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Critical notice

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This is an important book, both because it exemplifies some of the latest techniques of the linguistic school and because it presents a view of ethics which is becoming very popular. Toulmin is one of those who have recently had the idea of approaching ethics by the back door; instead of asking directly what goodness or rightness is, he asks what would be good reasons for acting in one way rather than another. He defends this approach on the ground that the three forms of the traditional approach, the objective property, the subjective, and the imperative accounts of ethics, are all unsatisfactory. His criticism of these follow well-known lines, though in up-to-date language.

After making a lengthy “pilot investigation” of scientific reasoning to discover the logic of scientific explanations and to show how the criteria of a good explanation are related to the function of science, he tries to show in a similar way what is the function of ethical reasoning and how the criteria of good reasons for action are related to this function. In brief, his conclusions are that the function of ethics is to harmonize people’s actions and that good reasons are of two sorts: if one asks whether a particular act is right, the answer is usually in the form of a reference to some general rule that forms part of a moral code, but if one goes outside the code and asks about the justice of the general rule or practice itself, the answer will be that one rule is better than another if a change to it would result, on the whole, in an increase of happiness. He thus finds a place for both “deontological” and “teleological” forms of reasoning.
But now we have a problem: Is Toulmin's statement that such-and-such are good reasons for acting to be taken descriptively or prescriptively? Is he merely saying that reasons of this sort are generally taken to be good ones, that this reasoning is in accord with the generally recognized criteria for ethical reasoning? Or is he, in addition to this, using "good" with its ordinary prescriptive force, and so telling us to reason in this way in the ethical field and in consequence to act in the way to which such reasoning directs us? Is he simply analysing rules of ethical argument in a sense similar to that in which we speak of rules of grammar (cf. my article on this topic in this Journal, December 1949), or is he doing something more?

I doubt if any clear answer can be given to these questions. I suspect that Toulmin himself is undecided. If challenged directly he would, I imagine, take the descriptive alternative and say that while the usages he is studying are prescriptive, what he says is merely descriptive of them, that he is engaged in what Stevenson has called a metanormative but non-normative enquiry. But there is a lot in his book that points the other way, for example his constant use of the phrase "good reasons", which cannot fail in practice to have a prescriptive force, and his rejection of subjectivism on the ground that it does not tell us "what we want to know" (p. 38), that "we shall have to choose between different sets of reasons for acting . . . if this is to be done at all methodically, we shall need to distinguish . . . those which are worthy of acceptance" (p. 41). Toulmin does seem to expect an ethical theory to tell him, though only indirectly, what to do.

The same indeterminacy crops up elsewhere. Toulmin speaks about the "functions" of science and ethics, and it is not clear whether a function is what a thing does or what the speaker is telling it to do. Indeed, the "pilot investigation" looks a bit like an argument from analogy; Toulmin seems to be saying, "In science you adopt the generally recognized criteria; why not do the same in ethics?"
But he says more than this. He says that if you don’t accept the scientific criteria you are just not doing science, and similarly if you don’t accept the ethical criteria you are just not arguing ethically (cf. p. 161).

Now if a single set of criteria in each case were not merely universally accepted but even necessitated by the nature of the activity itself, this would be true. But, as I hope to show, there are disagreements about the criteria of ethical argument (as there are about grammatical rules): different people use different criteria, though those which Toulmin sets out may be the dominant ones at present. His insistence that these are the criteria of ethical argument, along with his general hovering between prescription and description, thus serves as a surreptitious support of the currently dominant forms of argument. And the method of support is the long-discredited one, “everyone does so-and-so, therefore you ought to do it”. In fact, if Toulmin’s conclusion is taken prescriptively, the argument that he offers for it is logically similar to that from psychological to ethical hedonism! But it acquires some plausibility from the disarming wealth of illustrations and analogies and also from its unfamiliar guise, from the fact that it is here applied not to sorts of action but to ways of deciding how to act.

I think it is plain, without further criticism, that Toulmin’s conclusion, if taken prescriptively, is not supported by any valid argument. This point needs to be made because this interpretation, even if Toulmin himself does not intend it, is strongly suggested to even a careful reader. But let us now put this aside, and consider his account as a purely descriptive one, as an analysis of the generally recognized methods of ethical argument.

It must be admitted that the methods he describes are very widely used, and the corresponding criteria of sound ethical arguments widely recognized. Nevertheless, his account contains errors and contradictions which are not wholly covered by his admission (on p. 186) that he has over-simplified in order to make the main points clear.
First, Toulmin's initial separation of the deontological and teleological arguments is too sharp. It is not (as he says on p. 151) only when we are discussing whether a social practice should be changed or retained that the teleological kind of argument is "appropriate". As he admits elsewhere (pp. 146-7), the consideration of consequences is often taken to weigh against a rule of conduct in a particular case. And people who have different characters, or who adhere to different moral traditions, differ systematically here, some giving more weight to rules, others to consequences. It is not only in "test cases" that the distinction breaks down (cf. pp. 151-2); it is not only when a moral reformer is deliberately challenging an accepted rule that an appeal is made to considerations other than accepted rules. Moralities are changed not so much by reformers as by large numbers of people who just don't feel so much bound by the established rules as their parents did: very often they do not actually challenge the rule, but simply feel that other things are more important. The introduction, over the last sixty years or so, of a more tolerant sexual morality has been largely the work of people who were regarded as being merely selfish and immoral. Again, Toulmin seems to recognize this on p. 179, though on p. 151 he insists that a man should not be a rebel unless he is a moral reformer, while on p. 169 he says that "except where there is reason to believe that an existing principle could be superseded by another involving less suffering and annoyance on the whole, we are 'obliged' to obey it". (Of course, this last assertion might be defended as part of an objectivist moral theory, but as a description of the recognized modes of reasoning it is false.)

Similarly, the rightness of social practices is often tested not by a direct reference to "happiness" but by an appeal to other rules or principles. Such is the appeal, commoner in the eighteenth century than to day, to "natural rights". Such, too, is the appeal to "fairness"; the inequality of women is criticized on the ground that it is unfair, and it has often been pointed out that there is a concealed reference to fairness
in the phrase "the general happiness"—the principle, which is
of course hopelessly indefinite, that each is to count as one.
Such, again, is the argument that adultery is wrong because
it is forbidden by God, whom we ought to obey.

Secondly, the non-deontological considerations are not
necessarily utilitarian, or even teleological. We find argu-
ments of these forms: (a) This practice would lead to the
following results, which are good, though they do not involve
any increase of happiness. (b) This practice would itself be
good, though neither productive of happiness nor enjoined by
the existing code. (c) This practice would form part of a
way of life which would be good, though neither, etc.

This fact has an important corollary. If Toulmin's account
was correct, and if "happiness" were an objective property,
ethical arguments would be conclusive, and a failure to reach
agreement could be due only to one (or more) of these
things: a mistake about facts, a refusal to argue ethically,
or a definite fallacy in ethical reasoning. But since the argu-
ments often take one of the forms mentioned, an ethical dispute
often ends in a deadlock; one person says "I think such-and-
such would be good", another says "Well, I don't", and in
some cases (though not all) their disagreement in attitude, or
their differing preferences about ways of life, are ultimate,
and they cannot reason any further. Ethical statements and
arguments represent the clashes of social movements which
have different ways of life, and even when reference is made to
"happiness" it is often misleading. Happiness is presented
as a common measure of preferences, whereas there is no such
common measure. (Cf. John Anderson's article on "Utili-
tarianism" in this Journal, September 1932.) When someone
talks about happiness he is usually referring to the sort of
life he and his associates prefer, but also suggesting (falsely)
that everyone must prefer it.

A third point, closely connected with this, is that what we
might call the ethics of the individual is interwoven with social
ethics in a way that Toulmin does not allow. He does, indeed,
find a place for this—he likes to find a place for everything.
On pp. 156-160 he speaks about developing a "'rule of life', a personal 'code', with the help of which, when moral considerations are no longer relevant, we can choose between different courses of action". What he regards as strictly moral considerations set limits, but within these limits we choose what we think is best, or what we ought to do in an extended sense of 'ought'. But our actual reasoning is not as neat as this. We let our personal rules of life weigh along with and against the social rules. A clear example is the artist (like Stephen in Joyce's Portrait of the Artist and Ulysses) who feels that, quite apart from any moral reforms that he may support and quite apart from any happiness that he may produce, he is right in sacrificing social and family obligations to his artistic development.

Now if we study the works of ethical theorists like Plato (e.g., Republic, Bks. VI-IX) and Aristotle (e.g., Nicomachean Ethics, Bk. X) we find that they are very much concerned with this ethics of the individual; as Toulmin himself records (p. 158), Plato is even more interested in the pursuit of the Good than in the harmony of society. There seems to be no justification for his view (p. 159) that this is "ethics" only in an extended sense. Certainly the notion of obligation is fully developed only on a compulsive morality such as a morality of social demands, but why assume that ethics is primarily a matter of obligations, that non-compulsive "values" can come in only after obligations have been met? Toulmin is surely not here describing the recognized criteria but advocating a particular, selected pattern of ethical reasoning.

What these points add up to is that there is not a single clear-cut system of recognized criteria for ethical reasoning. People differ about ultimate standards, and also about methods of argument. They differ, for example, in the relative weight and extent that they assign to deontology and teleology, to social demands and to the personal way of life. And while all ethical argument, to be ethical, has to take some account of fairness or equity, this is itself a partly indeterminate notion (the choice of standards of merit is "subjective"). This
fact, that there is an ultimate conflict of ethical principles and methods, is surely what Russell was referring to when he said that the present account of ethics would not have convinced Hitler (footnote, p. 165).

It is interesting to note that Toulmin's main doctrine was anticipated by John Austin in his *Lectures on Jurisprudence* (first published in 1832), though there is no evidence of any direct influence of Austin on Toulmin. Austin also insists that the rightness of particular acts is to be judged by rules, the rightness of rules by the principle of utility (see Lecture II, pp. 113-5, in the fifth edition, 1885). "Our rules would be fashioned on utility, our conduct on our rules." He takes this position in defending utilitarianism against the charge that it is impracticable, for he admits that it would be impracticable if every particular act had to be tested directly by the principle of utility. But it is significant that Austin is consciously advocating one method of ethical reasoning in contrast and in opposition to others. It is a measure of the extent to which utilitarianism, despite its rejection by most philosophers, has become the dominant practical morality that what Austin advocated Toulmin can plausibly claim to discover, by linguistic analysis, to be ethics, so that if you do not use this method you are just not reasoning ethically!

With rather naive optimism Toulmin suggests that the holders of the objective, subjective and imperative theories will all welcome his account as a more precise presentation of their respective views. Personally, I doubt whether many subjectivists or imperativists will feel that they had to wait for Toulmin to "[bring] out more explicitly . . . the ways in which other people's ethical feelings influence our own" (p. 187). However, I agree that theorists of all three schools may take Toulmin's account as roughly correct. But this will be precisely because of the indeterminacy noted above, the fact that it is not quite clear whether such a phrase as "good reasons" is to be taken descriptively or prescriptively. The objectivists will be satisfied only if they take it prescriptively; they want an objectivity that goes beyond the "generality"
and independence of the particular speaker to which Toulmin refers on p. 188. Similarly, the other two schools (which cannot be very sharply distinguished when their views are developed and corrected) will be satisfied only if they take such a phrase descriptively. The point is that the three rival theories are not merely "disguised comparisons" (pp. 190-3); for example, the objectivist is not merely saying that ethical terms are a bit like words for properties; there is a real and fundamental disagreement between the objectivist and the others in that he maintains, while they deny, that there are objectively prescriptive features of things or self-subsistent norms.

There is no more a single "function" of ethics than there is a single system of criteria. Toulmin, indeed, argues that the criteria follow from the function, which is "to correlate our feelings and behaviour in such a way as to make the fulfilment of everyone's aims and desires as far as possible compatible" (p. 137). (By "correlate" he presumably means "reconcile" or "harmonize" or "adjust".) That this is the function of ethics does not, however, follow from the evidence he presents, the facts that all communities follow rules of behaviour which make living together possible by ensuring that their members show some respect for each other's interests, and that ethical judgments are connected with these rules. There is a wide gulf between showing some respect and trying to maximise satisfactions. Every adjustment is to some extent a biased one, and any ethical judgment will promote not harmony in itself but a particular sort of harmony, so that one function of ethical judgments will always be to advance some interests against others.

Since this book is primarily about ethics a thorough criticism of the "pilot investigation" of the function and method of science would be out of place here. But I think there is scope for something analogous to the suggested criticism of Toulmin's ethical theory. Toulmin describes what is now the dominant and generally accepted method of science, and defines truth in science in relation to this. "[A scientific
judgment] to be 'true' . . . must follow correctly from a theory which accounts for all normal people's sense-experiences in similar situations" (p. 123). Truth is just a matter of satisfactory explanation; if a theory accounts for the observations, it makes no literal sense to ask further whether it is true. Now this sort of phenomenalism is quite widely held, but realists will not accept it; one special objection is that this account cuts off "truth" in science from the truth of common sense, whereas they are historically continuous. Again, if this were the only method that science uses or has ever used, the only sort of truth it has recognized, Toulmin's account would be plausible; it would make sense to say that if you are not following this method you are not doing science. But in fact scientists have not always understood truth in this way and do not understand it solely in this way at present; the method Toulmin describes has had to fight for acceptance against other methods that were claimed to lead to truth. When Machiavelli and Bacon, in their respective fields, advocated scientific empiricism, they were not introducing a new definition of "truth", but recommending what they thought was a better method than those previously established for discovering truth—"truth" in an already-existing sense.

This may reflect some more light on the position in ethics. In both fields Toulmin selects a dominant method and treats it as the sole method, and indeed as determining the subject in question and the meaning of its principal terms, such as "truth" in science and "ought" in ethics. But in both cases these terms have a prior use. The prior meaning of 'ought' is prescriptive: what all moral theories have in common is the recommending of something: what is right is what is to be done generally. Toulmin's account of the criteria of ethical reasoning thus serves as a "persuasive definition" whenever his ethical terms are taken with their normal prescriptive force. He says, in effect, that certain ways of deciding how to act are to be used. Thus he is himself doing what he recognizes (pp. 195-201) that other philosophical theorists of ethics do.
He is wrong, therefore, when he dismisses, as a "limiting question" with no literal sense, the question "Why ought I to do what is right" on the ground that "what I ought to do" and "what is right" are synonymous (p. 162). They are not synonymous when this question is asked; in it "what is right" has reference to some set of moral principles or (as in Toulmin) to some set of criteria; its meaning is descriptive. But the "ought" has its normal prescriptive force. If Toulmin says "You ought to do what is right", he is ordering us to use the criteria he sets out; and if someone asks "Why ought I?" he may be challenging this order, or asking what is its source, or (if he is something of a philosopher) suggesting that there are no self-subsistent norms.

Toulmin indeed says that such a limiting question can be asked and answered in the context of religion. Still finding a place for everything, he says that the function of religion is to help us resign ourselves to facts that are not scientifically explicable and to help us embrace duties which are not to be justified further in ethical terms (pp. 218-9). But the religious answer to the above-mentioned question, "Because it is God's will" (p. 219) is in fact an answer to the question in the second sense noted ("what is the source of this order?"); and a false one, for the real source is always something human, whether it is a social group or someone's super-ego.

This chapter on "Reason and Faith", along with a good deal else in the book, provokes a final comment. Toulmin's general tendency is strongly conformist, which is to be expected in the spokesman of a school that is primarily concerned with linguistic analysis. The final requirement of a philosophical theory of ethics is that it should be "true to the facts of our usage" (p. 191). Whenever they fall short of or go beyond the pure description of usages the pronouncements of such a school are likely to support whatever is the currently dominant practice in the field discussed. This is the real force of the wealth of plausible illustration in which writers of this school indulge. This conformism finds another expression in Toulmin's eagerness to find a place for everything, to
mark off appropriate fields for science, ethics, and religion, and to argue that any conflict between any two of these activities, strictly understood, is a logical impossibility. This comes out even more clearly in a B.B.C. talk (printed in the *Listener*, March 1, 1951) where Toulmin argues that scientific discoveries cannot have any bearing on religion. What I have already said will indicate how such an attempt at demarcation breaks down.