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Equal Standing and Practical Wisdom

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Abstract

I overview Bagnoli's position on practical wisdom and compare it to a few sample alternative accounts, with an emphasis on how equal standing functions in the account she offers. First, since Bagnoli's account is Kantian, we examine how it avoids the kinds of objections to Kantian theories of practical wisdom raised in the Hegelian tradition. Second, Bagnoli contrasts her view with the *exemplarist* model developed by Linda Zagzebski. I will offer criticisms of both Bagnoli's account and Zagzebski's and make a few suggestions for how practical wisdom could be understood in a manner that draws on the tradition of Islamic thought, while recognizing the problems and penetrating insights found in the works of Carla Bagnoli and the traditions of thought with she engages.

Keywords: Bagnoli, practical wisdom, equal standing, exemplarism, Zagzebski.

Introduction

In a series of articles, Carla Bagnoli has explored the issue of human vulnerability in relation to the emotions, ethics, agency, and practical reasoning (see Bangoli 2018a, 2018b, 2020a, 2020b, 2016). She argues that human vulnerability, weaknesses, frailties, and dependencies are essential to the human condition, and that it is a mistake to dismiss them as mere imperfections. It is because of our vulnerability that we depend upon one another as social animals; and this has profound implications for the norms that govern human relations. Because of our vulnerabilities, we support one another and seek support; and all of this makes various kinds of cooperation possible, group actions and activities. However, an examination of our vulnerabilities is also required to understand the ways in which we fail as agents. Reflection on all of this requires us to expand our understanding of practical wisdom beyond what we find in the standard accounts.

Beyond her writings on vulnerability, Bagnoli has sought to defend a broadly Kantian approach to moral philosophy and practical wisdom. Her particular form of moral constructivism, like those of other Kantian's, places a high premium on autonomy; but there is a tension between the emphases on vulnerability and on

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autonomy. The autonomous agent is one who is the author of her own moral laws, independent of outside coercion of any kind. But the vulnerable agent is one who needs to rely on others to achieve her own individual goals, as well as common goods and the realization of shared aspirations. A part of Bagnoli's project in moral philosophy is the elaboration of a theory of practical wisdom that will pay due respect to both our vulnerabilities and our autonomy.

The strategy Bagnoli uses to preserve autonomy given our vulnerabilities in relations with others is one in which "equal standing" is invoked. Autonomy can be preserved for individuals despite their reliance on others in ways that make them vulnerable by insisting on equal standing.

In what follows, I will summarize the position taken by Bagnoli on practical wisdom and compare it to a few sample alternative accounts, with an emphasis on how equal standing functions in the account she offers. First, since Bagnoli's account is Kantian, we examine how it avoids the kinds of objections to Kantian theories of practical wisdom raised in the Hegelian tradition. Second, Bagnoli contrasts her view with the *exemplarist* model developed by Linda Zagzebski. I will offer criticisms of both Bagnoli's account and Zagzebski's and make a few suggestions for how practical wisdom could be understood in a manner that draws on the tradition of Islamic thought, while recognizing the problems and penetrating insights found in the works of Carla Bagnoli and the traditions of thought with she engages.

Vulnerability

Vulnerability has been discussed by philosophers since ancient times. Marina Berzins McCoy has shown how themes related to human vulnerability have been given acute attention by Homer, Plato, Aristotle, and other poets and philosophers of the ancient world (McCoy 2013). Nevertheless, it was not prominent in the reflections of modern philosophers, although there are relevant discussions in Kant's ethical writings, which have been investigated by several Kant scholars (see Formosa 2013 and Cadilha and Lisboa 2022). Having relevant discussions is not the same as a self-conscious recognition of the topic, although the difference is rather vague. Although Hegel's *Phenomenology* contains no term that would be translated as "vulnerability", his views of recognition, as Robert Brandom has observed, are premised on the vulnerability of the agents in the recognitional relation (Brandom 2019, 348-49). But before Brandom, with the renewed interest in Hegel that dominated French intellectual life in the period surrounding World War II, the topic of vulnerability in relation to recognition and Hegel's master/slave dialectic became a focus of discussion, and nowhere more so than in the works of Simone de Beauvoir. De Beauvoir's understanding of vulnerability, and how it took shape in disagreement with Sartre's reading of the master/slave dialectic is illuminatingly traced in the Ph.D. dissertation of Heather Wallace (Wallace 2020).

Following de Beauvoir, many feminist philosophers have focused on vulnerability (Mackenzie, Rogers and Dodds 2013; (Butler, Gambetti and Sabsay 2016), followed by numerous other studies. Vulnerability has been an important theme in the works of Martha Nussbaum;[2] and Alasdair MacIntyre took up the challenge of finding a place for vulnerability in his Thomistic/Aristotelian approach to moral philosophy with his *Dependent Rational Animals* (MacIntyre 1999).

Bagnoli summarizes her own account of ontological (as opposed to circumstantial) vulnerability as follows:

> When discussed as an ontological feature of human agency, vulnerability is primarily understood as an aspect of embodiment, which is problematic in different respects. First in relation to the situatedness of human agency vulnerability indicates that human agents are subjected to contextual contingencies. Second, in relation to temporality, vulnerability indicates that agents act in time and under the pressure of time. They are finite and produce finite and perishable actions, even though the long lasting effects of an action may survive the action itself. Third, in relation to corporal feature of agency, vulnerability is associated to suffering and frailty, insofar as bodily needs and desires represent both springs of and hindrances to rational action. Finally, in relation to the social nature of human animals, vulnerability indicates the susceptibility to be harmed, obstructed, undercut or manipulated by other agents These varieties of vulnerability are constitute features of human agency, which cannot be removed without removing what is peculiar and specific to human agency. (Bagnoli 2016, 13)

It is the link between vulnerability and agency that makes attention to vulnerability necessary for an account of practical wisdom. Bagnoli explains how failures in agency can be identified and accounted for with reference to standards derived from ontological vulnerability. The Kantian account of practical reason Bagnoli defends is one that requires effective integration of the cognitive and the affective for successful agency. Our emotional reactions to things are not direct sources of moral knowledge; rather, practical wisdom is realized in the ability to bring proper harmony into emotional and rational aspects of deliberation and decision making.

The issue of vulnerability has appeared to be particularly challenging for Kantian approaches to ethics because of Kant's emphasis on autonomy.[3] How can autonomy be prized while recognizing the vulnerability that is constitutive to much of human agency? Bagnoli's work offers an answer to this question. Bagnoli writes:

2. Particularly relevant are the discussions of vulnerability in Nussbaum 2013 and 2016.
3. This issue is also developed in Anderson and Honneth 2005.

> In so far as humans are social animals, they are mutually dependent in profound ways. They depend on each other not only occasionally but systematically; not only strategically but also, and in a pervasive way, for the sake of intrinsic ends, in the ordinary exercise of their cognitive and practical agency. They are endowed with emotions, feelings, and affects. Emotional vulnerability allows humans to develop a complex network of dispositions, skills, and capacities by which to respond to the predicaments of a human life. (Bangoli 2020a, 201)

As for autonomy, Bagnoli proposes a radical redefinition of the concept: "autonomy as a workable ethical and epistemic ideal of human agency should be recast as proper reliance on others" (Bangoli 2020b, 3). The big question here is how to distinguish proper from improper reliance. This is where the invocation of "equal standing" comes in: "[Equal standing] provides the objective criterion for distinguishing between proper and improper reliance on others" (Bangoli 2020b, 3).

In addition to outlining a Kantian approach to vulnerability and practical wisdom, Bagnoli also sets out to argue for the superiority of this approach to that of those philosophers who have drawn upon the Aristotelian tradition, in which moral education is modeled on apprenticeship. In order to assess the prospects for a Kantian view that recognizes the ways in which agency is conditioned on our vulnerabilities, let us review some alternative views of practical wisdom.

Practical Wisdom

To get oriented, consider four simplified accounts of practical wisdom.

1. **Platonic:** Practical wisdom is the ability to direct one's actions in accord with the ideal, so that the action accords with the known good.
2. **Aristotelian:** The practically wise person, *phronemos*, is one who both knows how to behave to achieve *eudaimonia* and has the strength of will to do so.
3. **Kantian:** Practical wisdom is the ability to accord one's will with the dictates of reason; the good will wills the performance of duty because it is the law authorized by reason and required for effective agency.
4. **Hegelian:** Practical wisdom is the ability to discern norms of conduct that develop in the pursuit of freedom through mutual recognition and to act accordingly. Practical wisdom has subjective and objective dimensions. Subjective rationality requires that one's actions be an expression of who the agent is, that is, of the agent's commitments, values, and principles. Objective rationality requires that the action be justifiable in terms of socially accepted norms, or norms that one's society arguably should accept—ideally, from the perspective of Absolute Spirit.

John Dewey saw a proto-pragmatism in Hegel's view, provided that the Absolute is interpreted as something like the totality of history. Dewey agreed with Hegel's *formalism objection* to Kant's view of practical reason: practical rules that are determined by reason alone will be logical trivialities and will lack substantive content sufficient to guide our actions. A number of recent commentators are of the opinion that Hegel's criticisms were unfair to Kant (see Stern 2015, Ch. 8; McCumber 2014, 158-59; Rose 2007, 100-101; Korsgaard 1996, 77-105; Wood 1990, Ch. 9. For a defense of Hegel's critique, see Sedgwick 2012, 2-7). Either Hegel did not understand Kant properly, or exaggerated his views in order to offer a greater contrast with his own. In any case, Dewey praised Hegel's efforts for steering the idea of process in the direction of "the social and moral order, as well as the intellectual, as a scene of becoming, and it located reason somewhere within the struggles of life" (from Dewey's Middle Works, 4:43, cited by Rorty 2007, 37).

Hegel's view of practical reason is summarized by Robert Pippin as follows:

> Hegel has what could be considered a historicized or social or pragmatic conception of practical reason. He understands practical reason as a kind of interchange of attempts at justification among persons each of whose actions affects what others would otherwise be able to do, and all this for a community at a time. (Pippin 2008, 7)

Practical wisdom might be defined as the virtue of intellect that enables one to recognize, evaluate, and employ reasons for action. If this is right, then we can understand Hegel's position on practical wisdom as one that emphasizes the social dimensions of practical reasoning. We recognize considerations as practical reasons when they are given with reference to norms that are accepted as authoritative in our society. Reasons are evaluated as "justifying" an action for an agent when the agent is able to use those reasons to defend the action, or when the agent must admit being at fault because of that reason, with reference to accepted norms. Agents are able to employ reasons to motivate actions because of the mutual recognition by which agents hold one another accountable.

This allows Hegel to highlight two advantages of his own view of practical reasoning:

1. It is contentful rather than merely formal. The content of practical reasons is due to their derivation from socially accepted norms.
2. It is motivationally effective, since agents, as social, have a stake in the norms by which they hold one another mutually responsible.

In addition, unlike extreme forms of cultural relativism, Hegel allows the norms of societies to be compared and evaluated in accord with his dialectical view of social progress toward the realization of freedom.

Bagnoli's view of practical wisdom, like Hegel's is designed to be:

1. contentful and historically sensitive, and
2. motivationally effective.

However, while Hegel's view of the achievement of autonomy and freedom is dialectical, yet not truly dialogical (according to Gadamer 1976; also see Liu 2023), Bagnoli's view is pointedly dialogical and also coheres with evolutionary accounts of the development of morals. Evolution cannot debunk moral knowledge, on Bagnoli's view, because the objectivity of the ethical consists in its survival over time through a process that is both evolutionary and dialogical (Bangoli 2019).

Bagnoli rejects moral absolutism without accepting an unrestricted relativism. Moral norms achieve objectivity when they prove themselves able to pass the test of time, yet they remain historically and culturally contingent, but independent of arbitrary wishes and whims.

> [Moral truths] are practical necessities, not contingent and conditional upon particular inclination and interest and, exactly for this reason, apt to guide subjects who are situated in time and depend on other similarly situated subjects. By entertaining practical reasoning, humans respond to the rational claims of others, and act in a way that is not contingent on their particular interests or desires. (Bangoli 2019)

The theory of practical wisdom that results from Bagnoli's defense of a reformed Kantian view avoids the major shortcomings attributed to Kant's theory by Hegel, regardless of whether Hegel correctly understood Kant. Like Hegel's view of practical wisdom, Bagnoli's recognizes the importance of the integration of both objective and subjective features, is social rather than individualistic, and provides a developmental account of the achievement of freedom in history. At the same time, she is able to defend her view as truly dialogical. Furthermore, while some Kantians ground the moral law in a metaphysical account of autonomy or free will, Bagnoli proposes that moral standing is *instituted* by relations of mutual respect and recognition, which is another cornerstone of Hegelian ethics (Williams 1997). Despite these similarities with Hegelian views, Bagnoli is critical of recent proposals for Hegelian constructivism in ethics.

The main problem that Bagnoli sees with Hegelian views is the metaphysical basis for the normative significance of historical developments. For Hegel, the metaphysical basis was the self-unfolding of Absolute Spirit. If that sort of thing is dismissed as a myth, Bagnoli observes the emergence of two flaws:

> On the one hand, by grounding reasons in sociohistorical contexts, social constructivism deprives them of their critical power, leading to relativism. On the other, there is a risk of reification, since practical reasons nested in shared norms and practices tend to be invulnerable to rational scrutiny. (Bangoli 2023)

In response to Bagnoli, one could argue that the sociohistorical grounding of our reasons no more deprives them of their critical force than do evolutionary debunking arguments. Perhaps the idea is that if reasons are seen as linked to sociohistorical

norms as part of what Michael Smith calls "the reasons-correctness nexus", with due credit given to Judith Jarvis Thomson, then moral reasons will be dependent on contingent social and historical factors (Smith 2018, 59-59); but the contingency of reasons neither implies that what is derived from them must be contingent nor that they cannot maintain their critical power given the factuality of the contingencies on which they are grounded. As for the reification problem, whether our practical reasons are or are not nested in shared norms and practices is not determined by our philosophical analysis of them. If the nesting of our reasons in norms obstructs rational scrutiny, we have good cause to look closer, and more critically, building theories in which the obstacles are not there does not help to remove them.

Bagnoli could find an ally in criticism of Hegelian approaches to practical wisdom in no less a reputable Hegelian than Ludwig Siep. After a career devoted to the works of Hegel, Siep has come to the conclusion that Hegel's project is a failure. Siep explains that according to Hegel, the modern concept of practical reason undermines its own claims to validity because practical reason only delivers general maxims and as such is incapable of providing guidance with the application of its principles (on Hegel's reading of Kant). In theoretical reason, general principles are supplemented with experimental data and contingent experiences. When Kantian practical reason attempts to judge a specific action, it is left with uncertainty about its moral status; while the utilitarian understanding of practical reason makes the proper judgment wait for outcomes beyond the rational control of the agent. With Hegel, reason is transformed into spirit when judgments are informed by the "living ethical spirit of a people" (Siep 2008, 189). Siep insists that the norms of ethical life do not dissolve into temporary conventions; but, rather, despite their historicity, "the principles of ethical life are meant to possess the firmness of a definite justification and a systematic necessity" (Siep 2008, 190). This means that practical wisdom, on Hegel's account, would require us to "sublate" practical reason and arrive at "spirit". But "spirit is not simply a process of social communication about norms" (Siep 2008, 189) To arrive at spirit, we should have moral and political norms that are not mere conventions, but should have a systematic justification and integration in a dialectical conceptual development. Siep writes:

> The validity of basic norms may rather be supported by irreversible common experiences. These experiences have to be interpreted and justified with regard to 'essential' human needs and capabilities. This, however, allows for a less unquestionable ethical life than the one Hegel establishes through his conceptual reconstruction of a self-understanding *nous* in the Neo-platonic tradition. (Siep 2008, 190)

Siep is skeptical and, thus, asks,

> Does that mean that we should revert from spirit [Hegel] to reason [Kant]? This may seem advisable if reason allows for more distance between subjective convictions and historical processes, autonomy

> of conscience and reigning customs, self-realization and the common "work" ("*Werk aller*"). But then reason would have to be conceived as less abstract, less restricted to universal rules and to intellectual faculties. It would have to be understood as more holistic, both regarding its relation to the other human faculties, especially the emotions, and to the immanent historical rationality of customs and institutions. (Siep 2008, 191)

It is precisely these kinds of reforms of a Kantian conception of practical wisdom that informs the work of Carla Bagnoli, although she might not welcome the contingency of whatever immanent historical rationality is to be found in current customs and institutions.

We began the discussion of practical wisdom with a list of four types of theory, Platonic, Aristotelian, Kantian, and Hegelian; and then zoomed in on the last two. As is well known, the tradition of Islamic philosophy, beginning with Farabi, explicitly sought an amalgam of the elements in the neo-Platonic and post-Aristotelian traditions. Bagnoli offers criticisms of the broadly Aristotelian view of Linda Zagzebski, but they apply equally well to the views of practical wisdom that are predominant in Islamic philosophy. To assess the prospects for a successful response to these criticisms, we will have to examine the concept of equal standing and why Bagnoli requires it for an adequate account of practical wisdom.

Equal Standing

Claims of equal standing occur primarily as legal concepts. The law is not to recognize wealth or social privilege in such a manner that the rich and powerful are not constrained by the law. Citizens are supposed to have equal standing under the law. This does not mean that the law itself cannot differentiate on the basis of differences that are thus irrelevant to the application of the law. So, the wealthy are required by law to pay more taxes than others in accord with systems of progressive taxation, although the wealthy and the poor are equally required to comply with whatever tax burden is assigned for them.

The term *egalitarianism*, however, is most often used today for the position regarding distributive justice according to which deviations from equality of wealth are considered to be prima facie unjust, unless the deviations can be justified. Egalitarianism in the distributive sense promotes measures such as progressive income tax. Distributive egalitarianism is more of a position in political philosophy than in ethics or theories of practical wisdom.

Claims about equal moral standing are often based on the master/slave dialectic in Hegel's *Phenomenology*. Hegel is said to have shown that the basic desire for recognition cannot be satisfied unless the recognition is mutual and related to persons who recognize one another as having equal standing. Frederick Beiser sums up the

lesson of the master/slave dialectic as follows:

> In the context of the master/slave dialectic, … the master proves his rationality when he finally recognizes the equal and independent reality of the slave. If he does this, that shows that he acts according to universal laws that grant someone else the same rights as himself. The master proves his freedom not by dominating this slave, then, but by treating him as his equal. (Beiser 2005, 190)

Today, one often finds the equal standing of persons defended on the basis of their equal possession of some inherent value, such as the value of free will or human dignity. Nussbaum gives clear statement of this conception:

> At the heart of our societies' conception is the idea of *human equality*. All human beings are of equal worth, and that worth is inherent or intrinsic: **it does not depend on a relationship to others**…. This worth is equal: all human beings are worthy of equal respect or regard, just in virtue of their humanity….
>
> We could capture this idea using a familiar and resonant notion, one that plays a role in many international documents and national constitutions: the idea of ***equal human dignity***. (Nussbaum 2013, 119-120; my bolding)

Hegel's argument, however, is that equal standing is not something intrinsic; it is something that is *instituted*, as Bagnoli puts it, in our social relations of recognition.

Elizabeth Anderson contrasts relational and distributive conceptions of *equality* (Anderson 2012). *Distributive* equality is defined as an equal distribution of goods, which include wealth, but also immaterial goods such as opportunity, education, and respect. Inequality occurs in the *relational* sense when social relations are based on hierarchies in which different classes or groups in the society dominate or have authority over the others. Freedom is linked with relational equality because one attains freedom when one overcomes inequalities that make one subordinate to others.

Anderson goes on to distinguish three kinds of hierarchy that conflict with relational equality: hierarchies of domination, esteem, and standing. It is the hierarchies of domination that conflict most obviously with freedom; but it is inequality of standing that is most important for our considerations of practical wisdom. Anderson writes:

> The third type of objectionable social inequality is hierarchies of standing. In these systems, the interests of those occupying superior social positions are given special weight in the deliberations of others and in the normal (habitual, unconscious, often automatic) operation of social institutions. As a result, those of higher rank enjoy greater rights, privileges, opportunities, or benefits than their social inferiors. (Anderson 2012, 43)

When practical deliberations about what it is moral to do are made under conditions of equal standing, ideally, there should be consensus—not just that everyone goes along with what a few have decided, but that all are actively on-board. Consensus, even in this robust sense, does not guarantee that the right decision will be made; it only guarantees that no voice goes unfairly unheard.

Bagnoli's conception of equal standing is clearly relational rather than distributive. Moral agents do not have equal standing because dignity or some other value is distributed equally among them, but because no judgment is to be rejected merely on the grounds that it is issued from the margins. Judgments are justified by reasons, not by the status of the person who issues the judgment. Bagnoli argues that *normative parity* needs to be assumed because of the incompleteness of practical reason, which is not sufficient to decide among some value rankings and conceptions of the good life. In order to make room for those whose disagreements are not due to faulty reasoning or lack of information, normative parity is proposed, understood as equal standing.

With regard to practical reasoning, the issue is not political consensus or democratic rights, but one of deciding what is the right thing to do. According to Aristotelian accounts of practical wisdom, we learn wisdom through training by the wise. Moral teachers hold a position of esteem and moral standing that sets them apart from others.

According to the Aristotelian *exemplarist* account of Linda Zagzegski, learning practical wisdom is compared with learning a craft; archery is Aristotle's example. To learn archery, one must be taught by a master of archery; and to learn practical wisdom, one must emulate someone who has the standing of a moral exemplar, one who is wise. Through training by the wise, one learns to master one's emotions so that virtue becomes second nature.

Bagnoli raises three fundamental objections to the exemplarist model of moral education. The first problem is the supposed superior status of the moral exemplar. Bagnoli asks how the exemplars know that they have this status, how they could possibly reflect critically on their status, and how they can arrive at judgments when there are competing standards of excellence. Second, there are problems about how a novice is supposed to be able to find a master, especially if there are disagreements about practical wisdom is to be recognized. Third, there is a version of the Euthyphro dilemma, if the wise have authority because of the moral principles they follow, we can dispense with the sages and come to our moral judgments by direct appeal to the principles. If the authority of the wise is not grounded in principles, then it is arbitrary and, so, it is not reasonable to follow them.

Bagnoli does not suggest that the exemplarist model of moral education cannot offer answers to these sorts of questions. The point is only that they reveal deep troubles with the model. With regard to the Euthyphro dilemma, Bagnoli's misgiving is similar to an ancient objection to the prophets (*'a*) attributed to the Brahmins and

discussed by Muslim philosophers:[4] if the moral teachings of the prophets are in agreement with reason, reason has no need of them; but if their teachings conflict with reason, they should be rejected. The answers to the dilemma to be gleaned from the writings of the Muslim sages are multifarious. In some cases, we require moral judgments when unaided reason will never suffice. It can be reasonable to follow an arbitrary decision to solve a coordination problem. In other cases, reason will suffice to determine the decision needed, but reason requires training. Reason may suffice for some but not others. In such cases authority can support reason.

With regard to the problem of how the exemplars can tell that they have their exemplary status, how they can reflect critically on their judgments, and how they can decide among competing standards, these are all issues that come up in any area of expertise. Exemplars do not arrive at answers to these questions in isolation. Judges who are renowned within their profession for fairness and wisdom should be chosen for positions in which they are given greater discretion. Inequality in wisdom does not imply that wisdom is confined to the exemplars and that all others are fools. This also points to the fallacy behind Hegel's master/slave dialectic. We are supposed to conclude that since the master/slave relation is unsustainable, recognition must be based on absolute equality. Experts in any field find out that they have exemplary status because of the recognition they receive from other experts. For example, the texts of some logicians are exemplary. Logical novices learn elementary logic from them. Expert logicians reflect critically on their own work and decide among competing standards of reasoning through critical examination of the relevant arguments.

The problem of finding a master is likewise comparable among various fields. Universal consensus is not necessary. The fact that there is disagreement about who are the best philosophers does not imply that novices must consider them all equal and will be unable to find teachers.

Bagnoli presses the case against exemplarism with the charge of elitism. The superior normative status of the exemplars derives in part from natural endowments, social recognition, and training. Those who succeed in rising to the status of exemplars are likely to reflect the moral views that are dominant in their society, at the expense of minority views. This domination that accompanies the esteem in which the elite are held has more to do with social influence than with the merit of the judgments issued. The primary source of epistemic injustice in the exemplarist model is a kind of elitism that marginalizes dissenting voices and shuts out those who fail to pay due homage to the elite. Bagnoli writes that on the exemplarist model:

> …disadvantaged groups are excluded from the sort of good life that is available to the wise because they are prevented from coming

4. Cf. Rahman 1986. Versions of the argument mentioned are attributed to Ibn Ḥazm and Shahrastānī.

> to a full understanding of it. Lacking practical knowledge means being prevented from participating in practices and activities that are necessary to lead a flourishing life. Agents excluded from participation in the relevant cognitive activities are thereby deprived of the opportunity to appropriately develop the capacities to flourish. Various forms of alienation and estrangement may result, since the marginalized agent will regard the practical standards of their community as external sources of instructions, constraints and restrictions, rather than normative principles binding in the first person and hence action-guiding. Arguably, marginalized subjects are prevented from developing the sort of practical knowledge that is marked by complete internality of normative standards. (Bangoli 2020b)

The exemplarist could respond by pressing the analogy with technical expertise; but it should be admitted that this will only go so far. Technical experts might enjoy social prestige and denigrate those who do not know the meanings of the acronyms employed in their fields; but ignorance of how one's medications work does not result in the kind of alienation that results from ignorance of the principles behind the moral norms that govern one's society. The exemplarist could respond that the solution to ignorance of any kind is not to deny expertise; the solution is education. Alienation is not the result of inequality; it is the result of the failure of sufficient education to gain support. The amount of education needed will vary with the circumstances. Lay people do not need much knowledge of pharmacology to understand the importance of medications and to be committed to their proper use; but the little that is needed is essential.

Bagnoli points out the danger of dogmatism in the exemplarist model. If the decisions of the wise are taken to be correct simply because they are issued by the wise, we should all agree that this discretion might be abused. The verdicts of the wise must admit, at least in principle, epistemic defeaters. However, the arbitrary abuse of authority is a danger whenever there are authorities. In fields in which one cannot seek epistemic defeaters in a laboratory, such as logic, history, and philosophy, experts in these fields make use of other kinds of evidence to support their positions, such as the clarity and strength of argumentation. The verdicts of the wise are likewise subject to the criticisms of other sages. In this manner, through peer review processes, we might find that there is no ultimate justification for some judgments that does not appeal to judgments by other experts. It is in this way that the standards of mathematical proof became more precise in the course of the 19th and 20th centuries—not through disputation among the general public, but among experts. As Aristotle pointed out, it would be a mistake to demand the precision of mathematics in ethics. Nevertheless, in ethics no less than mathematics, positions are argued, and there are some who

employ much more skill and insight to arrive at their conclusions than others. Rational revisions in positions normally occur through argumentation; but the criteria for revision are seldom obvious. In light of criticism, one expert may give up on a previously held approach to a problem while another persists, regardless of whether the problem is one of politics, logical theory, or biology. What criteria for revision are found are not independent of the judgments and insights of the experts.

Bagnoli observes that Kant recognized that autonomy requires rational scrutiny. The point is well put by Alasdair MacIntyre in a passage cited by both Bagnoli and Zagzebski:

> […] even when the good that we are pursuing is a genuine good, we may be unable to recognize that we are pursuing it not so much because it is good as because its achievement will satisfy our desire for, say, power. This is when we most need the ruthless correction of our judgments by others who can see in us what we cannot see in ourselves, and that is why deliberation not conducted in the company of such others is deliberation on which we would be unwise to rely. We should always therefore treat solitary deliberation as peculiarly liable to error. (MacIntyre 2009, 15-16; Bangoli 2023, 151, fn. 11; Zagzebski 2012, 178)

The required scrutiny leads Kant to propose a test of publicity. Until an expert's reasoning is accepted in the court of the assessment by others, it should not be considered reliable. The question that must be raised here is that of who the relevant others are. It is not the general court of public opinion, which is notoriously fickle, but the court of peer review, under the assumption that the peers constitute a minority. We can agree with Bagnoli that self-legislation always involves co-legislation, since reason requires us to legislate what would be universally binding; but the roles played by those involved in any such co-legislation will differ. Co-legislation may also take the form of agreeing to support the decisions of those accepted as authorities.

The key argument offered by Bagnoli for equal standing is the following:

> Because humans are mutually dependent, finite beings, they need reasons that their interlocutors can address as such. Thus, for (practical) reasoning to be effective and exert rational authority, reasoners have to relate to their relevant others as their normative peers. Thus construed, practical reasoning is an open, ongoing, cooperative enterprise, engaged by agents who relate to each other as mutually accountable. The model of this conception of rational justification is a rational construction among peers and the first step in the articulation of this model is the definition of normative parity in terms of equal standing. (Bangoli 2020b, 15)

Although I would endorse the ideas that we need reasons that others can address, this does not imply that those who assess these reasons are normative peers. In the exemplarist model, the teacher must give reasons the student can understand and question, although student and teacher are not normative peers. I would also agree that practical reasoning requires mutual accountability. Ideally, relations between examplars and their followers also require mutual accountability. There can be rational construction of moral norms analogous to the rational construction of linguistic norms. In language use, we do not suppose that all users of a language are equally competent. They do not have equal standing because some are able to provide reasons for their judgments that others find convincing. The society of users of a language is not one whose members have equal standing. Some are learners; others are barely competent and have no inclination to learn. Some only learn for basic competence; others, e.g., those who want to write professionally, seek a more advanced knowledge of the linguistic norms; yet others seek the kind of knowledge that makes one an expert in grammar and usage. All of these groups have equal standing only in the sense that the same linguistic norms apply to all users. But even in this regard, allowances are usually made for the uneducated that would not be tolerated in a novelist or academic writer. The same diversity is to be found with regard to morality.

Among the exemplars, there may be differences in rulings and opinions. With regard to some issues, differences in standing are considered irrelevant. Many questions about moral and linguistic standards do not require expert discretion. The reasons for correct usage or conduct are clear enough to all with basic competence, and these reasons will apply to experts and lay people alike. Experts are not permitted to use their expertise as an excuse to flout norms. Exceptions to rules require arguments to be justified. The reasons given in such argumentation are generally supposed to be ones that are independent of one's status as an expert; although in some cases of morals and language, the reason for taking something as normative will be the example of an exemplar. Even in such cases, however, there will be arguments about whether this particular action or usage by the exemplar should be considered to be exemplary. In those cases where expertise is irrelevant, because the norms are clear enough, we do not suppose that with regard to such cases all are peers. We might recognize that differences in moral standing or linguistic competence are irrelevant to an issue without affirming that all who pass some threshold of moral credibility or basic linguistic competence are thereby made equal.

It equal standing is supposed to be the basis for an alternative to the exemplarist model of practical wisdom, it should replace the idea that moral agents have differing degrees of moral authority with the notion that all are morally equal. Bagnoli is clear

enough that being morally equal does not mean that no one is more praiseworthy than anyone else. Moral equality boils down to mutual acknowledgement among agents that the only authority is the authority of the better argument. However, exemplarists can agree that in cases of disagreement, the better argument wins while retaining differentiated moral authority. Some may be given discretionary authority in cases where argumentation is inconclusive but a decision is required. It may be practically (and perhaps even epistemically) rational to defer to the party with more experience or knowledge and whose judgments have won respect when subject to critical review in those cases in which the process of constructing a rational justification for a needed judgment fails. Even in the student-teacher relationship, the teacher should admit errors when the student has the better argument. Moral authority need not be arbitrary, although Bagnoli is certainly correct to point out the dangers of the abuse of authority; but potential abuse of authority is a poor argument for a complete denial.

Rationalist Exemplarist Constructivism

Exemplarism becomes implausible, even morally abhorrent, when exemplars are given absolute authority with no constraints to prevent arbitrary decisions and the exclusion of those who disagree from all further deliberations. Instead of viewing Bagnoli's criticisms as a refutation of exemplarism, tout court, we can view them as suggestions for a reformed, moderate exemplarism, one that may even be found to be perfectly consistent with a kind of moral constructivism, similar to Bagnoli's, in which the strength of rational arguments always trumps judgments to the contrary, even the judgments of exemplars; but where exemplars are nonetheless valued.

Steps in this direction can be found in the works of Kant himself, as he sought to incorporate a divine command theory of ethics into his own moral view by requiring us to view the moral demands of practical reason as divine commands.[5] If the moral law is not arbitrarily dictated by God, this does not imply that God does not have a superior moral standing to His creatures; and a superior moral standing does not imply that moral norms do not arise naturally by virtue of the practical reasoning of finite embodied creatures.

Moral norms often take the form of rules. But norms are fundamentally standards by which judgments are made, and as such they can take many forms. Values, principles, narratives and exemplars can also serve as standards by which moral praise and blame are accorded. Rationalists hold that whatever standards are used, they and the judgments that appeal to them must be subject to critical scrutiny that employs reason to assess them. Norms, judgments and even reasons

5. The relation between Kant's ethical and religious thought is given a masterful exposition in Wood 2020.

become objectionable when they are arbitrarily imposed, regardless what form they take. Bagnoli proposes equal standing as a remedy to prevent this sort of abuse. But it prevents what some communities view as legitimate delegations of authority and discretion.

While liberals may insist on equal standing, if a moderate exemplarism is to be defended, measures to prevent and reduce the abuse of authority must be found. Traditionally, the abuse of authority is considered one of the worst of vices, and various means were found for the encouragement of virtue, which generally take the form of moral education. Particularly pertinent to the correct exercise of political authority was a genre of texts called "mirrors of princes"; but what is needed here are guides to the exercise of moral rather than political authority. Imam Khomeini's advice to the seminarians is an example of the kind of pedagogical material used to addresses the problems of abuses of religious authority among the Shi'i clergy (Khomeini 2005). Aristotle claims that friendships are needed to avoid injustices: "For it is characteristic of good people neither to commit errors themselves nor to allow their friends to do so" (Aristotle 2014, 1159b). Exemplarists will naturally seek to avoid abuses of authority by requiring virtue as a condition for a suitable exemplar; although they should admit that this has not been given sufficient attention.

What is sorely needed among those to whom people turn as religious and moral authorities is tolerance. Perhaps this could be encouraged by increased emphasis in Islamic moral education on the virtue of *ḥilm,* compassionate tolerance.[6] *Ḥilm,* along with reason itself, or the intellect, *'aql*, are contrasted in Muslim literary and religious traditions with *jahl,* ignorance. Ignorance is not primarily epistemic, but is associated with arrogance, impetuosity and arbitrariness, whereas reason and *ḥilm* are constraints on unbridled behavior and impatience; and the humility before God required by *islām,* submission to God, has been seen as the turning away from the arrogance of *jahl*. Ghazzali considered *ḥilm* to be the perfection of reason. Thus, an exemplarist rationalism in the Islamic tradition will be one in which the governing concept of reason is one that aspires to tolerance and in which moral authority cannot be deployed arbitrarily, because this would be contrary to the virtues of reason and compassionate tolerance.

Exemplarism can be formulated along various lines: it could be cognitivist or non-cognitivist; it could be absolutist or relativist; and it may be or not be developed as a constructivist metaethical theory. Here I will briefly suggest how a rationalist form of exemplarist constructivism might be developed. Like Kantian constructivists, we may begin with the idea that moral norms are instituted by the community of agents that governs its members' behavior according to these

6. This brief discussion of *ḥilm* has benefitted and draws upon the work of Nasrin Bani Assadi, in whose monograph relevant references and further discussion are offered. See Bani Assadi 2024, section 3.4.

norms. The norms are not forced on us because of some external and independent moral reality to which they conform. Moral norms are instituted by moral agents collectively in a manner analogous to the way in which a community of language users institutes its linguistic norms. Like the Kantian constructivists, exemplarist constructivists may be rationalists, that is, they can require that the choice of exemplars should be governed by practical reason given common ends within the community of moral agents to which the norms are to apply. We are not to pick our exemplars by lots, but because we have good reason to believe that following them will enable us to form a moral community more effectively; and in the case of an ideal Islamic society, the community should be one in which reason and compassionate tolerance are so highly valued that the abuse of moral authority would be considered proof of incompetence. Furthermore, our understanding of how to employ the exemplars will be constrained by principles of reason. Exemplars have two functions: they themselves serve as norms; and they determine norms in collaboration with others through their judgments. This means that members of an exemplarist moral community do not have equal standing or normative parity. The community as a whole institutes its norms, but the recognized moral authority in the community is not accorded equally to all members. Agents in a given moral community do have equal standing in the sense that the norms apply equally to all of them; but they are unequal insofar as they are not all considered to have authoritative opinions.

The unequal proportioning of moral authority in a community has the advantage over more strictly Kantian forms of equal standing, including that proposed by Bagnoli, of greater descriptive accuracy. As a matter of sociological observation, people in a moral community do not consider all members to have an equal moral standing. This unequal moral standing is not equivalent to the different degrees of moral insight and righteousness. Moral standing in the sense at issue here is a matter of authority to legislate norms, not having some allegedly basic human dignity. Moral norms, like linguistic norms, are instituted by the community collectively; but in neither case are all members of the community recognized as having sufficient competence to contribute to the retention and criticism of norms in an authoritative manner.

Much more would need to be argued if the sort of rationalist exemplarist constructivism sketched here as appropriate to an ideal Islamic community were to be made plausible. I hope that some indication has been given of how Muslims might draw on Zagzebski's exemplarism as well as Bagnoli's constructivism to embark on such a project. Bagnoli's work is required reading in such efforts because of the careful manner in which she formulates her version of constructivism and because of the serious challenges she articulates, which must be addressed by any version of exemplarist ethics.

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