Chapter – IV

Autonomy, Universality And Normativity
Introduction:

A normative moral theory must be one that allows us to act in the full light of knowledge of what morality is and why we are susceptible to its influences and at the same time to believe that our action are justified and make sense. In the view of Cranston, human rights are forms of moral rights and they differ from other moral rights in being the rights of all people at all time in all situations.

In this chapter, we discuss about two version of morality. One is wholly dependent on human nature and the variation in the moral codes are due to different social conditions, while underlying uniformity of these codes is due to the possession of same basic psychological tendencies of all human beings. As against this naturalistic theory, there are view that morality contains some absolute truth, has a foundation in the nature of the universe or in the nature of God, not simply in human nature. Such view held by rationalists.

Kant believes that the source of the normativity of moral claims must be found in the agent's own will. It is our rationality which gives us access to the moral realm, is also the realm of freedom. But morality for Hume is rooted in passion. While Kant concerned to separate our rationality from our nature, Rawls wants to situate it in the elementary fact about persons and their place in nature. Rawls says that we are only expressing our 'true nature' when we act out of a sense of justice.
In this chapter, much attention is given to justify how an unified account of normativity is possible and how moral theory helps to sustain a sense of equality as moral agent. This chapter is divided into three sub-chapters.

1. Human Rights and Normative Questions
2. Moral Realm and Social Relations
3. Autonomy, Universality and collective Good.

**Human Rights and Normative Questions**

In the view of Michael Freeden, though Hobbes developed what are now considered to be important components of the notions of rights, he is not the part of the humanist tradition that placed rights-discourse firmly within emerging liberal thought. Hobbes regarded a right as pertaining to the unlimited exercise of will. This is because a right is merely the absence of duty i.e. a liberty – and in a state (of nature) where duties are totally absent, rights expand by default to become all embracing. If a right is a liberty, and a liberty signifies the absence of impediments, then a right a denotes a condition, namely that of being able to use one’s power. It is descriptive rather than normative.¹ In the view of Lemos, Hobbes defines natural rights in terms of power. In Freeden’s view, since the concept of natural right is a non-descriptive normative concept, it can not be defined adequately in terms of any descriptive non-normative concept such as power.²

Both Hobbes and Locke start from the assumption that men are equal in need and capacity.\footnote{C.B. Macpherson 'Natural Rights in Hobbes and Locke', in 'Political Theory and Right of Man', (ed) by D.D. Raphael. Indian University Press, London © 1967.} In the view of Maurice Cranston, human rights are form of moral rights and they differ from other moral rights in being the rights of all people at all times and in all situations. He added universal characteristic with other two characteristics - those are paramount importance and practicability-which convert any need to human right.\footnote{Maurice Cranston 'What are Human Right?'. The Bodley Head, London © 1973.}

Kant's categorical imperative reads 'act according to the maxim whereby you can at the same time will that it should become a universal law'. From this follows the universal imperative of duty and obligation. In his view, the formal conditions under which nature can alone attain its final design is the arrangement of relation of individuals to one another which we call a civil community. Only in this greatest development of natural capacities can take place.\footnote{Mark F.N. Franke, 'Immanuel Kant and the (im) possibility of International Relations Theory', Alternatives, 20, (1995) 279-322.} In the view of Hegel, the particular finite will is itself the creation of the universal and infinite will. It is the right of the individual to determine the particular content of his will himself, to be held responsible only for what he has so determined. We are concerned with particular human subject, whose particularity involves their own interests and welfare. The free will as embodied in the particular must involve the right of the particular individual to pursue his welfare as a necessary element in the good.\footnote{John Charvet, 'A Critique of Freedom and Equality', Cambridge University Press Cambridge © 1981.} Since this right to welfare is the right of human subject as such, then everybody has the right and good, so individual must not aim at his own welfare, but the universal welfare. The good that we pursue must be a unity
of right and welfare and the (good) of a whole which limits right and welfare in relation to each other by determining their respective claims.\(^7\)

The crucial problem still remains that good, even though correctly conceived as a whole comprising right and welfare, is wholly indeterminate and inescapable of adequate embodiment in the particular wills of single individuals. What we have is on the one hand the objective good as the object aimed at, but wholly abstract and indeterminate and on the other hand the subjective will, which knows that it has the right to determinate that content. So the subjective will in this case is not something distinct from the universal which is aimed at universal and hence the objective good and subjective will are identical. Thus self-realization of free will is the self-realization of the will of community.\(^8\)

We see self-realization in individual context and social context are complementary to each other in Hegel's theory. His determination of good in an order which specifies a system of right and welfare, supports indivisibility of rights as basis of development. Again his particular content of will is conceived to be valid in so far as it corresponds with the requirement of rights or universalization.\(^9\)

Most moral philosophers have aspired to give an account of morality which will answer the normative question. Many of the concepts like obligation, rightness, goodness, meaning, knowledge, beauty and virtue are

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\(^7\) Ibid.


all normative concepts. We might think that no unified account of their normativity is possible for two reasons. First, they are used in the context of different subjects and to address different problems, second, our sense of their normativity of how they direct us is different. But Korsgaard believes that a unified account of normativity is possible. A successful normative theory must meet the condition of transparency and justification.\textsuperscript{10}

Ethics derives from the Greek word 'ethos' which means habit or accustomed way of doing things. It is a form of the verb ethos, generally used to indicate that the action designated by a conjoined verb is habitual, frequent or customary. Mortality derives from the Latin mos, moris used to refer to traditional ways of doing things.\textsuperscript{11}

In the view of Robin Willions, a norm is a rule, standard or pattern for action. Social norms are rules for conduct. The norms are the standards of conduct by reference to which behaviour is judged and approved or disapproved. Norms are learned by individuals in social intercourse with other --- that is, in the process of socialization. As against normative, the adjective normal suggests that some class or properties or events conforms to a common standard, or norm, again without implying that the standard in question represents proper conduct.\textsuperscript{12}

\textsuperscript{10} Christine Korsgaard, \textit{The Sources of Normativity}, Cambridge University Press, Cambridge © 1996, pp. 10,17,21 Chapter : The Normative Question, by C.Korsgaard. When we do moral philosophy, we also wants to know whether we are 'justified' in according this kind of importance to mortality. They provide a criterion of normative or justificatory adequacy. (p-13). A normative moral theory must be one that allows us to act in the full light of knowledge of what morality is and why we are susceptible to its influences and at the sametime to believe that our action are justified and make sense. P.17.


According to Korsgaard, philosophers hope to answer the normative question. We are asking what justifies the claims that morality makes upon us. Morality consists of moral or ethical standard (for Korsgaard these terms are interchangeable) and ethical standards are normative. It seems, however, that such standards are not normative on their own account. For Korsgaard, at least, the source of normativity resides in some standard that need no further justification and serves as the very last word.\textsuperscript{13}

Onuf claims that perhaps his view is much closer to G.W.F. Hegel's conception of ethical life. Hegel separated abstract morality, comprehending what is right and good, from the ethical 'which is the actual spirit of a family and a people'. While the ethical as 'a general mode of behavior, appears as custom', Hegel evidently felt no need to document its content. Indeed, he could only have done so far a particular community. Jurgen Habermas is notable for having adopted Hegel's distinction between morality and ethics. He associated morality with right conduct and ethics with good conduct (which is inappropriated in Onuf's opinion).\textsuperscript{14}

In the view of Onuf, Ethics begins with the reasons that we give for our conduct. Ethical standards are always normative. As rational beings, we have goals, we make choices in the light of those goals, and defend our choice by offering reason to them. Being able to formulate goals defines us as individually human, competence in making choices makes us into agents.

\textsuperscript{13} Ibid.
\textsuperscript{14} Ibid.
Giving reasons depends on our being able to stand apart from ourselves as agents and, as observers, explain our choice to other observers.\textsuperscript{15}

**Moral Realm and Social Relations**

Moral philosophy is a philosophical inquiry about norms or values, about ideas of right and wrong, good and bad, what should and what should not be done. Some people use the term moral philosophy as synonymous with ethics, the philosophical discussion of assumption about right and wrongs, good and bad considered as general ideas and as applied in the private life of individuals. In the history of the subject the term has been used more widely, to cover also the discussion of normative ideas (i.e. idea of value or of what ought to be done) in organized social life as well as in private relationship; in particular it has included political, legal philosophy. Raphael has explained the dispute between two version of naturalism. One is that ethic is wholly dependent on human nature. The variations in the moral codes are due to differing social conditions, while the underlying uniformity of these codes in due to the possession by nearly all human beings of the same basic psychological tendencies. As against this naturalistic theories of ethics, there are views that ethics contains some absolute truth, that moral values (if not other values) have a foundation in the nature of the universe or in the nature of God, not simply in human nature, which might have been other than it is. Such views have been held by some (not all) theologians and by philosophers called rationalists.\textsuperscript{16}

\textsuperscript{15} Ibid
In the view of Bernard Williams, much of the most interesting recent work in moral philosophy has been basically Kantian inspiration. Kantians believe that the source of the normativity of moral claims must be found in the agent's own will in particular.

For Kant, it is our rationality which gives us access to the moral realm which is also the realm of freedom. He says that when we act morally out of sense of duty, we are expressing our humanity, freedom and autonomy. We have to raise ourselves above imperial world, the world of nature, which is essentially a realm of unfreedom. Experience is not a source of knowledge or insight. Rather it is a realm which we are constantly trying to escape as we draw ourselves upto identified noumenal aspects. This helps to explain our ability to abstract ourselves from ongoing social relations of power and subordination.

The split between autonomy and dependence reflects the division between the moral realm and the world of social relations. Since the social world is inevitably a world of determination and unfreedom, our energies are being misplaced if we expect our individuality and freedom to find expression there. This leaves us with fundamentally fragmented conception of the person. This has been inherited into modern, liberal, moral and political theory of the right over the good. The independence of the moral

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law has been used to secure the primacy of justice among moral and political ideals and the sanctity of individual rights.  

Autonomy is closely connected with freedom. A person's freedom depends upon the number of options available to him. Someone chooses is not autonomous if it is the result of some sorts of past manipulation such as systematic indoctrination or brainwashing. They are often said to be deprived of autonomy by certain forms of unintended conditioning. Many believe that agents are not autonomous unless they have subjected their ends to rational scrutiny. This critical reflection requirement is widely accepted.  

The idea of autonomy's responsiveness to reason is central to Kant's ethical theory. The idea is presupposed by all who believe that moral autonomy means doing what is right and good because it is right and good. In the view of George Sher, the idea is most often confined to discussion of autonomous moral decisions. He wants to generalize it to apply also to non-moral decisions. While many Kantians appears to believe that acting autonomously is responding to what is objectively the strongest (moral) reason provided by one's situation, George Sher allows that person may act autonomously in response to reasons that are less than the strongest. As we see, acts performed under threat such as surrendering one's money to gunman are clearly unfree, but they donot always seem non-autonomous.

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20 Ibid. p. 121-122.
22 Ibid.
23 Ibid.
When some one make a non-moral choice for instance, when he must choose between marrying and remain single - the possibility of his recognizing and responding to an objective reason may seem less clear. Again this possibility, one might argue that neither being married nor being single has inherent value, and hence that the agent has no objective reason to choose one over the other. Such choice can nevertheless be autonomous, one might conclude that autonomy can not be responsiveness to reasons.24

It is said that an agent acts autonomously when he acts in response to the strongest reason provided by the situation. But this remain problematical. For consider a case in which 'X' not only has a strong desire to marry 'Y', but also knows that their marriage will fail unless he gives up his career. Suppose 'X' knows that his career is not promising in any event, knowing all this, 'X' may well have more reason to marry 'Y' than to pursue his career. While 'X' certainly can autonomously choose to marry 'Y' and give up his career, we must concede that he also can autonomously choose the career over the marriage. More generally, we must concede that person can and often do exercise their autonomy by acting against their strongest reason.25

We might suppose that an agent act autonomously whenever he acts in response to whichever reasons appears strongest him. If acting autonomously is acting merely on what one regards as one's strongest reasons, then one would act autonomously without making any contact at all with one's actual reasons. To avoid their difficulty, we must hold that acting autonomously is allowing oneself to be guided by one's actual reasons. In

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24 Ibid.
25 Ibid.
the view of George Sher, to act autonomously, agents can be influenced by reasons that are real even if not strongest.\textsuperscript{26}

In the view of Ramon L. Lemos, rational self-interest will require a person to seek his own good in a ways compatible with the attainment of the good of those affected by his action. The other is that practical rationality will require us to act in accordance with principles of justice, the general observance of which contributes to the attainment of a greater good rather than a lesser even though on occasion action in accordance with such principles requires us to sacrifice part or all of our own good for the sake of the attainment of greater good.\textsuperscript{27}

The distinction between reasonable and rational was instinctively discussed in a general way by W.M.Sibley. In his view people are rational when they pursue them intelligently but do not know the ends they pursue. People are reasonable when they are willing to govern their conduct by a principle from which they and others can reason in common and take into account the consequences of their actions on others' well being. The disposition to be reasonable, is neither derived from nor opposed to the rational.\textsuperscript{28}

Scanlon's principle is more than a psychological principle of motivation since it concerns the fundamental question why anyone should care about morality at all. The principle answer this by saying that we have a

\textsuperscript{26} Ibid.  
basic desire to be able to justify our action to others on grounds they could not reasonably reject, that is, given the desire to find principles that other similarly motivated could not reasonably reject.\textsuperscript{29}

In the view of John Rawls, it is incorrect to say that the theory of justice is a part of theory of rational decision. This theory is itself part of a political conception of justice, one that tries to give an account of reasonable principles of justice. There is no thought of deriving those principles from the concept of rationality as the sole normative concept.\textsuperscript{30} Persons are reasonable in one basic aspects when among equals they are ready to purpose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that other will likewise do so. The reasonable is an element of the idea of society as a system of fair cooperation. Its fair terms be reasonable for all to accept is part of its idea of reciprocity. As he has said the idea of reciprocity lies between the idea of impartiality, which is altruistic and the idea of mutual advantage understood as everyone's being advantaged with respect to one's present.\textsuperscript{31}

A further basis differences between reasonable and the rational is that the reasonable is public in a way the rational is not. This means that it is by the reasonable that we enter as equals the public world of others and stands ready to propose, or to accept as the case may be, fair terms of cooperation with them.\textsuperscript{32}

\textsuperscript{29} Ibid. p.49.
\textsuperscript{30} Ibid. p.53.
\textsuperscript{31} Ibid. pp.49-50.
\textsuperscript{32} Ibid. p.53.
Finally, as we have seen, the reasonable is not altruistic nor is it the concern for self. In a reasonable society, most simply illustrated in a society of equals in basic matters, all have their own rational ends they hope to advance, and all stand ready to purpose fair terms that others may reasonably be expected to accept so that all may benefit and improve on what every one can do on their own.  

In the view of Quinn, by practical rationality we mean the excellence of that part of reason in virtue of which an agent is practically rational as opposed to irrational. Neo-Humean conception of rationality means that makes the goal of practical reason the maximal satisfaction of an agent's desires and preference, suitably corrected for the effect of misinformation, wishful thinking etc.

Neo-Humean rationality and morality can seem irreconcilable in a variety of situations which raise different problems and demand different solutions. Warren Quinn enquired about the situations in which morality blocks a choice not because the end is bad considered in itself but because the unobjectionable end can be obtained only by shameful means. Here, there is something that morality and neo-Humean rationality must agree upon as good to be put in the balance against the immoral choice needed to bring it about. There are certainly some situations in which one basically desires a morally acceptable end that can be obtained only by shameful

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33 Ibid. p.54.
means. In such cases, the shamefulness of the action most, if it is given negative weight, be balanced against the strength of the desire for the end.\textsuperscript{35}

In the view of Warren Quinn, one might reply that there is no single, supremely authoritative virtue of reason. There are moral rationality (the moral perfection of reason), preference governed rationality (the instrumentalist perfection of reason) and prudential rationality (the prudential perfection of reason), and possibility other forms. In choosing means to an end, one is choosing a larger object that includes both.\textsuperscript{36}

There is more than one possible moral to be gathered from this argument. First, there is a moral prefer : that a neo-Humean conception of rationality and the good should be given up in the face of the objectivity of the moral and a proper respect for human life and practical reason. But other responses are possible. One is to retain the neo-Humean accounts but give up the idea that the powerful moral terms we have been deploying can be used objectively.\textsuperscript{37}

In the view of Quinn, this might not be Hume’s own response. While morality for him is rooted in passions, it is also considerably objectified by being universal, by attaching itself to objective distinction of character and action, and by having the means to correct various biases of private connection. Hume’s response would surely be more radical, falling back on his rejection of the idea that there really is such things as practical reason or rationality. If we are inclined to accept the objectivity of the shameful and

\textsuperscript{35} Ibid.
\textsuperscript{36} Ibid.
\textsuperscript{37} Ibid.
the concepts that fall under it, and if we are also inclined to embrace a neo-Humean conception of practical rationality and the good life, then it will be hard for us to retain a certain form of self-respect as it applies to our reasons and lives.\(^38\)

In the view of Rawls, in choosing the principle of justice we are revealing our nature. This transforms the dichotomy that Kant drew between our natures which are part of the empirical world of unfreedom and determination and our 'reason' which gives us access to the intelligible realm, to morality. In the view of Rawls, we are only expressing over 'true nature' when we act out of a sense of justice. Unlike Kant, Rawls is prepared to rely on certain generalized human preferences and desires, such as that each is a person who chooses his or her ends and values certain primary goods such as respect and self-respect as instrumental to their realization. Where Kant was concerned to separate our rationality from our nature, Rawls wants to situate it in 'the elementary facts about persons and their place in nature.'\(^39\) A Kantian tradition which stresses the impersonal character of morality and which stresses that reasons have to be universally appropriate if they are to be moral. But the truth is that our emotions and feelings, our needs and desires are an integral part of our individuality.\(^40\)

Kant's ethics illuminates the experience of men rather than women. This is equally true of its universalism, since, as men we have often appropriated to ourselves the right to speak for others partly because women

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\(^38\) Ibid.  
\(^40\) Ibid. p.141.
have traditionally been more closely identified with emotions and feelings. They have tended to conceive issues of autonomy and independence in different terms. As Jean Baker has pointed out, women are more likely to define themselves in the context of human relationships and judge themselves in terms of their ability to care. But within a moral tradition which stresses individual autonomy and self-sufficiency, concern with relationships appears as a weakness of women rather than human strength.\(^{41}\)

Kant had assumed that we could simply abstract from everyday social relation of power and subordination and guarantee our existence as being who exist in our own right in an independently defined moral realm. He seemed to recognize that if the poor are dependent for their very means of livelihood, they have to learn to silence themselves. It will be so much easier if people limit the vision of their own lives and accept the definitions of the powerful. They don't have the material conditions in which they can realistically imagine different individual and collective ends.\(^{42}\)

**Autonomy, Universality and Collective Good**

We can no longer assume that the autonomy of morality can only exist as persons in our own right through the ways we can express our individual and collective identities. This means we have to be concerned with the control people have in everyday lives. In a society characterized by relationship of power and dependency, it can no longer be assumed liberal theory could have learnt this lesson from Kant, if it had not felt this would

\(^{41}\) Ibid. pp - 149-150.
\(^{42}\) Ibid. pp. -159 - 169
automatically result in the reduction of different spheres of life and the downgrading of morality.\textsuperscript{43}

Reflective endorsement view is favoured by philosophers who believe that morality is grounded in human nature, Christine Korsgaard cited the argument by which the philosophers in modern period have come up with answers to the question what makes morality normative.\textsuperscript{44}

Korsgard cited the argument by which Kant undertake to establish that we must submit our maxims to a test of universality. Kant argues---\textsuperscript{45}

\begin{itemize}
  \item that we must act 'under the idea' that we have free will, where a free will is one which is not determined in accordance with any law external to itself; 
  \item that a free will must nevertheless be determined in accordance with some law or other, 
  \item that it must therefore be determined in accordance with its own laws-that is be autonomous and 
  \item that this shows that the categorical imperative is the law of a free will. 
\end{itemize}

The objection is that Kant has not shown that free wills dictates must be universal, even in purely formal sense.\textsuperscript{46} First, until we settle the domain over which law universalizes, the requirement of universalizability does not

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\textsuperscript{43} Victor J. Seidler \textit{Kant, Respect and Injustice; The Limits of Liberal Moral Theory}, Routledge; Kegan, Paul,© 1986 p - 190.  
\textsuperscript{45} Ibid. pp. 219-220  
\textsuperscript{46} Ibid. p.220. 
\end{flushright}
yield any particular content. So universalizability does not get us to morality. Second, even once we get the domain specified as universalizing over human beings, the requirement has no content. Finally, there are those who argue that universalizability requirement, even if it is in a sense legitimate, can not bridge the gap from private reasons to public reasons. So universalizability does not get us to morality. Again, there are maxims which cannot be willed universally without contradiction.\textsuperscript{47}

Nagel thinks that 'reflection' just amount to taking up a general view of yourself is viewing yourself as 'a person' from outside while Korsgaard agree that our capacity to achieve reflective distance from our impulses and our capacity to view ourselves as persons are related. She thinks Nagel brings in generality too quickly when he says that the self achieve its self conscious awareness by detaching from the individual perspectives.\textsuperscript{48}

Korsgaard has called the idea of normativity or of obligation as someone to do or believe something. The idea of universality that the normativity captured is a regular or law like formulation. What the normativity of reason and the power of cause seem to have in common is that they are forms of necessitation. And the question is why the notion of necessitation, the normativity of reasons - must be combined with the notion of universality or regularity in order to make sense. She wonder why can not there ideas of normativity stand alone.\textsuperscript{49}

\textsuperscript{47} Ibid. pp. 220-222.
\textsuperscript{48} Ibid. pp.223-224.
\textsuperscript{49} Ibid. pp.225-226.
Kant means that since the will is a cause and it must operate according to law. Just as the special relation between cause and effect, the necessitation that makes their relation different from mere temporal sequence cannot be established in the absence of law or regularity. So the special relation between agent and action, the necessitation that makes that relation different from an event merely taking place in the agent's body cannot be established in the absence of at least a claim of law or universality.50

In the view of Korsgaard, Nagel misses the point when he says that regularity does nothing to establish the causality of one's will. The general requirement of universalizing our maxims has the same source as the general requirement of following hypothetical imperatives. We cannot regard ourselves as an active self unless what we will is to pursue our end in spite of temptation. If we are to regard the act as act of our will, we must make a claim of universality. The claim to generality, to universality, is essential to an act's being an act of the will.51

The method of generating principles of justice by reference to choices made in an original position is also said to be 'constructive' because it is a procedure that can settle disputes. Intuitionism is not constructive because it can not adjudicate conflicts between intuitions. The important aspects of 'A Theory of Justice' of Rawls are Kantian. However, Rawls departs fundamentally from Kant by relying on a solely instrumental conception of rationality. However, instrumental reasoning is wholly at sea unless oriented by some goals. Hence Rawls knowledge that certain 'primary goods' ---

50 Ibid. pp.227-228.
51 Ibid. pp. 228,229,232.
rights and liberties, power and opportunities, income and wealth --- are universally desired. Primary goods are 'generally necessary as social conditions and all purpose means to enable human beings to realize and exercise their moral powers. These 'moral powers' are capacities to develop a sense of justice and a conception of good.\textsuperscript{52}

'Justice as fairness' Rawls argues, is a political conception (of justice) because it starts from within a certain political tradition. The ideal of the person on which his argument rests is not that of the abstract individual, but that of a persons as citizens of a modern democratic polity, who accept the original position as a device of representation that accurately captures their ideal of a fair system of cooperation between citizens who so agree. The problem of justice arises only for a plurality of at least potentially interacting agents. It does not arise where there is no plurality or no genuine plurality of agents and hence no potential conflict.\textsuperscript{53}

Rawl's focus on entitlement rather than obligation is significant.\textsuperscript{54} His first principle of justice assigns to each 'an equal right of the most extensive basic liberty compatible with liberty for all'. The second principle states that social and economic inequalities be arranged to the greatest benefit of the least advantaged.\textsuperscript{55} Constructing set of entitlement is not same as constructing principles of obligation.

\textsuperscript{53} Ibid. pp. 211-212. A more Kantian constructivism must start from the least determinate conceptions both of the rationality and of the mutual independence of agents.
\textsuperscript{54} Ibid p-214.
A constructivist approach that stays with the perspective of entitlement that Rawls prefer has to look for a set of entitlements that can consistently be held by all. There are many copossible sets of entitlement, so a further move is needed to identify the just set. This move can be made simply by seeking the maximal set of entitlement that can consistently be held by all. We can find maximal only where there is some metric. Unfortunately liberty has no metric.56

In the view of O’Neill, principles of justice could be fixed by constructing principles of obligation rather than entitlement. In her view, obligation of justice unlike entitlements, can be constructed without assuming a metric either for liberty or more generally for actions. A constructivist approach to justice that successfully identifies principles of obligation by using modal arguments, may also identify the entitlements that are the reciprocals of these obligations. In the ‘A Theory of Justice’ Rawls notes that constructivism might undertake various task. The contractarian idea can be extended to the choice of more or less an entire ethical system ---- including principles for all virtues.57

The tradition of universalism in moral theory helps to sustain a sense of our equality as moral agents. However, the universalism in Kant’s theory has also made it difficult to grasp the moral nature of relations of power and inequality. We have enshrined a misleading distinction between moral theory and social theory as we learnt to treat power as a social category which is more or less unequally distributed. This established the issue of

equality and justice as it has traditionally been defined within political philosophy. Then morality can centrally concern the choice individual make within these given social relations. Social relations are thereby conceived as externally constraining moral relations which take place within their grasp. Liberal moral theory can then assume that the structure of social relations do not have to constrain or restrict the nature of our individual moral relations. We are always free to relate to others as we choose. But there is ambiguity because Kant insisted that moral relations are universal and so has made it harder to identify a morality of personal relations. Within a Kantian tradition, morality is fundamentally an individual quest in which we have to prove ourselves to be morally worthy. This makes it extremely hard to accept fully an alternative vision of morality which depends upon ideas of self-acceptance and moral significance relations with others.58

For Plato, moral principles serve to hold the disparate parts of the human soul together, and in this way, make the soul capable of unified and effective action. Moral principles to put it in non-platonic language are what give the soul considered as a unified entity a will.59 Korsgaard believes that with Plato, neither human soul nor human communities can be held together, unless they are (at least to some extent) republic, submitting themselves to the rules of law. And that is why she thinks that freedom and autonomy require that we will in accordance with universal law.60

60. Ibid. p.233.
Rorty made an attempt to redescribe the project of spreading the human rights culture through a different final vocabulary. He would redescribe the human rights project in sentimental terms. The motivating force is to appeal to the emotions rather than getting people to act nicely to one another on the basis of moral obligation rationally understood. If Rorty is to be taken seriously when he says that there is no reality beyond language and that anything can be described into a final vocabulary, there is no reason why we should prefer Rorty's method of promoting human rights culture over the reasoned exegesis of the foundationalist philosopher. Both can be said to be arguing for the same thing but using a different final vocabulary, and which one someone opt for is no more than a personal preference.

The imperative for Rorty to find ways of redescribing the other so that they are brought within the preview of human rights culture shows clearly the influence of modern enlightenment universalism in Rorty's post-modern liberalism. In order to escape the influence of the enlightenment project in his own work, Rorty would have to modify his position such that it becomes a radically pluralistic approach, where competing forms of social organization stands as equal-as opposed to a hierarchy where his post-modern liberalism (incorporating the human rights culture) stands at the top, marked, 'morally superior'. This would invalidate Rorty's claim to the moral superiority of a global human rights culture, and would undermine the need for redescriptive efforts.

62 Ibid.
63 Ibid.
Aristotle thought that moral philosophy could determine that a particular sort of activity constitute the good for man in general, and is objectively and intrinsically the best way of life. But in the view of J.L. Mackie, in general people do not and cannot make an overall choice of a total plan of life. They choose successively to pursue various activities from time to time, not one and for all. The goal must belong to the category of activity, that there is not one goal but indefinitely many diverse goals and there are objects of progressive choices. It changes our theory from goal based to right based one.\(^6^4\)

Any right-based moral or political theory has to face the issue whether the rights it endorses are 'natural' or 'human rights'. On the other hand, Mackie claims that it is objectively valid, or that its validity can be found out by reason. He also argues that this fundamental rights has to be formulated only as a prima faci right. The fact that something is an institutional right, recognized and defended by the laws and practices of a particular society, does not necessarily establish it as a moral right. It can be criticized from the moral point of view by considering how far the social interactions which have generated and maintained this institutional right express the fundamental right of persons progressively to choose how they shall live, interpreted along the lines of our model of centres of force, and to what extent they violate it.\(^6^5\) Any moral theory allows for the existence of rights

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\(^{6^5}\) Ibid. p.179.

It may also be asked just what is it to base a moral theory on goals or duties or rights. One possible view is that an X-based theory is one which takes 'x' as its only undefined term, and defines other moral terms in relation to 'x'.
if it regards the interests of some individuals to be sufficient for holding others to be subject to duties. Dworkin expressed the view that political morality is right-based. Mackie claimed that morality is right-based (or rather that we should invent one which is).66

In the view of Joseph Raj, humanism is not a moral theory. It merely sets a necessary condition to the acceptability of moral theories, a condition which can be satisfied by many different moral theories. Nor are all humanists committed to the view that all human life is of ultimate moral value. Their only commitment is that if some human life has no value or if some lives have more intrinsic values than others, this is in virtue of the quality of those lives. Our goal is, therefore, to examine the plausibility of the view that morality is based on fundamental principles assigning rights to some or all human beings. J. Raj suggests that right based moralities are impoverished moral theories and are unlikely to provide adequate foundation for an acceptable humanistic morality. Many moral views presuppose that there is more to morality than rights and duties and precepts which can be derived from them. Though several moral philosophers use ‘ought’ and ‘duty’ interchangeably, many moral views presuppose a distinction between what one ought to do and what it is one's duty to do. The common view is that one ought to do that which one has a duty to do but that one does not always have a duty to do that which one ought. Again right-based moralities can not allow intrinsic moral value to virtue and pursuit of excellence.67

67 Ibid. A Moral theory will be said to be individualistic if it is a humanistic morality which does not recognize any intrinsic value in collective good. In other words, individualistic moralities are humanistic moralities which hold that collective goods have instrumental value only.
In the view of Raj, right-based theory may be individualistic or may not be individualistic. An autonomous person is one who is the author of his own life. A person is autonomous only if he has a variety of acceptable options available for him to choose from. The ideals of personal autonomy requires not merely the presence of option but of acceptable one. The existence of many options consist in part in the existence of certain social conditions. For example an architect is one, who belongs to a socially recognized profession. In a way the most-important one is that the ideal of personal autonomy is in compatible with moral individualism. Some may proceed to claim that mortality is nevertheless right based, but that since one of the fundamental rights is a right to autonomy, it follows that there are rights to collective goods. Other may resist the idea that individual has a right that his society will continue to exist and a right that it will have architects, surgeons and monogamous marriages. Individuals interest in being autonomous shows that it is in his interest to live in a society where all those options are available. But it is not enough by itself to justify holding others to be duty bound to make sure that my society shall offer all three options. Given that the existence of these options is intrinsically valuable, they would conclude that morality includes fundamental values or ideals as well as fundamental rights.

It is important to realize that there need not be an actual conflict of interests to establish the insufficiency of an individual's interest as a foundation of an individual right to collective good. Given the intrinsic desirability of some collective goods, it is reasonable to conclude that

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68 Ibid. p.191-192.
69 Ibid. 192-195.
morality is not right-based. If this is so then right-based morality including fundamental collective rights is richer than one does not include them.\textsuperscript{70}

\textbf{Conclusion}

Morality centrally concerns with the choice individuals make within given social relations. Kant insists that moral relations are universal and has made it harder to identify morality in personal relations. While morality for Hume is rooted in passions, it is only considerably objectified by being universal. The motivating force for Rorty is to appeal to emotion. The imperative for Rorty to find ways of redescribing the other that they bring them within the perview of human right culture shows clearly the influence of modern enlightenment universalism. But a liberal democracy while fostering pluralism, can not equate all values since its very existence as a political form of society requires a specific ordering of values which precludes total pluralism. A political regime can not exist without ‘constitutive outside’. It is important to realize that there need not be an actual conflict of interests to establish the insufficiency of an individual's interests as a foundation of an individual right to collective good. Right-based morality that includes fundamental collective rights is richer than one does not include them.

\textsuperscript{70} Ibid. p.195.