

03.03.2017

## Literatur zum moralischen Konstruktivismus

### Bibliography on moral constructivism

Alphabetische Ordnung / alphabetical order:

<http://www.ethikseite.de/bib/bkonstru.pdf>

Chronologische Ordnung / reverse chronological order:

<http://www.ethikseite.de/bib/ckonstru.pdf>

- 2002 [1] Bagnoli, Carla (2002): Moral Constructivism: A Phenomenological Argument, *Topoi* 21, S. 125–138.
- 2011 [2] Bagnoli, Carla (2011): Constructivism in Metaethics, *Stanford Encyclopedia of Philosophy*, hrsg. von Ed Zalta, <http://plato.stanford.edu/entries/constructivism-metaethics/>.
- 2013 [3] Bagnoli, Carla (2013): Introduction, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 1–21.
- 2013 [4] Bagnoli, Carla (2013): Constructivism about Practical Knowledge, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 153–82.
- 2014 [5] Bagnoli, Carla (2014): Starting Points: Kantian Constructivism Reassessed, *Ratio Juris* 27, S. 311–29.<sup>1</sup>
- 2013 [6] Bagnoli, Carla (Hrsg.) (2013): *Constructivism in Ethics*, Cambridge.
- 2013 [7] Baldwin, Thomas (2013): Constructive Complaints, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 201–20.
- 1989 [8] Barry, Brian (1989): *A Treatise on Social Justice* Volume I: *Theories of Justice*, Berkeley, Los Angeles, S. 264–82 (“Constructivism”, “Is Constructivism a

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<sup>1</sup> “G. A. Cohen and J. Raz object that Constructivism is incoherent because it crucially deploys unconstructed elements in the structure of justification. This paper offers a response on behalf of constructivism, by reassessing the role of such unconstructed elements. First, it argues that a shared conception of rational agency works as a starting point for the justification, but it does not play a foundational role. Second, it accounts for the unconstructed norms that constrains the activity of construction as constitutive norms. Finally, on this basis, it draws a contrast between constructivist and foundational methods of ethics, such as deontology and teleology.”

Form of Intuitionism?”), S. 348–53, 369–72.

- 2013 [9] Barry, Melissa (2013): Constructivist Practical Reasoning and Objectivity, in *Reading Onora O’Neill*, hrsg. von David Archard, Monique Deveaux, Neil Manson und Daniel Weinstock, London, S. 17–36.
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- 2008 [12] Besch, Thomas M. (2008): Constructing Practical Reason. O’Neill on the Grounds of Kantian Constructivism, *Journal of Value Inquiry* 42, S. 55–76.
- 2009 [13] Besch, Thomas M. (2009): Kantian Constructivism, the Issue of Scope, and Perfectionism. O’Neill on Ethical Standing, *European Journal of Philosophy* 19, S. 1–20.<sup>2</sup>
- 2002 [14] Brady, Michael S. (2002): Skepticism, Normativity, and Practical Reality, *Journal of Value Inquiry* 36, S. 403–12.
- 2012 [15] Bratman, Michael E. (2012): Constructivism, Agency, and the Problem of Alignment, in *Constructivism in Practical Philosophy*, hrsg. von James Lenman und Yonatan Shemmer, Oxford, S. 81–98.
- 1987 [16] Brink, David O. (1987): Rawlsian Constructivism in Moral Theory, *Canadian Journal of Philosophy* 17, S. 71–90. Revidierte Fassung in Brink, *Moral Realism and the Foundations of Ethics*, Cambridge 1989, S. 307–21 (“Appendix 4: Rawlsian Constructivism”).
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<sup>2</sup> “Kantian constructivists accord a constitutive, justificatory role to the issue of scope: they typically claim that first-order practical thought depends for its authority on being suitably acceptable within the right scope, or by all relevant others, and some Kantian constructivists, notably Onora O’Neill, hold that our views of the nature and criteria of practical reasoning also depend for their authority on being suitably acceptable within the right scope. The paper considers whether O’Neill-type Kantian constructivism can coherently accord this key role to the issue of scope while adhering to the universalist, ‘cosmopolitan’ commitments at its core. The paper argues that this is not so. On the one hand, it shows that O’Neill’s attempt to ‘fix’ the scope of practical reasoning supposes, rather than establishes, a view of ethical standing and the scope of practical reasoning. On the other hand, the paper argues that Kantian constructivism should endorse a non-constructivist, perfectionist view of the good to determine that scope. The paper thereby supports the perfectionist conjecture that Kantian constructivism, in order to defend its universalist commitments, should take refuge in non-constructivist, perfectionist considerations, and that Kantian constructivism should therefore construe perfectionism as a partial, though uneasy, ally.”

- 2010 [18] Buckley, Michael (2010): The Structure of Justification in Political Constructivism, *Metaphilosophy* 41, S. 669–89.<sup>3</sup>
- 2009 [19] Budde, Kerstin (2009): Constructivism All the Way Down – Can O’Neill Succeed Where Rawls Failed, *Contemporary Political Theory* 8, S. 199–223.<sup>4</sup>
- 2013 [20] Copp, David (2013): Is Constructivism an Alternative to Moral Realism?, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 108–32.
- 2010 [21] Chrisman, Matthew (2010): Constructivism, Expressivism and Ethical Knowledge, *International Journal of Philosophical Studies* 18, S. 331–53.<sup>5</sup>

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<sup>3</sup> “In this article the author develops the view, held by some, that political constructivism is best interpreted as a pragmatic enterprise aiming to solve political problems. He argues that this interpretation’s structure of justification is best conceived in terms of two separate investigations—one develops a normative solution to a particular political problem by working up into a coherent whole certain moral conceptions of persons and society; and the other is an empirically based analysis of the political problem. The author argues that the empirically based analysis can generate criteria for assessing whether the normative theory successfully works out a solution, thereby developing a functionalist structure of justification. He further argues that this interpretation overcomes a longstanding criticism of constructivism, namely, that the use of substantive moral concepts in the hypothetical choice procedure biases the defense of principles in a particular direction and therefore begs important philosophical questions.”

<sup>4</sup> “While universalist theories have come under increasing attack from relativist and post-modern critics, such as Walzer, MacIntyre and Rorty, Kantian constructivism can be seen as a saviour of universalist ethics. Kantian constructivists accept the criticism that past universalist theories were foundational and philosophically comprehensive and thus contestable, but dispute that universalist principles are unattainable. The question then arises if Kantian constructivism can deliver a non-foundational justification of universal principles. Rawls, the first Kantian constructivist, has seemingly retreated from the universalist ambitions of Kantian constructivism. However, others have taken up the project of Kantian constructivism. One of them is O’Neill, who argues that she can succeed where Rawls failed and provide a truly universal non-foundational constructivism. Her requirements for such a constructivism are a constructive justification of the procedure of construction and the use of only abstract, non-ideal starting points. I will argue that O’Neill fails on both accounts. Instead of justifying the principle of practical reason constructively she gives an instrumental and therefore conditional justification. Instead of relying on purely abstract starting points her account builds on an underlying value assumption. This indicates inherent contradictions within constructivism, and might force defenders of universalism to look elsewhere to answer the relativist and post-modern critic.”

<sup>5</sup> “In the contemporary metaethical debate, expressivist (Blackburn, Gibbard) and constructivist (Korsgaard, Street) views can be viewed as inspired by irrealist ideas from Hume and Kant respectively. One realist response to these contemporary irrealist views is to argue that they are inconsistent with obvious surface-level appearances of ordinary ethical thought and discourse, especially the fact that we talk and act as if there is ethical *knowledge*. In this paper, I explore some constructivist and expressivist options for responding to this objection. My conclusion is that, although both constructivists and expressivists can capture other surface-level features of ethical thought and discourse, the possibility of ethical knowledge causes special problems for these versions of irrealism. I end with some comments about where I think irrealists should begin to look for a response to these special problems, which points, somewhat surprisingly, towards an alternative inferentialist form of irrealism about epistemic and ethical thought and discourse, which is inspired by Sellars.”

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- 2012 [23] Dorsey, Dale (2012): A Puzzle for Constructivism and How to Solve It, in *Constructivism in Practical Philosophy*, hrsg. von James Lenman und Yonatan Shemmer, Oxford, S. 99–118.
- 2016 [24] Dostie Proulx, Pierre-Luc (2016): Early Forms of Metaethical Constructivism in John Dewey's Pragmatism, *Journal for the History of Analytical Philosophy* 4 (9), S. 1–13.
- 2013 [25] Engstrom, Stephen (2013): Constructivism and Practical Knowledge, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 133–52.
- 2009 [26] Enoch, David (2009): Can there be a Global, Interesting, Coherent Constructivism about Practical Reason, *Philosophical Explorations* 12, S. 319–39.<sup>6</sup>
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- 2013 [28] FitzPatrick, William J. (2013): How Not to Be an Ethical Constructivist: A Critique of Korsgaard's Neo-Kantian Constitutivism, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 41–62.
- 2013 [29] Formosa, Paul (2013): Is Kant a Moral Constructivist or a Moral Realist?, *European Journal of Philosophy* 21, S. 170–96.<sup>7</sup>
- 1994 [30] Forst, Rainer (1994): *Kontexte der Gerechtigkeit. Politische Philosophie jenseits von Liberalismus und Kommunitarismus*, Frankfurt a. M., S. 265–70, 277–88, 289–93.
- 2007 [31] Freeman, Samuel (2007): The Burdens of Public Justification. Constructivism, Contractualism, and Publicity, *Politics, Philosophy & Economics* 6, S. 5–

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<sup>6</sup> “More and more people seem to think that constructivism – in political philosophy, in moral philosophy, and perhaps in practical reasoning most generally – is the way to go. And yet it is surprisingly hard to even characterize the view. In this paper, I go to some lengths trying to capture the essence of a constructivist position – mostly in the realm of practical reason – and to pinpoint its theoretical attractions. I then give some reason to suspect that there cannot be a coherent constructivist view about practical reason as a whole, at least not if it is to be interestingly constructivist, in a sense I make reasonably precise.”

<sup>7</sup> “The dominant interpretation of Kant as a moral constructivist has recently come under sustained philosophical attack by those defending a moral realist reading of Kant. In light of this, should we read Kant as endorsing moral constructivism or moral realism? In answering this question we encounter disagreement in regard to two key independence claims. First, the independence of the value of persons from the moral law (an independence that is rejected) and second, the independence of the content and authority of the moral law from actual acts of willing on behalf of those bound by that law (an independence that is upheld). The resulting position, which is called not ‘all the way down’ constructivism, is attributed to Kant.”

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<sup>8</sup> “Some commentators have attributed constructivism to Kant at the first-order level; others cast him as a meta-ethical constructivist. Among meta-ethical constructivist interpretations I distinguish between ‘atheistic’ and ‘agnostic’ versions regarding the existence of an independent moral order. Even though these two versions are incompatible, each is linked with central Kantian doctrines, revealing a tension within Kant’s own view. Moreover, among interpretations that cast Kant as rejecting substantive realism but embracing procedural realism, some (i.e., those that are ‘constructivist’) face charges of indeterminacy or relativism, while others (practical reasoning views) face ‘daunting rationalism’ objections. I close with some objections to interpreting Kant as a meta-ethical constructivist.”

Bagnoli, Cambridge, S. 82–107.

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- 2016 [45] Jezzi, Nathaniel (2016): Rawls on Kantian Constructivism, *Journal for the History of Analytical Philosophy* 4, No. 8, S. 1–25.<sup>10</sup>
- 2012 [46] Kaufman, Alexander (2012): Rawls and Kantian Constructivism, *Kantian Review* 17, S. 227–56.<sup>11</sup>
- 1990 [47] Kersting, Wolfgang (1996): Spannungsvolle Rationalitätsbegriffe in der politischen Philosophie von John Rawls, in *Die eine Vernunft und die vielen*

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<sup>9</sup> “Philosophers commonly wonder what a constructivist theory as applied to practical reasons might look like. For the methods or procedures of reasoning familiar from moral constructivism do not clearly apply generally, to all practical reasons. The paper argues that procedural specification is not necessary, so long as our aims are not first-order but explanatory. We can seek to explain how there could be facts of the matter about reasons for action without saying what reasons we have. Explanatory constructivism must assume constructive “norms of practical reasoning” which yield particular truths without assuming them. But philosophers often mistakenly assume that only “formal” norms of reasoning could fulfill this role. The paper describes a further possibility: norms of reasoning can be “situation-specific” and yet retain truth-independent authority. Though we might doubt whether such norms can be independently defended, we should not doubt the possibility or coherence of constructivism about practical reasons.”

<sup>10</sup> “John Rawls’s 1980 Dewey Lectures are widely acknowledged to represent the locus classicus for contemporary discussions of moral constructivism. Nevertheless, few published works have engaged with the significant interpretive challenges one finds in these lectures, and those that have fail to offer a satisfactory reading of the view that Rawls presents there or the place the lectures occupy in the development of Rawls’s thinking. Indeed, there is a surprising lack of consensus about how best to interpret the constructivism of these lectures. In this paper, I argue that the constructivism presented in the Dewey Lectures is best understood as involving the view that moral truth is correspondence with procedurally-determined, stance-dependent facts. Employing Rawls’s discussion of rational intuitionism as a foil, I defend this reading against textual discrepancies from within the lectures, as well as those one finds across Rawls’s other works. In addition to settling interpretive disputes, I draw out the ways in which this understanding of Kantian constructivism fits within the broader comparative project in ‘moral theory’ that Rawls inherits from Sidgwick.”

<sup>11</sup> “John Rawls’s account of Kantian constructivism is perhaps his most striking contribution to ethics. In this paper, I examine the relation between Rawls’s constructivism and its foundation in Kantian intuitions. In particular, I focus on the progressive influence on Rawls’s approach of the Kantian intuition that the substance of morality is best understood as constructed by free and equal people under fair conditions. Rawls’s focus on this Kantian intuition, I argue, motivates the focus on social contract that grounds both his accounts of the original position and of reflective equilibrium. Critics, including Onora O’Neill and Larry Krasnoff, object that Rawls’s view distorts various aspects of Kantian moral reasoning. I argue that these objections (i) exaggerate the distinctions between Kant’s and Rawls’s decision procedures and (ii) reflect an unnecessarily constricted view of Kant’s moral thought.”

*Rationalitäten*, hrsg. von Karl-Otto Apel und Matthias Kettner, Frankfurt a. M., S. 227–65: S. 255–65 („Rawls’ Kantischer Konstruktivismus“).

- 1997 [48] Klosko, George (1997): Political Constructivism in Rawls’s Political Liberalism, *American Political Science Review* 91, S. 635-46.
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<sup>12</sup> “Constructivist political theory, championed most prominently by John Rawls, builds up a conception of justice from the minimal requirements of political life. It has two powerful attractions. It promises a kind of civic unity in the face of irresolvable differences about the good life. It also offers a foundation for human rights that is secure in the face of those same differences. The very parsimony that is its strength, however, deprives it of the resources to condemn some atrocities. Because it focuses on the political aspect of persons, it has difficulty cognizing violence done to those aspects of the person that are not political, preeminently the body. Constructivism thus can be only a part of an acceptable theory of justice.”

<sup>13</sup> “In this paper I trace the development of one of the central debates of late twentieth-century moral philosophy – the debate between realism and what Rawls called “constructivism.” Realism, I argue, is a reactive position that arises in response to almost every attempt to give a substantive explanation of morality. It results from the realist’s belief that such explanations inevitably reduce moral phenomena to natural phenomena. I trace this belief, and the essence of realism, to a view about the nature of concepts—that it is the function of all concepts to describe reality. Constructivism may be understood as the alternative view that a normative concept refers schematically to the solution to a practical problem. A constructivist account of a concept, unlike a traditional analysis, is an attempt to work out the solution to that problem. I explain how the philosophies of Kant and Rawls can be understood on this model.”

<sup>14</sup> “In this paper I analyze the tension between realism and antirealism at the basis of Kantian constructivism. This tension generates a conflictive account of the source of the validity of social norms. On the one hand, the claim to moral objectivity characteristic of Kantian moral theories makes the validity of norms depend on realist assumptions concerning the existence of shared fundamental interests among all rational human beings. I illustrate this claim through a comparison of the approaches of Rawls, Habermas and Scanlon. On the other hand, however, objections to moral realism motivate many Kantian constructivists to endorse the antirealist claim that reasonable agreement is the source of the validity of social norms. After analyzing the difficulties in the latter strategy, I try to show how a balance between the realist and antirealist elements of Kantian constructivism can be reached by drawing a sharper distinction between the justice and the legitimacy of social norms.”

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- 2013 [57] LeBar, Mark (2013): Constructivism and Particularism, in *Constructivism in Ethics*, hrsg. von Carla Bagnoli, Cambridge, S. 183–200.
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- 2012 [64] Meyers, Chris (2012): Expressivism, Constructivism, and the Supervenience of Moral Properties, *Philosophical Explorations* 15, S. 17–31.<sup>16</sup>

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<sup>15</sup> “Constructivism about practical judgments, as I understand it, is the notion that our true normative judgments represent a normative reality, while denying that that reality is independent of our exercise of moral and practical judgment. The Kantian strain of practical constructivism (through Kant himself, John Rawls, Christine Korsgaard, and others) has been so influential that it is tempting to identify the constructivist approach in practical domains with the Kantian development of the outlook. In this essay I explore a somewhat different variety of practical constructivism, which I call *Aristotelian Constructivism*. My aim is to establish conceptual space for this form of constructivism by indicating both in what ways it agrees with its Kantian counterparts and in what ways it differs. I argue that Aristotelian Constructivism is on one sense more faithful to the constructivist enterprise than the Kantian varieties, in that its understanding of both the establishment of practical truth *and* the vindication of the theory itself is constructivist.”



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<sup>16</sup> “One of the most familiar arguments for expressivist metaethics is the claim that the rival theory, moral realism, cannot provide a satisfying explanation of why moral properties supervene on natural properties. Non-cognitivism, however, has its own problems explaining supervenience. Expressivists try to establish supervenience either by second-order disapproval of type-inconsistent moral evaluations or by pragmatic considerations. But disapproval of inconsistency is merely a contingent attitude that people happen to have; and pragmatic justification does not allow for appraisers to take their own moral attitudes seriously enough. What has been overlooked is a third alternative. The metaethical theory that can best account for supervenience is neither realist nor non-cognitivist but an objectivist version of constructivism. On the constructivist theory, right and wrong are determined by the principles that people would (hypothetically) consent to under ideal conditions. Type-consistency is a required feature of any principles regulating our conduct, if they are to be freely agreed to by ideally rational people.”

*Liberalismus. Aufsätze 1978–1989*, hrsg. von Wilfried Hinsch, Frankfurt a. M. 1992, S. 80–158.

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<sup>17</sup> "In his article 'Facts and Principles', G.A. Cohen attempts to refute constructivist approaches to justification by showing that, contrary to what their proponents claim, fundamental normative principles are fact-insensitive. We argue that Cohen's 'fact-insensitivity thesis' does not provide a successful refutation of constructivism because it pertains to an area of meta-ethics which differs from the one tackled by constructivists. While Cohen's thesis concerns the logical structure of normative principles, constructivists ask how normative principles should be justified. In particular, their claim that justified fundamental normative principles are fact-sensitive follows from a commitment to agnosticism about the existence of objective moral facts. We therefore conclude that, in order to refute constructivism, Cohen would have to address questions of justification, and take a stand on those long-standing meta-ethical debates about the ontological status of moral notions (for example, realism versus anti-realism) with respect to which he himself wants to remain agnostic."

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<sup>18</sup> “This paper questions nearly every major point Christina Lafont (2004) makes about “the validity of social norms” and their relation to moral realism and Kantian constructivism. I distinguish realisms from theories of objective or subjective knowledge, then from cognitivism. Next, I distinguish Kant and constructivism from Rawls’ political constructivism. Finally, I propose clues for an alternative theory of moral constructivism.”

<sup>19</sup> “In *Political Liberalism*, John Rawls describes a metaethical procedure – political constructivism – whereby political theorists formulate political principles by assembling and reworking ideas from the public political

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culture. To many of his moral realist and moral constructivist critics, Rawls’s procedure is simply a recent version of the ‘popular moral philosophy’ that Kant excoriates in the *Groundwork for the Metaphysics of Morals*. In this article, I defend the idea of political constructivism on philosophical and political grounds. Initially, I argue that political constructivism is the best available methodology for self-legislating, socially embedded and fallible human beings; then I show that political constructivism may produce principles that could garner the principled assent of Euro-American Muslims such as Taha Jabir Al-Alwani. The article concludes by considering how political constructivism might be employed to formulate new political principles for Euro-American societies experiencing and confronting the Islamic revival.”

<sup>20</sup> “Kantian constructivists locate the source of normativity in the rational nature of valuing agents. Some further argue that accepting this premise thereby commits one to accepting the intrinsic or unconditioned value of rational nature itself. Whereas much of the critical literature on this “regress on conditions” argument has focused either on the cogency of the inference from the value-conferring capacity of the will to the unconditional value of that capacity itself or on the plausibility of the initial constructivist premise, my aim is to press the argument from a different direction by asking just how Kantian the constructivist needs to be in order to support a regress on conditions argument. Specifically, I maintain that the argument succeeds only given a full-fledged Kantian moral psychology, including a presupposition of transcendental freedom. If correct, this could have implications regarding the compatibility of Kantian ethics and philosophic naturalism.”

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- 2008 [105] Williams, Andrew (2008): Justice, Incentives and Constructivism, *Ratio* 21, S. 476–93.<sup>21</sup>

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<sup>21</sup> “In *Rescuing Justice and Equality*, G. A. Cohen reiterates his critique of John Rawls’s difference principle as a justification for inequality-generating incentives, and also argues that Rawls’s ambition to provide a constructivist defence of the first principles of justice is doomed. Cohen’s arguments also suggest a natural response to my earlier attempt to defend the basic structure objection to Cohen’s critique, which I term the alien factors reply. This paper criticises the reply, and Cohen’s more general argument against Rawls’s constructivism.”