PRAGMATIC ETHICAL THEORY

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To a very large extent it seems apparent that I have implicitly endorsed some form of a pragmatic approach in ethics as evidenced by my earlier contributions to this journal on moral education and on legal as against general ethics.[1] At one point, I suggested that the adequate theory of moral education required in part our constructing a conception of a model we would wish the student to immitate and, at another, I lauded that feature of legal ethics that imparted to it an ability to respond and adjust itself to the deficiencies revealed by an ongoing evaluation of its efficacy in dealing with extant moral dilemmas of the attorney. I thus wish to explore, the nature of a pragmatic ethics, but I do not wish primarily to concern myself at this time with the matter of establishing the correctness of such a theory.

When I refer to my way of operating as being pragmatic in some *prima facie* fashion, I am of course drawing attention to the distinctively American contribution to philosophy — pragmatism, the philosophy that urges us to turn from faulty, fixed and static conceptions of ourselves and our world to those which are useful, pragmatic and true because of their utility. Much influenced by Darwin's thesis about the emergence of life forms, early pragmatists, like Chauncey Wright, Charles Saunders Peirce, William James, and John Dewey, constructed the analogue of changing organisms for such notions as truth, indicating its developing nature and inveighing against any Platonic understanding of its being absolute and awaiting our discovery as such. Continuing in this vein, contemporary pragmatists like Scheffler, Goodman, Lewis, and Quine have effected similar revisions in dealing with our system of beliefs, drawing our attention to the insight that no belief, even what we consider a law of logic, is beyond alteration in the name of pragmatic advance, that even such dearly held beliefs should be seen as nothing more than a useful means by which man has ordered his world to make it intelligible and his life in it productive.

With this said, in what ways might we say that some ethical theory is pragmatic? Those I wish to explore include

(1) An ethical theory that is developed as an analogue to some well developed pragmatic approach in some other area of philosophy, say epistemology.

(2) An ethical theory that bears pragmatic characteristics.

(3) An ethical theory that is nothing more than pragmatism itself, a single theory or orientation or philosophy which alone suffices to

resolve any issue that may have been considered peculiarly ethical and in need of a special theory.

(4) An ethical theory that is constructed from the basic commitments of the pragmatists as the building blocks of the theory.

(5) The ethical theory that works best.

(6) A practical ethical theory.

The first of these possibilities can be illustrated by describing first how some pragmatists have dealt with belief systems. Consider such holistic pragmatists as Goodman, Scheffler, and Quine. Scheffler's model, for example, organizes our beliefs in the empirical sciences into a system of beliefs and provides principles for the acceptance of new beliefs and rejection of old. The model is a thourough-going pragmatic model in that anything in our system of beliefs, from a protocol statement like "There seems to be a red spot in my visual fieds at *t*." to "AvB; -A; B." can be rejected if the overall credibility of the system is challenged. Scheffler's principles to justify acceptance include: "We justify the acceptance of A at time *t* by showing that its total credible value at *t* is not less than that of any of its contemporary rivals."[2] The latter, I take it, is the means by which we reject a belief, by choosing the rival system without the belief in question.

The model, if adapted to the instant problem of dealing with a system of moral rules, would have us substitute rules for beliefs and revise the acceptance principle to one appropriate for rules rather than beliefs. Willingness to conform may be the characteristic virtue of a system of rules and may be the analogue of credibility, the characteristic virtue of a system of beliefs in the empirical sciences. I say this because credibility is not chiefly at issue as with a system of beliefs. While we may say we believe in the teachings of various moral or legal principles — "I believe it is wrong to kill." "I believe in equal treatment for minorities." — such is irrelevant to the efficacy of such rules in a society if that society's citizens or moral agents are unwilling to conform to the moral rules. Further, the purpose of a system of rules is to direct our behavior to the achievement of (a) desired end (s). Unless the rules are followed, the use of some system to effect a given end is futile. Accordingly, a willingness to conform seems fundamental if a system of rules is to work. If so, we can say that we justify acceptance of one system over its contemporary rivals if, *ceteris paribus*, it elicits a greater willingness to conform, and we justify accepting some rule or directive into a particular system if, *ceteris paribus*, it becomes part of the system to which we are most willing to conform.

Let us continue to consider the options for calling some ethical theory pragmatic. C. I. Lewis' ethics, I think, is representative of a theory that bears pragmatic characteristics, and thus of option (2). The presence of strong Kantian motifs in Lewis' ethics, like an unchanging categorical imperative rooted in our apprehension of human nature, cuts against the pragmatist's dislike for fixity. Nonetheless, Lewis' employment of a theory of value that has us learn of values through our interaction with the world and which is an essential component in our determining right and wrong draws on clear pragmatic commitments to the interrelations between knowledge and action, not to mention the pragmatists' familiar goal of breaking down any sharp division between facts and values.

Remarks Dewey has made about ethics seem to place him most squarely within (3) above in that he seems committed to the pragmatic approach being no different in the area of ethics than in any other area of human endeavor. For example, Dewey has argued that we must turn from simplistic models of ethics where we see ourselves as applying moral rules, like "Don't cheat," to clear-cut situations, like one where one has intentionally not reported income to the IRS. We must recognize that complex issues or problems arise in our moral experience just as in any other area like science. And as with any area, *thought* is turned to for the solution of the problem; as we find some solution to be effective in dealing with certain problems we begin to formulate generalizations and use these as guides when similar problems recur, again whether in science, morals, or elsewhere in the human experience.

(4), where we are building the ethical theory from the blocks of pragmatism, seems to be stronger than (2), where the theory displays pragmatic characteristics. Moreover, there is a commitment in (4) to go beyond the general tenets of pragmatism and build a theory from them for ethics, thus distinguishing it from (3), in which there is pragmatic theory simpliciter. I am not sure that I can think of any thinker who squarely falls in the nich of (4).

(5) focuses our attention on that aspect of the praagmatist creed concerning the interconnection between correctness and what works. This view could allow us to select as best for human use a Kantian, an egoist, or a utilitarian ethical theory. And regardless of the extent to which any of these theories bear the markings of pragmatism, in the present sense of "pragmatic," we could see it as a praagmatic ethical theory.

And (6) makes us mindful that we need not, when using the word, "pragmatic," be referring to, or invoking, a tradition in philosophy but only suggesting the practical in general. Here, it seems that "practical" may suggest for ethics something like offering specific pieces of advice for everyday moral problems, allowing one to bend from fixed principles, or allowing one to set the ethics aside because of the exigencies of some situation.

One thing that seems evident from this survey is that virtually all pragmatic approaches have some notion in common that ethical theory may be constructed without some nagging doubt that we have overlooked *the truth* about ethics, and it is this that I wish to explore for the rest of this essay since, if most pragmatic ethical theories have this trait, it seems to tell us something further about the nature of such theories. First, I say virtually all pragmatic approaches because I except here, in some circumstances, the third, where a theory may be called pragmatic for bearing some pragmatic characteristics; it may be that the theory, like Lewis', would not permit any latitude for the construction that the others allow, given the presence of a fixed Kantian moral rule.

With that said, let us consider this role of the moral theorist as the moral architect or technologist that pragmatic theories seem to cast him in. What can be said for the role's plausibility? Consider how the technologist proceeds, attempting to create in the world what we want or claim to need, be it artificial limbs, speeding jets, or nuclear reactors. It would seem odd indeed were we to ask about what he is attempting to construct whether it is true of the world. While we might criticize him in his pursuits and even attempt to inhibit some effort of his, while we might endeavor to alter his conception of what to bring about, all of these matters are external to the consideration of what is within his power to create.

The moral philosopher qua pragmatist becomes the analogue to the technologist as he creates the viable ethical theory which too we can criticize, alter, deflate, or foster, but about which it seems fatuous to inquire of the theory's being true about the world. The issue of the ability or power of the moral theorist to so create or construct an ethics for humans on this model is one that is most closely alligned with traditional queries in ethics, which raise questions about the nature of the world or of man as possible impediments for his acting in accord with some or any ethical theory. Let us consider this further.

More specifically, let us deal with the issue of the possibility of constructing, as opposed to discovering, a moral system in accord with which humans can act, here considering that cluster of objections that point to some feature of man's psychological make-up, like his intellect's being powerless to constrain him to obey a rule of reason or of the world, like its being determined such that man cannot freely choose to act in accord with moral rules.

In his response, and in adducing evidence to support his hypothesis, it seems the pragmatist could observe that there are variations in extant, cultural moral systems and that people do act differently as the beliefs or rules they act in accord with vary. While such an observation does not, obviously,

establish the truth of any claim that men are able to follow rules, it nonetheless is probative of the matter as are the findings of cognitive psychologists who portray man as a rule-guided creature or as one capable of formulating and executing plans or cognitive maps. And even if he should meet a hard line determinist claiming that even our experience of freely following rules or of choosing to teach other to follow successfully certain rules was in fact determined, his probable responses seem to be three-fold. First, on practical grounds the evidence seems to be accounted for more simply on his hypothesis than by the more elaborate hypothesis of the determinist, which requires us to discount firsthand experience. Second, he could observe that the determinist here is allowing for no disconfirming evidence of his hypothesis. And third, it seems the pragmatist could well respond that the truth of a determinst hypothesis is hardly about to paralyze the practical world of human affairs which so stronly presumes the possibility of the following rules.

While other avenues may be open for the pragmatist to pursue, it is interesting to note that the primary routes that seem most obvious are those that take him further down the pragmatist's path, that, put differently, the plausible foundation for most pragmatic ethics is itself a pragmatic one and with this observation we can consider ourselves as having added further to our understanding of the nature of pragmatic ethics.

One final point, in closing, about the nature of such a foundation. Such a move is not unlike Kant's in ethics where he reasoned that, given the impasse pure reason reaches in resolving the issue of freedom versus determinism, we may posit, as a postulate of practical reason, man's freedom in order to make room for his moral experience and avoid a skepticism. So if, to some, the thought of a pragmatic ethics seems somewhat too unsophisticated, pedestrian, sophomoric, simplistic, or trite, let us not forget that its foundation is not unlike that of the ethics of one for whom the attribution of such predicates is a category mistake.

NOTES

1. *See, e.g.*, my "Morally Educating Our Lawyers," vol. VI, 1981, pp. 93-97, and my "Is Legal Ethics Unique?" vol. VI, 1982, pp. 131.
2. I. Scheffler, "On Justification and Commitment," *Journal of Philosophy*, 1954, p. 183.