

## A Constitutionalist Guide to Morality: Language as Democracy

Re: 5 December 2017 exchange between Clive, Janos & Michael  
DP - Anybody Who Gives You a Belief System is Your Enemy

**Michael wrote:** Whether or not truth is discoverable is doubtless a matter of debate. Moral truth, however, can only be **co-created**.

**Clive wrote:** One could ask the question, is morality anything to do with truth? Is it an essential prerequisite for peaceful co-existence? When the individual reaches a level of understanding within themselves, they are at peace with themselves. Conflict or abuse of others destroys that peace. Does morality have a part to play in peaceful co-existence if that condition prevails?

**Janos wrote:** Next door to morals is ethics.

---

The quote from *Diffen* that Janos provides in support of his contention reads:

**Ethics** and **morals** relate to "right" and "wrong" conduct. While they are sometimes used interchangeably, they are different: **ethics** refer to rules provided by an external source, e.g., codes of conduct in workplaces or principles in religions. **Morals** refer to an individual's own principles regarding right and wrong.

Whatever meanings people commonly attach to the words "ethics" and "morals", one thing seems perfectly clear: meanings are the ideas that *by convention* we agree given words in given contexts shall carry, the words functioning as labels for, or sign-posts to, those ideas or meanings. Our agreement is in itself an act of what might termed "unconscious" democracy. But like all unconscious verbal assumptions, its truly democratic nature becomes apparent only when brought into consciousness and shared with others, which is why Socrates, who understood this, spent his life encouraging people to define their terms. Constitutionalist understand this. For, when they call for a Constitution, they insist that it be not only written but also living. A constitution - a necessary, though by no means a sufficient condition for democracy - by laying down the ground rules that make genuine democratic practice possible, constitutes in itself *the* primal act of democratic co-creation. And that act of co-creation becomes "ongoing" whenever the conventional and agreed terms of the Constitution are challenged and redefinition is called for, or when as happens occasionally those terms need to be adapted to changing circumstances.

It is my contention that for some time now a similar situation has obtained in the field of moral philosophy: circumstances have changed and a redefinition of terms is called for. Indeed, it is my further contention that a paradigm shift towards more democracy-friendly moral thinking is long overdue.

The distinction *Diffen* makes between ethics and morals is the conventional one: "ethics" are external, objective and pertain to society, while "morals" are internal, subjective and pertain to an individual's sense of value, of right and wrong. In its Comparison Chart, *Diffen* further suggests that "ethics" have to do with what

external society deems it is right to do, while "morals" depend on what we internally believe it is right to do.

Now a similar sort of distinction underlies the discourse of the French moral philosopher, André Comte-Sponville. In a recent interview for *Le Monde* (April last year), he insisted that morals must be disassociated from politics: "We need morals to govern ourselves", he said, "and politics to govern together the communities to which we belong". "But", asked his interviewer, "do we not need, if not morals, at least a minimum ethic in politics?" "Yes", replied the philosopher, "of course we need morals! But we must remember that the moral question remains: *what should I do?* not: *what should so-an-so do?* Morals only work in the first person. For the others, the law and compassion must suffice."

In what follows it shall be my purpose to show just how misconceived, muddled and misleading this distinction or disconnect between "objective" ethics and "subjective" morals continues to be. It has become a source of needless confusion and a barrier to any meaningful understanding of the democratic functioning of human moral sense.

First, it blinds us to the fact that much, if not most, of what we as individuals believe it is right to do is a function of acculturation, of what society (the other members of our communities) suggests it is right to do. The fact that, until relatively recently, this process of acculturation had been captured and controlled by an elite minority, abetted by the officers of organised religion or its equivalents, should not hide from us **the fact of acculturation as an abiding and necessary moral force.**

Second, the distinction fails to recognise another moral truth: were it not for "others" (and here in our eco-centric times we must include all living creatures) with whom we share our existence and common environment, what we did or did not do would be a matter of moral indifference. It is, indeed, the very existence of "others" in combination with human agency that makes what we do or fail to do "moral" in the first place. Imagine for a moment the situation of an individual living alone in a world devoid of all other living creatures. Could we in that circumstance meaningfully speak of our individual being morally accountable or responsible? Responsible? Accountable? To whom exactly?

Another French moral philosopher, Emmanuel Levinas, puts it differently but voices the same idea about the essential role of "others" in moral matters when he writes: *There is no authentic sociality apart from ethics, and there is no ethics apart from sociality* (1). Levinas uses the word "ethics" but he could equally well have used the word "morals" without altering his proposition one iota.

No, the traditional distinction between "morals" and "ethics", between the internally "subjective" and the externally "objective" has limited use only in our current world of hoped-for adult, democratic and egalitarian deliberation.

That distinction may have borne analytical weight in an authoritarian age of imposed moral order when we were being told what to do by "our betters and superiors", when the consuming fires of our immature consciences could be assuaged by the liberating absolutions of Father Confessors or the kindly words of Spiritual Advisors and empathetic friends, but it has little relevance to our own age when moral values need to be co-created and moral calculus collective rather than individual.

There is indeed a cruel and tragic irony to all of this. Precisely at the time of our venturing across the threshold of the authoritarian home of our special childhood

into the wider, freer adult-world of moral relativism, precisely when it behoves us to begin thinking collectively for ourselves rather than have an arbitrary "few" think for us, we find the communities, so necessary to the democratic process of our thinking independently together, weakened as never before, atomised by the rampant globalised consumerist individualism that has invaded with meaningless noise and empty choices the moral-political space so recently released from the control of organised religion.

The question then arises how is that moral-political space to be filled, and with what? At this juncture, Constitutionals with their Declaration of Purpose are primarily concerned with the how rather than with the what.

First, they would agree with philosopher David Hume that an *ought* cannot be derived from an *is*. They are concerned, that is, to make a clear distinction between how they observe the world *to be* and how they believe the world *ought to be*, between statements of observable scientific fact on the one hand and moral propositions on the other. I am reminded of this distinction when I recall that as a young Anglo-Saxon learner of Spanish needing to master the distinction between the use of the *subjunctive* and *indicative* forms of verbs, I was amazed and somewhat humbled to hear a four year-old deploy the subjunctive mood to the manner born, which indeed is what she was. She herself was no doubt unaware of the distinction she was making, but her language was!

Statements of observable fact or truth about "how the world is" are, of course, to a very large extent co-invented, but even so they are not "made-up" out of thin air. They start life in the empirical observations of often independent thinkers and, through a frequently long and tortuous process of what scientists call "peer review", end up as settled and reliable consensual statements about "how things are". Such is the case, for example, with adaptive selection through replication of Darwinian evolution theory, or with Nicolaus Copernicus' earlier empirical discovery of Heliocentrism. We can as a result safely assume that tomorrow the sun will rise! If it doesn't, then Copernicus' theory is no less scientific, it is simply wrong. For as Karl Popper rightly suggested, in order for an observation to be truly scientific, it must be capable of falsification.

Now contrast this with moral propositions. To what extent are the latter capable of falsification, to what extent can they be said to be true or false? I would suggest the question is meaningless. If I say to you: "I think you ought to do so and so" and If you answer: "That's not true", I would simply be left feeling that I had not been understood. Unlike scientific facts, moral propositions are not things that we can verify, they are not susceptible to being found true or false, but they can be said to be desirable to a greater or lesser extent and as such can be agreed to or disagreed with.

Moral propositions are thus, more than anything else, matters of informed and shared understanding. And it is this informed and shared understanding that lies at the heart of democratic discourse, whose success or failure depends ultimately on our ability to communicate with each other.

To what extent the current social media, in spite of their trumpeted connectivity, will provide a stable locus for genuine democratic communication is very much an open question. Undoubtedly in certain instances the social media already do. Undoubtedly also in many other instances they appear to be eroding the collective exercise of moral imagination, by leading people to disengage into bubbles of isolation from which they shout their personal preferences or to retreat into comfortable silos of the like-minded where prejudices and opinions can remain entrenched, safe and unexamined by encounter with a genuine "other".

Constitutionalists believe that the time has come for a paradigm shift in humanity's moral thinking: Subjective Morals and Objective Ethics can no longer be viewed as separate entities. The "what I should do" is now inseparable from the "what we should do"; the "I" and "we" belong to the same joint and several response to the single political-moral challenge now facing our species. That challenge, we now know, will involve our co-creating a shared understanding of what it is to be human and of the interdependent relation of our species with all other living species and with the shared life-sustaining environment of our Planet. And that shared understanding, we believe, must be the true purpose of democracy in the twenty-first century.

At the beginning of this piece friend Clive asked two questions. I trust that a Constitutionalist answer to both those questions is now a little clearer. Does morality have anything to do with truth? He asked. Well, it should now be clear: not a great deal, if by truth he means observable fact. Although, were a moral proposition manifestly to run counter to observable fact, it would not be taken seriously: as in, I think water should flow upwards! But the real point is that moral propositions have essentially to do with something more than just factual truth. My use of the term "moral truth" at the outset was crass. I should have spoken rather of "moral propositions".

As to Clive's second question: Is morality an essential pre-requisite for peaceful co-existence? In light of what has been said above, I should answer: absolutely so. Of course, being at peace with oneself and accepting oneself are prerequisites for peaceful co-existence but they are only half the picture (2). They are the foundation upon which the other half of the exercise of peaceful-coexistence - avoiding conflict with and abuse of others - becomes possible, through, that is, our being able to "listen well" and to thus genuinely to communicate and co-create with others, as the proponents, for example, of Socially Engaged Buddhism are at pains to emphasize.

(1) From: *Introducing Levinas to Undergraduate Philosophers* by Anthoy F. Beavers.

(2) There is an analogy here with the message that Kate Raworth in her admirable *Doughnut Economics* is trying to get across: we need to shift beyond the narrow view that has confined economics to a study of how to achieve abstract equilibriums towards co-creating a more systemic and holistic approach that includes households, the commons and the state, and not just markets.

St Juien-en-Genevois, January 2018