

# **Constructivism Plus**

A way of analysing moral concepts in an enhanced constructivist way

Ruben van Rijswijk  
4158830

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Begeleidster:  
Dr. Julia Hermann

Tweede Beoordelaar:  
Dr. Menno Liefers

Faculteit Geesteswetenschappen  
Departement Filosofie en Religiewetenschap

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## **Introduction**

In this paper, I develop a way to analyse and study the concepts used in meta-ethics and normative ethics. The biggest influence on my project will be constructivism, specifically the version of Christine Korsgaard, as I shall defend her claim that humans create moral concepts as a solution to problems.<sup>1</sup> I shall combine this constructivism with different insights from pragmatism and ethical subjectivism to achieve a stronger explanatory force about how we use and understand our moral concepts. I shall choose the concepts of 'guilt' and 'duty' as examples by using the proposed altered version of constructivism for analysing these concepts and by making use of the added insights from pragmatism and ethical subjectivism. Hereby I shall argue that, as was argued for in the early pragmatism of Charles Sanders Peirce and William James, we can clarify a concept or hypothesis by looking at its practical consequences.<sup>2</sup> My treatment of the concepts and theories will have strong ethical subjectivist influences, as I shall defend the claim that humans use nothing that is more fundamental than their sentiments when they value something.<sup>3</sup> I shall finally argue that explaining and clarifying our moral practice can best be done by studying our moral concepts in a constructivist and pragmatic way, and by taking the emotions and sentiments that make us value our conceptions into account.

I define how I use the concepts 'guilt' and 'duty' in general in the first two sections, but I point out different nuances that can be made throughout the paper. Both the definitions and nuances that I make have been gathered in the way that I am proposing in this paper, by looking at what function

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<sup>1</sup> Christine Korsgaard, "Realism and constructivism in twentieth-century moral philosophy," *Journal of Philosophical Research*, 28, 99-122.

<sup>2</sup> Charles Sanders Peirce, "How to make our ideas clear," *Popular Science Monthly*, 12 (1878): 286-302, accessed July 6, 2016. <http://www.peirce.org/writings/p119.html>

William James, *The Meaning of Truth*, The Project Gutenberg Ebook, accessed July 6, 2016. <http://intersci.ss.uci.edu/wiki/eBooks/BOOKS/James/The%20Meaning%20of%20Truth%20James.pdf>

<sup>3</sup> David Wiggins, "A sensible subjectivism?," *Needs, Values, Truth: Essays in the Philosophy of Value*, Oxford: Blackwell, 1987.

the concepts have and by taking the emotional aspects of them into account. However, my treatment of the concepts of 'guilt' and 'duty' shall only serve an exemplary function. This might already show us things that should be taken into consideration when analysing the concepts, but the given definitions are by no means meant to be perfect definitions of these concepts. In the third section, I use these concepts as examples of how constructivism is used to explain how moral concepts are created to fulfil a specific function. In the fourth section, I use the pragmatic maxim to add what constructivism might lack in its explanation, but in doing so I shall show how pragmatism and constructivism can be interpreted as being surprisingly similar. In the fifth section, I make explicit the influence that ethical subjectivism has had on my approach of the other two theories.

## **1. Guilt & Guilty**

For the purpose of this paper, I begin by separating 'guilt' as an emotion from 'guilty' as a judgment. Doing so will make the exemplary use of this concept easier in later sections. Someone can be said to be guilty of something by a judge or by society. In this case 'guilty' refers to a collective judgment, a judgment that someone's actions were breaking the legal and moral rules or laws in the society. This judgment can be made from the legal point of view, as well as from the ethical point of view. From the legal point of view, an example would be a case in which a judge or a jury decides that someone broke the law and shall receive proper punishment for doing so. From the ethical point of view, an example would be a case in which different groups within the society consider whether someone's actions should be condoned or not, even though they may not break the law itself. Possible examples of situations where this is being debated, are whether or not eating cheaply produced meat should be condoned, because it contributes to animal suffering, whether or not buying cheaply produced clothes should be condoned because it supports slave labour in third world countries, or whether or not multinationals that use countries with little to no environmental laws in order to produce cheap goods should be condoned because they are contributing to the pollution in those countries.

In many of these examples, the majority of people would argue that they are supposed to be feeling some sort of 'guilt', even though they may not act on this feeling themselves. 'Guilt' refers to the emotion that people are expected to feel when they perceive themselves to be 'guilty' in either the legal or the ethical sense. When someone confesses to be guilty of something, they are expected to feel guilt. When someone does not have the slightest feeling of guilt after they confessed to be guilty, it is perceived as strange or the person is perceived as being dishonest.

## **2. Different Meanings of Duty**

We can separate 'duty' in the ethical sense from 'duty' in the legal sense. However, this distinction is much more difficult to draw. The negative duty to abstain from harming others, for example, is a strong legal duty as well as a strong ethical duty. In many cases, a society that considers something to be a strong ethical duty, has also made this a strong legal duty in their laws. One of the main differences between legal and ethical duties, is that ethical duties are perceived to be more valid throughout different societies and circumstances. Even if a country would abandon all its laws against stealing, it is highly likely that it would still be seen as unethical to steal, and even if a society has yet to create any laws, it might already be an ethical duty to abstain from harming others.

Another difference that can be pointed out, is the difference between actually having the duty (in the ethical and legal sense), and having a feeling or sense of duty. An example that might help clarifying this difference might be that of the duty of parents towards their children. Most parents would view the task of raising their children as part of their duty. This is often the case in both the legal and the ethical sense. However, parents may lose the ability to raise their children, such as by being sentenced to jail or by being chronically ill and hospitalized. Society would no longer see it as their legal or ethical duty to raise their children, as they will simply not be capable of doing so in these cases. Yet the feeling or sense of this duty might remain, as the parents may still feel that they should raise their children, even though they know that it is impossible for them to do so. The opposite of this seems to exist as well, in cases where children are neglected by their parents due to them missing their sense or feeling of duty to take care of their children, even though they still have the legal and ethical duty to do so. Especially in the example of the duty that parents have to raise their children, it is the feeling of duty that is seen as something that is very natural, whereas needing to rely on the ethical or legal duty would be seen as a colder and less natural (or even as an unnatural) approach. To further analyse these concepts, I shall use the next section to introduce constructivism, after which I will treat the concepts in a constructivist way.

### **3. Constructivism**

Now that I have created a rough outline of the concepts of 'guilt' and 'duty, I will try to analyse them further by making use of insights given to us by Korsgaard's constructivist theory. For Korsgaard, our moral concepts are created as a way to solve a problem. Korsgaard argues against the idea that we need to find moral facts that exist outside of us, for the moral concepts are only valid in the function they have for us. This is explained by taking the concept of 'chair' as an example, as moral concepts are said to be created in a similar fashion.

[T]he idea that some of our everyday concepts refer to the solutions to problems is perfectly familiar. To see this, consider artifact concepts—consider, for example, the concept of “chair.” Why do we have the concept of chair? Certainly not because it would form part of the absolute conception of the world, for those alien investigators with whom we are to share that conception might, for all we know, be oval creatures who swim through their environment like fish, and never sit down. We have the concept of “chair” because the physical construction of human beings makes it possible, and occasionally necessary, to sit down. So the concept of chair is functional; a chair is something that plays a certain necessary role in human life, and the conception of chair is filled out by asking what sorts of things can properly fill that role. The person who first came up with a conception of chair probably was also the first who constructed an object—a chair—to fit that concept, and so to solve the human problem that it represents. To this extent constructivism makes moral concepts like the concepts of artifacts. This doesn't make them arbitrary or relative, for there are kinds of artifacts—“chair” is an example—that all human beings in all human cultures have some version of, and that have to have certain features given the problems that they solve.<sup>4</sup>

Concepts like these are created with a function, which is the prime reason for their existence and which is what we need to study in order to understand them. Korsgaard therefore argues that the concept of 'chair' can be explained by looking at the problem that is solved by using it. Knowing the concept of 'chair' means knowing which of our artefacts we are supposed to use to sit down on, which is especially useful in cases where it is necessary for us to rest. The concept of 'chair' therefore also tells us that the artefacts that it refers to have certain features in order to make sitting down and resting on them possible.

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<sup>4</sup> Korsgaard, Realism and constructivism, 323.

### 3.1 Constructivism – Guilt & Guilty

We should be able to describe the concept of 'guilt' in a similar fashion. One of the weak points of constructivism is already prominent here. Whereas it is relatively easy to figure out for what function the concept of 'chair' came into existence and what practical problems it solves, it is much harder to do so for a far more abstract concept such as 'guilt'. It would also be naive to expect that a concept that is translated into other languages and that has most likely been transformed due to changing contexts throughout our history, would keep the exact same meaning over time, or that we can accurately trace back its original function. Nevertheless, it is still possible to make theories about the function that these concepts currently have for us. Discovering the true, exact or original functions of the concept may be impossible, especially due to the fact that it is likely that there are multiple origins of what is now seen as a more singular concept, or vice versa. Some societies, for example, may have used the same word for both 'chair' and 'bench', never having discerned them due to their highly similar function. Though this shows some of the limits of constructivism, it does not refute it, as theorizing about its function suffices to show us that concepts have indeed been created in a constructivist way; with a function.

What follows then, is a possible theory about the function that the concept of 'guilt' would have needed to fulfil with its creation. If someone did harm, directly or indirectly, other members of the group, it would be problematic if they would continue to do so. To prevent them from continuing this wrong behaviour, they would need to both understand and feel that their actions were wrong. This is what could have given rise to the concept of 'guilt' in society. It is necessary for people to feel bad about bad behaviour, as it helps preventing them from producing this type of behaviour again.

To make this clearer, let us take the example of a child that stole candy from his parents. The child might, to some extent, be told that his actions were bad by giving him the reasons we have for believing that stealing isn't something that can be allowed in our society. However, the child might

very well choose to ignore what he has been told, even if he somehow manages to fully understand the negative consequences of his actions.<sup>5</sup> This is why it is crucial that the child feels sorry, or that he has regrets for his actions. The child must learn to feel 'guilt' after behaving badly in this way. This is often paired with knowing that he was 'guilty' in the legal sense, but knowing why exactly his actions were bad and why exactly he is said to be 'guilty' will only be important when the child is old enough to understand the basis of the legal dimension of this concept.

The concept of 'guilty' in the legal sense has a function as well. For example, the concept of 'guilty' is needed to classify those that are shown to have broken the rules of the society. Doing so allows the society to set these trouble-makers apart from the others and to punish them for being guilty. Together with the expected feeling of 'guilt' that they should experience when deemed 'guilty', the punishment should aid in preventing them from breaking the rules again. Both 'guilt' and 'guilty' seem to have the similar function of preventing people from breaking rules, though they are approaches from different dimension and with a different focus. From the legal dimension, 'guilty' shows that breaking the rules has the negative consequences of being 'guilty', which often entails being punished for it. From the ethical dimension, 'guilt' is expect to make people regret their actions and to make them feel like they should not repeat the same rule-breaking actions.

### 3.2 Constructivism – Duty

Now let us take the concept of 'duty' and treat it in a similar way. A possible theory on the kind of function that 'duty' needed to fulfil in its legal sense is as follows: people living together in groups realized that their group as a whole was more efficient, when each member of the group focused on a specific set of tasks, such as hunting, fishing, gathering or building shelters. This division of labour allowed people to have a specialization in which they had higher skills, which in turn meant

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<sup>5</sup> It can be argued that it is not at all possible for a child to fully understand the consequences of its bad behaviour when stealing candy, making emotions and sentiments (such as the feeling of guilt) even more important in making sure that the child will not repeat the bad behaviour it displayed.

more productivity and better chances of survival. It is not unlikely that fulfilling such a group of tasks was eventually seen as a 'duty' similar to what is also seen as fulfilling your duties in a 'job' in a more contemporary sense. This may be how having specific duties (the duties regarding your specific place in society) came into existence. Apart from these kinds of duties, there would also be general duties, such as the duty of protecting each-other and the earlier mentioned negative duty not to harm each-other. These general duties would aid the group and help each member survive. These are the type of duties that would have come into being by simply living together in a group.

Making sure that everyone performs their duty would be highly essential for such a system to function. If someone would entrust others with making sure that there is enough food in order to be able to focus on building shelter, it is of the utmost importance that the others really do all they can to bring in enough food.

This is why everyone needs a strong sense of 'duty' for doing their duty (legal or ethical). Though this concept has changed over the years, many societies have incorporated forms of 'duty' in their laws, such as article 450 in the Dutch criminal law, which states that failing to save someone's life is punishable, when the conditions would have allowed saving them.<sup>6</sup> This makes it both a strong legal and a strong ethical duty. Even without the article in the law, people would still expect this type of behaviour from each other, and would think that something is wrong when someone would not save someone's life, even if they were capable of doing so. It is for this reason that saving others from things like drowning is also a strong ethical duty.

You can argue from law that it is better for society to do so, but the general response is that you simply need to have a sense of duty to save someone from drowning. You do not 'just let' someone drown; you save them, as saving someone from drowning when being able to do so,

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<sup>6</sup> Wetboek Online, Wetboek van Strafrecht, "Artikel 450," accessed July 6, 2016. <http://www.wetboek-online.nl/wet/Sr/450.html>

'should be the obvious thing to do' according to most of the society, 'it is common sense' to do so.<sup>7</sup> When someone fails to save the drowning person without a good reason, we would perceive them as lacking both the 'sense' and the 'knowledge' of having had the duty to save them. In this case, the sense and knowledge of this duty function in a rather similar way, as both were made to stimulate the act of saving the drowning person. However, we can explain why saving others from drowning is needed in society or why saving lives is important, and in doing so we hope to share the knowledge of having such a duty.

It is noticeable, that people will not often say 'you should have felt like you had to save them', but they would say 'you should have known that you had to save them', which is where the more rational and legal aspect of having a duty seems to be highlighted. However, those that fail to save a drowning person are often perceived as 'bad people', which is where the ethical dimension and even the emotional aspects seem to be highlighted. In the final paragraphs of this section, I attempt to analyse the normative aspect of the concepts further.

### 3.3 Constructivism – Normative Force, Emotions and Pragmatism

According to Korsgaard: "the normative force of the conception is established in this way: if you recognize the problem to be real, to be yours, to be one you have to solve, and the solution to be the only or the best one, then the solution is binding upon you."<sup>8</sup> This, however, disregards the inability of young children (and potentially the mentally disabled) to truly fulfil these demands of 'recognizing the problem to be real' and to realize that it is their problem, one that they have to solve. In these cases, not the recognition or the understanding of the problem are at the basis of the conception, but the emotions and sentiments that the child has. Here, emotions seem to be the more

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<sup>7</sup> These are some of the most common replies that I encountered when asking people if (and if so, why) someone should save a drowning person. It is also noteworthy that questioning this resulted in people misunderstanding the questioner, as it is often deemed as something that should not need to be questioned to begin with.

<sup>8</sup> Korsgaard, Realism and constructivism, 322.

temporary reactions towards a specific object, whereas the sentiments seem to be the more enduring attitudes, which can be held towards abstracter or more complex objects as well as specific objects. I discuss this intentionality of the sentiments further in my section on ethical subjectivism. For now, it is important to note that these emotions and sentiments establish the normative force of the conception in cases where the problem cannot be recognized in a solely rational way.

A similar argument is presented by the philosopher Oswald Hanfling, when he writes about ethics: “the original imparting of moral values is, I have argued, a matter of natural reactions [such as emotions and sentiments], involving both parent and child, rather than of teaching.”<sup>9</sup> Hanfling explains how moral values are shared between parents and children, rather than being taught as rules or as moral facts. Not the knowledge of what the conceptions entail, but the imparted emotions, are what make the conceptions normative.

It is not unlikely that for some people, these emotions and sentiments will remain central for the normative force of the conception. A good example of a case in which this seems to be happening, is incest. The vast majority of people believe that incest should be banned, as it is broadly claimed to be morally wrong. Most of these people refuse to change their views, even when they are confronted with rather convincing cases such as given to us by Vera Bergelson. Bergelson argues that a liberal society cannot justifiably criminalize incest, by showing that all the reasons that are given for criminalizing it are invalid and by showing how only the feelings of disgust and repulsion seem to keep the criminalization of incest in place.<sup>10</sup> It may very well be that the recognition of the problem is only superficial, while it are these emotions and sentiments that steer the vast majority to hold on to the belief that incest should not be allowed in society. These emotions may have existed for good reasons in the past, as incest might indeed have been problematic in the past, but even

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<sup>9</sup> Oswald Hanfling, “Learning about Right and Wrong: Ethics and Language,” *Philosophy*, Vol. 78 No. 303 (2003): 30.

<sup>10</sup> Vera Bergelson, “Vice is Nice But Incest is Best: The Problem of a Moral Taboo”, Published online: 22 May 2012 (Springer Science+Business Media B.V.: 2012).

when the reasons for perceiving these cases as problematic are shown to have vanished, the sentiments that condemn them may still linger. In these cases, all that seems to be needed for people to classify incest as being morally wrong, are the emotions and sentiments that they have gained through the imparting of moral values through natural reactions.

This gives rise to the realization that we might need to study the conceptions in a different way, as we need to take these sentiments into account when studying them. The conceptions may have been given different meanings over time, and they may vary greatly based on the sentiments behind them. Not only should we recognize this influence of the sentiments and emotions in understanding our moral concepts, we should also find a way to take them into account when we study these conceptions. The pragmatic maxim might give us exactly what is needed, as especially James' version focusses on the sensations that come from a theory, or from a conception of it.

#### **4. Pragmatism**

The core of pragmatism is the pragmatic maxim, which was first developed in Peirce's "How to Make our Ideas Clear". He describes the pragmatic maxim as follows: "Consider what effects, that might conceivably have practical bearings, we conceive the object of our conception to have. Then, our conception of these effects is the whole of our conception of the object."<sup>11</sup> The focus lies on the practical bearings of the object of our conception; we need to know what the object that we are studying does. Peirce, however, focusses strongly on scientific objects and not at all on moral concepts. I therefore introduce James' usage of the pragmatic maxim, as James' usage differentiates significantly from what Peirce intended, which makes his usage more promising for studying moral concepts.

After having quoted the same words from Peirce as I did above, James adds the following sentences: "This is why metaphysical discussions are so much like fighting with the air; they have no practical issue of a sensational kind. 'Scientific' theories, on the other hand, always terminate in definite precepts. You can deduce a possible sensation from your theory and, taking me into your laboratory, prove that your theory is true of my world by giving me the sensation then and there."<sup>12</sup>

With this, pragmatism focusses on the practical use of theories, making it look similar to the focus on the function of conceptions in constructivism. One of the main differences, however, is that James' usage of the pragmatic maxim seems to require a much less rational approach, as it seems to allow us to take emotions and sentiments into account as being the sensations coming from our concepts. This is why I interpret James' usage of the pragmatic maxim as a way to study moral concepts. Rather than attempting to find a metaphysical basis for (normative) moral concepts through a priori knowledge or through reasoning, we should study the sensations and practical bearings that moral concepts may already have on us.

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<sup>11</sup> Peirce, "How to Make Our Ideas Clear", end of part II.

<sup>12</sup> James, *The Meaning of Truth*, 26.

#### 4.1 Pragmatism – Guilt & Duty as Sensations

If we want to study the concept of 'guilt', we should consider the practical bearings and sensations that stem from the conceptions that we have of this concept. Simply said; we should ask others (and ourselves) questions such as; when and why they feel or experience an emotion of guilt, how they would describe this feeling, how they would teach others about the concepts of 'guilt' and 'guilty' or what kinds of actions the feeling of 'guilt' may prevent them from doing. This kind of approach to the conceptions takes into account both the emotions and sentiments that are central to it.

The same can be done for the concept of 'duty', by asking questions such as what they feel a duty to do, what they feel others have a duty towards, how strong they experience the feeling of duty towards different subjects, or whether or not they believe that there are things that people are 'supposed to do' even though they do not have a basis in the law, such as giving seats to the elderly or holding doors open for others. Using these practical consequences and these sensations (in this case the emotions and sentiments that people experience) that are stemming from the conceptions in our research can give us valuable insight in how the different conceptions work. It can show us more about the function they have for us.

Using the pragmatic maxim, we can show that 'guilt' is a negative emotion, one that is often paired with other negative emotions such as regret or remorse. We feel as if people do not have a correct conception of 'guilt' if they claim that 'guilt' makes them very happy (or rather; we might believe that they do not have a conception of 'guilt' at all, and that they simply confuse the word with something else), and we would not understand them, if they were to claim that they strongly desire to experience guilt more often in life. We conclude that they may use the word 'guilt', but that they are referring to a totally different concept. 'Guilt' simply is not something that is desirable.

A similar example can be given for 'duty', especially in the case of negative duties. We want people to feel a strong feeling of duty, for example in cases where we want them to refrain from harming others; for harming others is seen as a serious problem for a society. Even so, those who

seem to be incapable of having this feeling of duty should at least have a sense of duty; for whenever people do not seem to have this feeling of duty naturally, we try to talk 'sense' into them by explaining why they should refrain from harming others.

People that are unable to experience such a feeling of duty are often seen as problematic, or as exceptions, especially if they also deny the sense of duty. The infamous psychopaths and sociopaths are often discussed in theories for this very reason; they are used either as counterexamples to prove theories wrong, or for positive arguments that show that 'even they' can be explained by or incorporated in the theory. They are, in most cases, completely or partially unable to feel these sorts of feelings of 'duty' or 'guilt' and some of them similarly deny the validity of the reasoning behind having a sense of duty or guilt, which gives them this problematic status for many moral theories. They may have been taught everything that we understand of the concepts of 'guilt' and 'duty' and they may have been taught more conceptions of the concepts than anyone else, but they may still be unable to fully understand them for as long as they lack the essential sentiments that give the conceptions of these concepts their normative force. Further studying and analysing conceptions in this way may give us even more insight in how people these concepts in our moral practice are used.

Constructivism has claimed that recognition of a problem is required to give concepts their normative force, but this seems to work only if it is paired with the appropriate sentiments. In other words, the infamous psychopaths may simply not recognize the problem due to lacking these sentiments. This is something that the pragmatic maxim might show us. Once more, the sentiments seem to play a substantial role in how we understand our moral concepts through the conceptions that we have of them. This is what gives ethical subjectivism its initial strength as a meta-ethical position, as it attempts to show us the importance of these sentiments in our ethic practice.

## 5. Ethical Subjectivism

Wiggins summarizes the tradition of ethical subjectivism in the following way:

What traditional subjectivists have really wanted to convey is not so much definition as commentary. Chiefly they have wanted to persuade us that, when we consider whether or not x is good or right or beautiful, there is no appeal to anything that is more fundamental than actually possible human sentiments – a declaration that seems both contentious and plausible (but more plausible when we take into account the intentionality of the sentiments).<sup>13</sup>

Wiggins states that ethical subjectivism has always tried to show us that our sentiments are the most fundamental in valuing, and that these sentiments are intentional. Subjectivists never meant to define any of the concepts themselves, they merely wanted to show us that our sentiments are fundamental to our valuing. For example, they did not wish to explain what 'beautiful' means, they wished to point out that we only believe something to be beautiful due to our own sentiments. These sentiments are therefore focused on an event or object. This intentionality of the sentiments is of great importance here.

As I have already shown, the sentiments are not 'at random' in their application. There are multiple situations in which 'guilt' is not appropriate. We would for example, perceive it to be highly strange when a doctor would feel 'guilt' for saving his patients life. We would automatically try to look for reasons, such as assuming that the patient was a criminal or cruel dictator. In this way, we look for reasons to make the feeling of guilt appropriate, or even understandable again. If we cannot find any such reasons, we will most likely conclude that the doctor has some sort of moral defect, that he actually does not possess a conception of 'guilt' and has simply applied the word to something entirely different, or that he has worked too hard and could not think or feel clearly.

This intentionality is already shared at a young age, like in the case of the child that stole candy from his parents. Through the reactions of his parents, the child experiences when, why and how he is supposed to feel 'guilt'. These sentiments can be shared with the child before he even has

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<sup>13</sup> Wiggins, A Sensible Subjectivism, 188-189.

an accurate understanding of the legal dimension of being 'guilty'. In the most optimal conditions, we would want to share both the reasons that we have for believing that stealing is not allowed in our society as well as the intentional sentiments. However, if this is not possible, we would often be satisfied for as long as the child has at least developed the right sentimental dispositions regarding his actions. Simply said, the child must feel 'guilt', even though he might not fully understand why he is guilty. Reflection and understanding of the concept can always happen later, when the child is older. Wiggins makes sure to note that this reflection is not hindered by subjectivism itself.

Subjectivism itself prescribes no limit to the distance that reflection (...) can carry us from the starting point in the sentiments. (...) It does not imprison us in the system of evaluations we begin with; nor does it insulate from criticism the attitudes and responses that sustain glib, lazy or otherwise suspect predications.<sup>14</sup>

Wiggins leaves the possibility to reflect upon our sentiments open, making it clear that ethical subjectivism cannot be disregarded as an 'everything goes' theory. This would mean that in the example of incest mentioned in section 3.3, people might have to reconsider why they have these sentiments, which could show that they are unjustified. Subjectivism does not wish to claim that having a feeling of disgust or repulsion is enough to justify the ethical and legal rules that criminalize incest, it merely states that these sentiments are what has caused these rules to exist.

I will give another example by building onto the earlier example of the child that has been taught to feel guilt after having stolen candy from his parents. Let us take a situation in which a war breaks out and food shortages are a major issue. The child steals once more. This time, the child steals bread out of pure necessity to prevent starvation. Initially, the child might still feel the sentiments of guilt after his actions, but these can eventually be overruled by confrontation with the reasons that he stole the bread, the necessity of eating it in order to survive. The child may eventually come to the conclusion that 'guilt' is not the appropriate sentiment here, though this may

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<sup>14</sup> Wiggins, *A Sensible Subjectivism*, 207.

take a long time, and others might be needed to explain the child that starvation is a reason for someone to steal without having to feel guilt. After all, how could people expect someone not to steal when they are starving? Even so, the child may still experience this feeling of guilt, needing to be talked out of it by others. I therefore take these kinds of reflections in a very broad sense.

Reflection is not something we can only do on our own by sitting in our arm-chair. Society itself can be an important mirror for our reflection. When the child is confronted with feelings of empathy rather than negative sentiments whenever the time it stole bread to prevent starvation is brought up, he may slowly be convinced that the feeling of guilt he had was inappropriate. In these kinds of ways, we can change or adjust our conceptions. This too, is where the pragmatic maxim can be used for studying the conceptions. We can ask others (and ourselves) questions such as; why, how and when do we feel like someone's conception of 'guilt' is inaccurate and needs to change? Or why, how and when have we changed our conception of 'guilt' after reflecting upon it ourselves?

The concept of 'duty' is possibly an even more interesting concept for this purpose. This concept has a strong legal dimension, as well as a strong ethical dimension. This is why the conceptions of it may vary greatly among different cultures and societies, but they can also differ much within the same societies, something that is an important topic in political philosophy. At the same time, there are some generally shared tendencies, especially with regards to the negative duties. An example of this is the earlier mentioned negative duty to refrain from harming others. Although there are variations in how this negative duty is practiced or understood, the basic sentiments that underlay it seem similar by cross-cultural reference.<sup>15</sup> In these cases in particular, the intentionality of the sentiments seems to be shown by the problems that the negative duties attempt to prevent, such as with the negative duty not to harm others.

Being allowed to harm others freely would be problematic for any group of people that wishes to live together, so different cultures from around the world must have gained the needed

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<sup>15</sup> Bill Puka, "Golden Rule," Internet Encyclopedia of Philosophy, accessed July 6, 2016, <http://www.iep.utm.edu/goldrule/>

sentiments, disliking harming others and thinking of it as morally wrong, as well as a concept of (negative) 'duty' that states one should abstain from harming others. This is also an explanation for the similarities in ethics shown across different cultures, as humans have enough in common to have similar problems and to come up with similar solutions. We do not need any form of natural facts for this, except for those about ourselves as human beings.

Constructivism already explained how concepts are created to solve problems, and ethical subjectivism shows how this ties in with the intentionality of our sentiments. We have certain sentiments to value something, and based on this we need to create concepts to protect and order this. If we value living together as a society, we need the concepts of 'guilt' and 'duty' to make this possible.

## **Conclusion**

Explaining and clarifying our moral practice might best be done by looking at the conceptions that are used within this practice. Doing so requires us to understand the function that they have for us, which is, as constructivism argues, being solutions to our problems. Understanding the function that these conceptions have for specific groups of people or individuals, and understanding the changes that might have occurred in the conceptions, can teach us more about our moral practice. We can use the pragmatic maxim to study these practical consequences and sensations stemming from our conceptions, in order to learn more about their function. Understanding what conceptions mean to people and how the knowledge people have about them changes their behaviour, can never be done without knowing about the sentiments and emotions that play a crucial part in both these conceptions and in their function. In the creation of conceptions, sentiments are needed for people to recognize the problem. To understand the conceptions, sentiments are needed on the most fundamental level: to show us why we care about these conceptions at all. Taking the sentiments in account is also needed to explain actual situations, such as those in which the rational and sentimental aspects of a concept seem to be in conflict, e.g. concerning incest.

Studying moral concepts by attempting to make clearer what their function is for us, by studying their contemporary use and meaning in a pragmatic way, and by keeping in mind the important function that emotions and sentiments have, should help us clarify how we use and understand our moral practice as a whole. I have tried to use this way of analysing to clarify the concepts of 'guilt' and 'duty' as examples throughout the paper, but there are undoubtedly points left to argue about. Discussions about them would only help us to further clarify these concepts and our use of them, which will help us to understand our moral concepts and the particular conceptions of them all the better.

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