I value **Morality**. Without a permissible choice, morality would lose its normative force. Subjects who are powerless to meet the demands of morality simply choose whatever they want, as they are wrong either way. If morality can’t permit actions, it cannot prohibit them either because it lacks the normative force to condemn actions.

**Next**, objective moral claims are impossible since morality is inherently a subjective construct.

**First**, it is impossible to distance our selves from our subjective desires and unify our reasons into one impartial perspective. **Young**:[[1]](#footnote-1)

Impartial reason, as we have seen, also generates a dichotomy between reason and feeling. Because of their particularity, feeling, inclincation, needs, and desire are expelled from the universality of moral reason. Dispassion requires that one abstract from the personal pull of desire, commitment, care, in relation to a moral situation and regard it impersonally. Feeling and commitment are thereby expelled from moral reason; all feelings and desires are devalued, become equally irrational, equally irrelevant to moral judgment (Spraegens, 1981, pp.250-56). This drive to unity fails, however. Feelings, desires, and commitments do not cease to exist and motivate just because they have been excluded from the definition of moral reason. They lurk as inarticulate shadows, belying the claim to comprehensiveness of universalist reason. In its project of reducing the plurality of subjects to one universal point of view, the ideal of impartiality generates another dichotomy, between a general will and particular interests. The plurality of subjects is not in fact eliminated, but only expelled from the moral realm; the concrete interests, needs, and desires of persons and the feelings that differentiate them from one another become merely private, subjective. In modern political theory this dichotomy appears as that between a public authority that represents the general interest, on the one hand, and private individuals with their own private desires, unshareable and incommunicable. We shall explore this dichotomy further in the next section. The ideal of impartiality expresses in fact an impossibility, a fiction. No one can adopt a point of view that is completely impersonal and dispassionate, completely separated from any particular context and commitments. In seeking such a notion of moral reason philosophy is utopian; as Nagel expresses it, the impartial view is a view from nowhere.

**Second**, conflicting moral judgments are irresolvable since they are based in differing sets of assumptions. **Macintyre**:[[2]](#footnote-2)

**[A]n agent can only justify a**particular **judgment by referring to some universal rule from which it may be logically derived, and can only justify that rule in turn by deriving it from some more general rule**or principle; **but**on this view **since every chain of reasoning must be finite, such a process of justificatory reasoning must always terminate with the assertion of some rule**or principle **for which no further reason can be given. Each** individual implicitly or explicitly **has to adopt his or her own first principles on the basis of**such a **choice. The utterance of any universal principle is**in the end **an expression of the preferences of an individual** will **and** for that will its principles have and **can have only such authority as it chooses to confer upon them by adopting them.**

**And**, if morality is subjectively defined, then moral prohibitions are impossible since no universal standpoint on morality can be attained. Every individual defines their own moral code, rendering all actions morally permissible since there is no way to universally prohibit action.

**However**, the only way to avoid this infinite regress into subjectivity is to adopt a moral theory based on consensus among individuals who recognize that they are moral equals free from domination. **Young 2**:[[3]](#footnote-3)

**The alternative to a moral theory founded on the assumption of impartial reason**, then, **is** a **communicative ethics.** Habermas has gone further than any other contemporary thinker in elaborating the project of a moral reason that recognizes the plurality of subjects. He insists that subjectivity is a product of communicative interaction. **Moral rationality should be understood as** a dialogic, the **product of the interaction of a plurality of subjects under conditions of equal power that do not suppress the interests of any.** Yet even Habermas seems unwilling to abandon a standpoint of universal normative reason that transcends particularists perspectives. As Seyla Benhabib (1986, pp.327-51) argues, he vacillates between privileging the neutral and impartial standpoint of the “generalized other” and what she calls the standpoint of the “concrete other.” Like the other theories of Rawls and Ackerman, one strain of Habermas’s theory relies on an a priori conception of moral reason. **Normative reason must be rationally reconstructed as constituted by subjects who begin with a commitment to** discursive **understanding** and to being persuaded by the force of the stronger argument. **This initial shared motive to reach consensus, coupled with** the assumption of **a** discussion **situation free from domination, accounts for how moral norms can be general and binding.** Like the theories of Rawls and Ackerman, this strain in Habermas’s theory relies on counterfactuals which build in an impartial starting point in order to get universality out of the moral dialogue.

**Further**, this moral consensus requires contractarianism to ground self-interest in principles of mutual restraint between persons. **Gauthier**:[[4]](#footnote-4)

**Moral principles are introduced as the objects of** full voluntary ex ante **agreement among** rational **persons. Such agreement is hypothetical, in supposing a pre-moral context for the adoption of moral rules** and practices. **But the parties to agreement are real, determinate individuals, distinguished by their** capacities, **situations, and concerns.** In so far as **[Since] they** would **agree to constrain**ts on **their choices**, restraining their pursuit of their own interests, **they acknowledge a distinction between what they may and may not do. As rational persons** understanding the structure of their interaction, **they recognize a place for mutual constraint, and so for a moral dimension in their affairs.**

To clarify, under contractarianism moral prohibitions are formed when an individual voluntarily agrees to refrain from taking certain actions in exchange for similar commitments from other individuals. **Williams**:[[5]](#footnote-5)

Gauthier’s objective is to construct[s] a theory capable of answering Nietzsche’s question as to where morality comes from; he declares that if he fails in this task then morality is a chimera. Perceiving traditional attempts to establish morality as lacking in foundation, Gauthier sets out to develop a moral theory “not of absolute standards, but of agreed constraints” 1 which can justify moral conduct to the rational self interest of all individuals as they now are. The construction of his moral theory is based firmly upon the rational behaviour of individuals and, as such, rejects any distinction between prudential and moral reasoning, arguing that a person can have no reason for accepting constraints which are independent of their interests. So, for Gauthier, the constraints which individuals voluntarily impose upon themselves are the basis, and the only basis, upon which morality can be based.

**Moreover**, even if morality were objectively defined in terms of universalizability or practical reason, consistency only demands that I recognize you value your own practical reason and that I value my own practical reason. It does not warrant the claim that I must respect your practical reason. Thus egoism is consistent with practical reason.

**However**, when forming these contracts, no individual can restrain their ability to preserve themselves through self-defense. **Baltzly**:[[6]](#footnote-6)

I have already more than once suggested that contractarianism seems, at first glance, to provide the best means of meeting Kagan’s first challenge. But why is this? Ibelieve it is due to **an essential feature of all contractarian accounts: [is] the fact that** in contractarian scenarios, **bargainers will seek to minimize the ‘trade-offs’ that accompany the implementation of** the social **contract[s]**. That is, **bargainers seeking to adopt a contract for the sake of lessening the evils** accompanying the state of nature **do so even as they foresee that** certain trade-offs will occur. For while **adopting the contract will bring about** protection from a great number of the evils the bargainers would encounter in the state of nature, this protection comes at the price of **certain new threats** that are sure to arise in life under the contract. The **bargainers accept the threat of these new evils because they prefer the trade-off**; still, though, **[but] they will seek to make this trade-off as slight as possible**. And it is precisely **this desire to minimize such a trade-off** that **makes contractarianism** such **a** promising **means of justifying** the principled exceptions to constraints on harming others required by some **cases of self-defense**. For it seems obvious that **if a set of bargainers agrees to certain constraints on behavior because**, for example, **adherence to those constraints is expedient in** fulfilling their desire to **maximiz[ing] overall well-being, and if the bargainers** also **can reasonably foresee that on** a few particular **occasion**s, **their very adherence to those constraints should happen to threaten** or undermine **overall well-being**, then **it seems an exception to those constraints would be warranted on those particular occasions.**  Furthermore, as we have just seen, this exception is grounded in the very principle that grounded the constraints in the first place – namely, the bargainers’ desire to maximize overall well-being. **Any constraints agreed to by a set of bargainers**, it seems, **will thus be qualified in such a way as to allow for certain principled** exceptions.

Since the basis for forming these agreements is because they are mutually beneficial, no individual will concede the right to self-defense when their overall wellbeing is threatened since the benefits to the agreement would be outweighed by the costs of giving up the right to self-defense. Indeed, if an individual contracts to relinquish his right to self-defense, he is not to be understood as a rational individual capable of entering into such contracts. **Hobbes**:[[7]](#footnote-7)

**Not All Rights Are Alienable**. Whensoever [**Whenever] a man [transfers or renounces]** Transferreth **his Right**, or Renounceth it; **it is** either **in consideration of some Right reciprocally transferred to him**selfe; or for some other good he hopeth for thereby. **For it is a voluntary act: and** of the voluntary acts of every man, **the object is some Good To Himself**e. And therefore there **be some Rights, which no man can be understood** by any words, or other signes, **to have abandoned, or transferred**. As first **a man cannot lay down the right of resisting [those]** them, **that assault him by force, to take away his life; because he cannot be understood to [aim]** ayme thereby, **at any Good to himself**e. The same may be sayd of Wounds, and Chayns, and Imprisonment; both because there is no benefit consequent to such patience; as there is to the patience of suffering another to be wounded, or imprisoned: as also because **a man cannot tell, when he seeth men proceed against him by violence, whether they intend his death or not.** And lastly **[Since] the motive, and end for** which this **renouncing, and transferring** or **[his] Right** is introduced, **is nothing else but the security of** a mans person, in **his life**, and in the means of so preserving life, as not to be weary of it. And therefore **if a man** by words, or other signes, seem **[contracts] to despoyle himself**e **of the End**, **for which [he contracts in the** first **place]** those signes were intended; **he is not to be understood as if he meant it, or that it was his will**; but that he was ignorant of how such words and actions were to be interpreted.

**Therefore, the standard is consistency with the contractarian right to self-defense**, defined as the right to defend oneself through any means in instances where one perceives there is a threat to one's life or overall wellbeing. Even if the negative offers a competing conception of self-defense, if I can show that this conception of self-defense is morally permissible, then it is sufficient to affirm. As such, turns to a conception of self-defense other than the one I am justifying do not negate, as constraints on self-defense only matter under particular conceptions of self-defense.

1. Iris Marion Young. “Justice and the Politics of Difference.” Princeton University Press. 1990. [↑](#footnote-ref-1)
2. Alasdair Macintyre. After Virtue. Book. [↑](#footnote-ref-2)
3. Iris Marion Young. “Justice and the Politics of Difference.” Princeton University Press. 1990. [↑](#footnote-ref-3)
4. David Gauthier. Morals by Agreement. Oxford: Clarendon, 1986. [↑](#footnote-ref-4)
5. Gareth Williams. “The Problems of David Gauthier’s Attempt to Derive Morality From Rationality.” Libertarian Alliance. 1998. [↑](#footnote-ref-5)
6. Vaughn Baltzly. “Contractarianism and Moderate Morality”, Thesis for MA in Philosophy, http://scholar.lib.vt.edu/theses/available/etd-07142001-091919/unrestricted/BryanThesis.PDF [↑](#footnote-ref-6)
7. Thomas Hobbes. Leviathan. [↑](#footnote-ref-7)