morality that needs to be redeemed by philosophy is its claim that everyone has reasons to act in the ways that it commends. I don’t think morality has further presuppositions that raise metaphysical issues.

HRP: Was there some idea of the importance of practical questions behind your own shift to moral and political philosophy in the ‘70s? What was that

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shift like for you?

Scanlon: No, there wasn't. It was purely a matter of what I thought I had something to say about. I started off, as an undergraduate, interested almost exclusively in the philosophy of mathematics and logic, and I continued to have that interest strongly through graduate school and into the beginning of my teaching career. I took my first course in moral philosophy, when I was a senior at Princeton, only because I had to take it to fulfill a requirement. I was surprised when I found it a deeply interesting subject, and decided then that I wanted to study it further. The course I took, from Jordan Howard Sobel, who is now at Toronto, emphasized, on the one hand, contemporary metaethics (the work of Stevenson, Hare, and Falk, for example), and, on the other hand, decision-theoretic approaches to ethics, which was the area of Sobel's main interest. Coming to moral philosophy with an interest in more technical subjects, I naturally found decision theory and welfare economics engaging, and after I graduated, when I was at Oxford, I continued to work in these areas, studying Luce and Raiffa's book on game theory, Ian Little's critique of welfare economics, and things like that. I liked those things technically, but I came to find them substantively limited. There seemed to me to be more to ethics than the question of how to satisfy people's preferences. I then became very interested in Kant's moral philosophy as an alternative, and naturally continued that interest when I came to Harvard briefly as a graduate student, and met John Rawls, who was of course a deep influence on me.

When I took a job at Princeton, I said that I wanted to teach moral philosophy as well as logic, which was more what I'd been hired to teach. But when I got there it turned out that almost everyone wanted to teach logic and few people were teaching moral and political philosophy, so I wound up doing more of the latter, and I found I had more to say about it. I loved the techniques of logic, which I'd mastered up to a point, but only up to a point, but I found I didn't have much creativity beyond that point. So I shifted, without ever having made a decision about it, to writing about moral philosophy.

HRP: Have you ever wanted to shift back?

Scanlon: Well, I would love to teach logic. Occasionally I do read things in philosophy of mathematics, but I don't think a shift back to technical logic would be feasible [laughs]. I couldn't do it.

HRP: You wrote that your version of contractualism covers not the whole of morality, but the narrower domain of duties to other people, or what we owe to each other. You then explain these duties in terms of what others could reasonably reject. What do you think about duties to oneself? Is that an important domain too?

Scanlon: There are certainly things we have conclusive reason to do because of

the way these actions will affect us in the future. It does not seem to me very clear (or very important) whether one should call these things duties. There are considerations that pull in both directions. Our relations with ourselves over time do have a certain similarity to our relations with other people. We have different outlooks at different times—we believe or are involved with different things, and therefore want different things. So the question arises of how much of my energies, my life, my body I'm going to contribute to what I'm doing now, and how much I ought to, as it were, save back, so that I'll be able to do something later—something that I don't have in mind now and maybe cannot even foresee. This is something like a question about what we owe to other people. It isn't the same question, because what we are talking about is the allocation of goods and opportunities within a single life. But it is naturally put in terms of duty or obligation, because it involves stepping back from one's immediate desires and aims, and trying to put them in perspective relative to other aims that one does not now have.

HRP: Is there a parallel to contractualism that could apply to owing something to oneself?

Scanlon: Yes, it would make sense to address some questions of this kind by asking what one could justify to oneself over time, or what principles it would be reasonable to reject. These would be principles authorizing us, as it were, to expend our shared resources, or requiring us to “invest” in them, authorizing us to make commitments, or requiring us to abide by commitments we have made at other times. The contractualist reasoning involved would be different from the interpersonal case, because our relation to ourselves over time is different from our relation to other people: all of the benefits and costs are *mine*, the kind of unity it is reasonable to aspire to, and the kinds of cooperation and integrated reasoning about action that is possible, or even essential, is different. But there is a parallel between the two cases. On the other hand, some of the things that might be mentioned under the heading of duties to oneself would not fit well into the contractualist model. So for example, some reasons I have for developing my talents would fit this model and are parallel to questions in interpersonal morality in the way I have been suggesting. Thinking of these reasons, we might say that I owe it to my future self to develop my talents now so I'll be able to use them later. But I also have reasons for developing my talents that flow simply from the value of the things I will then be able to accomplish. If I have a talent for mathematics or art or philosophy then I have a reason to develop it simply because it is something worth doing, not simply because I “owe it to my (future) self” to keep this option open. Many of the reasons we have for doing things that we will get the benefit of only later are of this kind, and are therefore not properly called duties to oneself.

HRP: How would duties to oneself fit into your picture of “three concentric

and successively narrower normative domains: reasons, values, and what we owe to each other”?

Scanlon: Well, the things I just mentioned would fall in the reasons and values category, others would fall into something *analogous* to what we owe to each other, but not quite the same thing.

HRP: What are your current thoughts about priority in general—should we always give our duties to others precedence over our other values?

Scanlon: I don't have any better answer to that than I did when I wrote *What We Owe To Each Other*. The way one thinks about this question depends a great deal on whether one sees morality as a special subject—a distinct class of reasons—or whether one sees moral requirements as general requirements of practical reason. If one takes the latter view, then the priority of moral conclusions follows immediately (unless, with Sidgwick, one believes in some basic dualism within practical reason.) And I suppose that the fact that the priority of morality follows in this way might be seen by some as a reason to take that view of the relation between morality and practical reason. But I see morality as a special kind of reasoning about what to do. It is important, if one is going to defend morality, to explain how it could make sense to give priority to the results of this kind of reasoning. But I don't think it is necessary to show that there could never be a case in which what one had most reason to do was something that violates a moral requirement. This possibility does not seem to me to represent a great crisis. So I haven't put the question high on my agenda.

HRP: The notion of reasonableness evokes associations with moderation, and avoiding extremes. What do you think about those associations? Did they play an important part in your making reasonable rejection a central idea?

Scanlon: No, I didn't think of it as having to do with avoiding extremes. It has to do rather with doing what the balance of certain reasons requires or supports, and being able to consider some reasons as against others. But moderation wasn't one of the ideas on my mind.

HRP: So your view doesn't lead toward leading a more moderate life in general.

Scanlon: No, I don't think so. The demands of morality as contractualism describes them need not be moderate, and I think they are unlikely to be so.

HRP: You wrote that one of the main appeals of your view is its phenomenological accuracy. What are the counterexamples? When is it hardest to see how what you owe to others can be explained in terms of what they could reasonably reject?

Scanlon: In some things I've written more recently, I've talked about "the remorse test" — that is, the strategy of trying to get a better view of the reasons we have to take morality seriously by examining the way one feels when one realizes one has failed to do what morality requires. So your question might be: what are the cases where I think that the remorse test is most likely to point in some direction other than toward the justifiability of my actions to others? I suppose that mistreatment of animals would be one case in which there seem to be reasons that are moral but not well explained by contractualism. Possibly there are also cases where we have strong teleological reasons for doing something even though it might involve big sacrifices for some people. One might think that there could be sufficient reason for doing such actions even though some people would have strong reason to reject a principle permitting them. I'm not convinced about this, but it certainly is a worry. As far as non-human animals are concerned, I do think there are strong objections to the mistreatment of animals, and I'm not at all hesitant to call these objections moral. But as time has gone by, I've become more comfortable with the implication that contractualism seems to have, that these reasons are quite different from those supporting our obligations to other humans. It's not that our obligations to humans are always stronger—I don't think that they are. But they have a different character, because our relations with others are mediated through our ability to respond to reasons, and to justify things to each other, and therefore differ from our relations with animals. So, to go back to that metaphor of remorse, the idea that there should be a different kind of remorse, in these two cases does not seem to me so implausible.

HRP: What's your view about supererogation here—about the value of doing more for other people than they can reasonably expect from us?

Scanlon: What is puzzling about supererogation? I don't find it puzzling that it is possible to do more for others than morality demands. What is puzzling, perhaps, is how the value, as you put it, of doing more could be in some sense *moral* even though the actions that have this value are not morally required. So the question might be what kind of value is involved here and in what sense is it moral? I have been thinking about this question in relation to some work I have been doing on blame. Like the kind of value we are talking about, blame is not a function simply of the permissibility or impermissibility of what a person does. The fact that an action was impermissible does not settle the question of the kind and degree of blame that is appropriate, and I believe that a person can be blamed for doing something that was permissible if he or she did it for bad enough reasons. As I understand it, blame has to do with the significance, for a person's relations with

others, of his or her willingness to do something for certain reasons. To blame someone is to decide that your relation with them is impaired by what their action shows about them, and to revise your understanding of your relations with them accordingly. For example, you might conclude that they can't be trusted, or that they can't be possible candidates for friendship, or that they aren't people whose welfare you have great hope and concern for. I don't think this means you can inflict pain on them, for example, but if they've behaved extremely badly to you, some of your imperfect duties to aid them may be less than they might otherwise be. Their claims on you for sympathy may be diminished.

This is relevant to your question because what a person has done can change our relations with them in a positive way as well as in a negative one. I think that the "value" that you referred to in cases of supererogation is in fact the positive correlate of blame. Our relations with someone can be changed by the fact that he or she has benefited us, not simply by fulfilling their obligations (although that can be important too) but by doing even more than was required. The fact that a person did this, and did it for the right kind of reason, can make appropriate a change in our intentions about how we're going to treat that person in the future. Like blame, the "value" of supererogatory acts goes beyond mere permissibility and depends importantly on the reasons for which a person acts. Both are properly called moral because they have to do with adjustments in the intentions and expectations that constitute what I would call our moral relations with each other.

HRP: And the praise and blame still wouldn't involve a thought about whether or not the person deserves to suffer...

Scanlon: Well, I've changed my mind about that a little bit. I don't think that blame involves a thought that the person deserves to suffer. But I've come to think, for reasons that are maybe too complicated for me to explain in an interview, that my own view about blame is most accurately characterized as a kind of desert view. I used to simply identify desert with the idea that people who've done certain things therefore deserve to suffer, or that it is less bad that they should suffer. That is one kind of desert claim, which I've always rejected and still do. But it seems to me that the idea of desert, fairly understood, is broader. A justification for a certain response to a person or action is based on desert in this broader sense if it claims that that response is called for simply by what that that person or action is like. Where a desert justification applies, it is unnecessary to justify a response instrumentally, on the basis of its consequences, or to appeal to the fact that the person could have avoided this treatment by choosing appropriately, and left him or herself open to it by failing to do so. Justification based on desert is an alternative to instrumental justification on the one hand, and to appeals to the licensing effect of choice on the other. The justification for blame, in my view, is desert-based in this broad sense.

HRP: Right, and you can think this without thinking that anyone deserves to go to hell.

Scanlon: That's right. You can accept the idea of desert without thinking that desert justifications ever justify torturing people, killing them, or anything like that. Blame involves suspending or changing our relations with a person—deciding that we can't trust them, deciding that we couldn't be friends with them, deciding that we don't have to be as sympathetic to them as we might otherwise be, and so on. But it does not involve a suspension of our most basic duties. I think these basic duties—duties not to harm them, and duties to pull them out of the water if they're drowning, and so on—are unconditional. But readiness to enter into friendship isn't unconditional, trust isn't unconditional, sympathy isn't unconditional.

HRP: Apart from the more extreme kind of desert, what commonly held moral intuitions do you especially object to?

Scanlon: Especially object to! That sounds rather vehement. It's true that my reaction to that particularly strong form of desert might be described as objecting to it. I don't know whether there are other views that I especially *object* to. There are other views that I think are commonly held and mistaken. I think that common views about the way people's voluntary choices license forms of treatment are exaggerated and based on an mistaken view of how choices matter. But I wouldn't say that I *object* to the forfeiture view.

HRP: Well, for example, you seem to object strongly to some sexual prohibitions.

Scanlon: Well, that's true, I was almost going to say that. Many views about sex that one commonly hears, such as the claim that homosexuality is immoral, do seem to me to be objectionable. But if I were to say that there are no moral issues that go beyond "what we owe to each other," and therefore no moral issues having to do with sex apart from the prohibitions against coercion, violence, deception and so on, I think that others might reasonably find my view mistaken and even objectionable. I think there are questions about sex that go beyond the narrow morality of what we owe to each other but nonetheless are plausibly called moral. But I disagree with many about what this further dimension of morality involves: I don't think, for example, that it takes the form of prohibitions against certain sexual acts. It is an interesting question, how these different forms of moral criticism are best understood and how they interact. As I said, some interactions with others involving sex are open to moral criticism because they violate basic requirements of what we owe to each other, such as duties not to coerce people, duties not to mislead them, duties not to take advantage of their weaknesses, and so on. These are serious wrongs involving sex, but they don't involve sex in an intrinsic way; they are just instances of more general principles about how

we ought not to treat people. But I believe that prevailing attitudes toward sex are open to moral criticism that goes beyond this. The basic criticism is that sex is widely misvalued, or overvalued in a distorted way. People place the wrong kind of emphasis on sexual relations and on being seen as sexually attractive. Put in this way, this criticism is simply a claim that people are mistaken about what is to be valued and how. This by itself might not rise to the level of *moral* criticism—it might be just that people are wasting a lot of time and energy on something that is not important in the way they think. But a more clearly moral element is involved because this mistake about value distorts our relations with others, and leads us to treat them badly. The morality of sex is like the morality of work. Work is something that can be fulfilling, it is an important source of individual satisfaction and (and perhaps because) it is an important way of connecting with others. It is therefore something to be valued in its own right, and something that is often misvalued. But because work involves interacting with other people, those who misvalue the kind of accomplishment and satisfaction that work can involve—who overvalue this kind of accomplishment, or see it as a form of power, or the unique source of a misguided self-importance—are thereby led to exploit other people, to push them around, to seek dominance over them, and more generally to understand their relations with others in a distorted way. Much the same is true, obviously, of the misevaluation of sex, and I think that this misevaluation is the main problem of sexual morality. But none of this leads to the conclusion that homosexuality is immoral, or that sexual acts that involve certain orifices are forbidden, or that you should not touch yourself in certain places. These supposed prohibitions are the kind of thing that gives sexual morality a bad name, and can lead people to conclude, mistakenly, that there is no such thing. It is like supposing that the morality of work would have to consist of such things as a prohibition against working on certain days. Although there may be religious grounds for such prohibitions, they are not plausibly thought of as moral. But it would be a mistake to conclude from this that from the point of view of morality, broadly understood, one attitude toward work is as good as any other.

HRP: You've written more generally that understanding something's value is in part a matter of knowing *how* to value it, beyond just promoting it—valuing loyalty as being guided by the standards that it involves, valuing flags by disposing of them properly, valuing human life by acting only in ways that others couldn't reasonably reject. Do you have a systematic view of the various ways of valuing something and how they relate to each other?

Scanlon: No, I don't. I have some doubt that such a view exists, because I think that values are very diverse. So I don't have a systematic view, but I'd be very interested if somebody had one.

HRP: Against the idea of relativism as a security threat, you wrote: "I do not think that the spread of relativism would have much effect on the amount of

violence in the world. The worst mass murderers have not been relativists." It seems to follow that spreading relativism could reduce mass murders. Do you think that widespread relativism would help to *decrease* violence, by reducing fanaticism and increasing tolerance?

Scanlon: Well, it would depend upon what the relativistic views were. Tolerance is itself a substantive moral doctrine, so I think that what one should hope for in that direction is *less* relativism about tolerance. You don't need to be relativistic to be tolerant. Now maybe being relativistic makes people more tolerant, I'm not sure, but people could be relativists and be very intolerant; it would be perfectly consistent.

HRP: How do you feel about the reactions to *What We Owe To Each Other* overall? Have they led to serious changes in your views?

Scanlon: I have certainly changed my views a little bit since writing the book, sometimes in response to particular criticisms. The criticisms that I've taken most seriously were about the content of Chapter 5, and in particular on the question of aggregation. That is where the most serious criticism has focused. I now think that the tie-breaking argument I gave there doesn't work even as well as I thought it did. I realized it wasn't a full solution, but I don't think it works even as well as I thought. So the criticisms there have been important. Other people have raised questions about whether the view is empty. I don't think they are correct. I do worry about the openness of the idea of reasonable rejection, but I still believe that it is a fundamental moral notion. There's also been trenchant criticism of the chapter on promises. That is an endlessly interesting topic which I would like to get back to thinking about, but I haven't had time.

HRP: You've worked closely with Derek Parfit, and share many of his views. What do you see as your main disagreements with him?

Scanlon: Derek and I have been discussing moral philosophy for a long time. I have learned an enormous amount from him, and benefited greatly from his acute and marvelously generous criticism. I think our views are closer together now than they have ever been, and they're quite close in many areas. Certainly our views about reasons are very similar. In the beginning, Derek, being greatly influenced by Sidgwick, was much more of a consequentialist than I, and I think he's still more of a consequentialist at some basic level than I am. He believes that rule consequentialism and my view merge, or at least come very close to coinciding. I'm not convinced that the convergence is as complete as he suggests.

HRP: To what extent do you write for the general public, and to what extent do

you have mainly professional philosophers in mind as an audience?

Scanlon: Well, I would like to write for the general public, although I don't think I'm very good at it. I've occasionally written in places like *The New York Review of Books*, and *Boston Review*, but I find that while some philosophers like what I write, other people find it somewhat difficult [laughs]. So maybe I'm not cut out for writing for the general public, much as I would like to do it. It sounds embarrassing to say it, but I think that in writing philosophy one is writing to a very large degree for oneself—that is, one is responding to the questions that move one internally. I guess that constitutes writing for professional philosophers, since I'm a professional philosopher.

HRP: What books outside of philosophy have you found the most helpful for understanding moral issues?

Scanlon: Gosh. Well, there certainly are novels that bring considerable insight into how people actually think about moral questions and questions about their lives. I suppose *Middlemarch* is a wonderful example of that. One always learns something particularly about the pitfalls of moral self-deception. They provide good examples of what it is for somebody to be true to their principles and in what ways we can be led away from them. I also find Melville's writing deeply engaging—not only his great, big novels but also smaller ones like "Bartleby the Scrivener" and "Benito Cereno"—as studies of trust and mistrust, and of moral communication and moral alienation.

HRP: What are you thinking about now? What issues seem especially urgent?

Scanlon: I'm working in three areas right now. I'm finishing a book that begins by discussing the relation between the permissibility of an action and the agent's reasons for doing it, and argues for the distinction between the permissibility of the action and what I call its meaning, by which I mean the significance of the action for our relations with the agent. It then goes on to a long discussion of blame as a function of the meaning an action. I'm trying to finish that book at the moment. In political philosophy, I'm working on a paper on equality, trying to push further some ideas in a paper I wrote some years ago. I'd like to do more in political philosophy. And then in the back of my mind I'm still wrestling with questions about the nature of reasons and normativity. I would like to return to this topic, and try to do a better job of explaining what we are thinking about when we are thinking about reasons, and about the relation between reasons on one hand and rationality on the other. My thoughts keep returning to these issues, but I find them extremely difficult.φ