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Timmerman, Peter

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Contractualism and the significance of perspective-taking

Peter Timmerman
Department of Ethics, Social and Political Philosophy
University of Groningen

j.p.timmerman@rug.nl
+31 (0) 6 1271 0437

Oude Boteringestraat 52
9712 GL Groningen
Netherlands

Abstract: Many of us think that perspective-taking is relevant to moral judgment. In this paper I claim that Scanlon's contractualism provides an appealing and distinctive account of why this is so. Contractualism interprets our moral judgments as making claims about the reasons of individuals in various situations, reasons that we can only recognise by considering their perspectives. Contractualism thereby commits itself to the view that our capacity for moral judgment depends on our capacity for perspective-taking. I show that neither utilitarianism nor Kantianism assign a similar significance to our capacity for perspective-taking.

Keywords: contractualism, moral judgment, perspective-taking, empathy, Scanlon

1 Introduction

Many of us believe that perspective-taking is relevant to moral judgment. It appears, for example, to be a core ingredient of that most famous principle of morality, the Golden Rule: deciding whether an action is consistent with how you would have others treat you seems to require one to take the perspective of a patient rather than agent of one's own action.¹ However, whereas it seems clear that perspective-taking is relevant to moral judgment, what it is less clear, and more controversial, is how relevant it is. Does our capacity for moral judgment depend in some way on our capacity for perspective-taking, or is its role more like that of a helpful instrument? Relatedly, it is not very clear *why* perspective-taking would be relevant to moral judgment. I believe that T.M. Scanlon's contractualism provides an appealing answer to these questions.

Questions regarding the role of perspective-taking in moral judgment may be interpreted as psychological questions regarding how people form moral judgments, which should be addressed mainly by empirical research. I show they may also be addressed by philosophical accounts of moral judgment -- accounts of what our moral judgments are judgments about. More precisely, I show that such accounts imply different psychological views about the role that the capacity for perspective-taking has and should have in moral judgment.

My argument concentrates on two claims. The first concerns the role that Scanlon's contractualist account of moral judgment assigns to perspective-taking. I argue that due to its interpretation of the subject matter of moral judgment, contractualism is committed to the view that our capacity moral judgment *depends* on our capacity for perspective-taking. The second claim is that this view is not implied either by philosophical utilitarianism or Kantianism. I argue that for both theories perspective-taking is an instrument that may provide relevant input, but that is not essential for moral judgment. This shows that the significance that contractualism assigns to perspective-taking is a distinctive quality of this account of moral judgment.

I do not argue here that perspective-taking *should* be assigned a significant role in moral judgment. I assume that many of us take it to be important for moral judgment

¹ The Golden Rule is sometimes read to require projecting oneself in the other's situation rather than adopting the other's perspective. As Derek Parfit points out, this does not seem to be the most plausible interpretation of the Golden Rule as it leads to counterintuitive implications (see Parfit, 2012, pp. 324-325). Whether the Golden Rule requires perspective-taking does not, however, depend on which interpretation is correct: since both imagining oneself in the other's position and imagining oneself as being the other in his or her position are forms of perspective-taking (cf. Batson 2009), then on either interpretation applying the Golden Rule requires perspective-taking. I say more about the various forms of perspective-taking in Section 3.

and argue that Scanlon's contractualism not only accounts for this intuition but also explains why perspective-taking would be important. I also suggest that allocating a central role to perspective taking allows contractualism to explain our first-order moral judgments more naturally than utilitarianism and Kantianism.

An implication of my argument is that the philosophical study of what moral judgment is and psychological research into how we form moral judgments are highly relevant to each other. First, my argument shows that how important a certain psychological capacity may be expected to be for moral judgment depends on what we take such judgments to be about. Philosophical accounts of moral judgment may thus inform its empirical study. Second, as my argument shows that philosophical accounts make assumptions about our capacity for moral judgment, it implies that psychological research bears on the plausibility of such accounts. With respect to contractualism, my argument implies that its plausibility depends in part on whether or not perspective-taking has a central role to play in moral judgment. This result is of particular interest because several influential psychological theories of moral judgment deny such a role. This paper thus draws attention to a conflict between contractualism and certain psychological theories of moral judgment; it goes beyond the scope of the paper to resolve the conflict, however.

The following section explains why philosophical accounts of moral judgment are committed to assumptions about our psychological capacity for moral judgment. Section 3 draws on this to show that contractualism is committed to perspective-taking playing a central role in moral judgment. Section 4 explains why utilitarianism and Kantianism do not assign a similar significance to perspective-taking.

2 Why philosophical accounts of moral judgment make psychological assumptions

Scanlon introduces the main question that his contractualism is supposed to answer as follows:

In moral judgments, as in mathematical ones, we have a set of putatively objective beliefs in which we are inclined to invest a certain degree of confidence and importance. Yet on reflection it is not at all obvious what, if anything, these judgments can be about, in virtue of which some can be said to be correct or defensible and others not. This question of subject matter, or the grounds of truth, is the first philosophical question about both morality and mathematics. (Scanlon 1982, p. 104)

Moral theories seek to explain what claims moral judgments make and what, if anything, determines whether these claims are true or false. Scanlon's own answer to this question of subject matter is that moral judgments are about the justifiability of actions to others; or more precisely, about whether principles that would license an

action under consideration could reasonably be rejected or not. As he puts it in his most recent book, “this account of the subject matter of moral rightness and wrongness makes facts about this subject matter depend on facts about what principles individuals in certain circumstances would have reason to accept or reject” (Scanlon 2014, p. 97).

Contractualism provides a different account of the subject matter of moral judgment than two of its main competitors, philosophical utilitarianism and Kantianism. Following Scanlon (1982; 1992), I understand philosophical utilitarianism as the view that facts about morality depend on facts about the promotion of individual well-being.² I take Kantianism to be the view that facts about the subject matter of moral judgment depend on facts about what maxims can be rationally willed as universal laws. I have more to say about these accounts in Section 4.

I argue that due to differences in how they account for the subject matter of moral judgment, contractualism, philosophical utilitarianism and Kantianism make different assumptions about the significance that our capacity for perspective-taking has for moral judgment. To defend this claim I start by explaining why philosophical accounts of moral judgment are committed to assumptions about our psychological capacity for moral judgment in the first place.

When a philosophical account of moral judgment characterises the claims moral judgments make, it is not committed to persons understanding themselves as making these claims. For one thing, there seem to be various types of moral judgment. Moral judgments may concern a wide range of objects, from those relating to personal hygiene and sexual inclinations to care and justice. The person who says it is wrong to have sexual intercourse with a dead chicken is likely best understood as making a different type of judgment than the person who says it is wrong to burn the national flag, and both seem to be making different types of judgment than the person who says it is wrong to harm others without good reason.³ Philosophical accounts of moral judgment typically attempt to account only for a subcategory of moral judgments. In

² The word ‘utilitarianism’ is generally used to refer not to an account of the subject matter of moral judgment but to a family of theories about the standard of moral evaluation, including theories such as act and rule utilitarianism. Philosophical utilitarianism and the various variants of ‘normative utilitarianism’ are not unrelated, of course. If we accept philosophical utilitarianism as the correct account of the subject matter of morality, it seems that we must also accept some variant of normative utilitarianism. As Scanlon puts it, “[i]f all that counts morally is the well-being of individuals, no one of whom is singled out as counting for more than the others, and if all that matters in the case of each individual is the degree to which his or her well-being is affected, then it would seem to follow that the basis of moral appraisal is the goal of maximizing the *sum* of individual well-being” (1982, p. 109). Accepting normative utilitarianism, however, does not require that one also accepts philosophical utilitarianism as the correct account of the subject matter of morality. Indeed, when he first described contractualism, Scanlon (1982) acknowledged the possibility of defending normative utilitarianism on the basis of a contractualist account of moral judgment.

³ Jonathan Haidt (1993) and colleagues have studied our responses to the first two examples.

most cases this is the category of judgments concerning duties to others, such as duties to keep our promises and help others in need, and duties not to steal from, lie to, or kill others. Scanlon describes this category as ‘what we owe to each other’. The remainder of this paper is concerned solely with moral judgments of this category.

With respect to this narrower category, too, a philosophical account of moral judgment is not committed to people understanding their own moral judgments as making the claims it says they are making. As Scanlon points out, “people’s understanding of the moral standards they recognize is generally inchoate, and their conception of the basis of the authority of these principles may be even less clear” (1998, p. 350). Furthermore, when people do have a conception of the subject matter of moral judgment they may nevertheless disagree with a philosophical account of this, either because they misunderstand their own judgments or because they subscribe to an alternative account.

While a philosophical account of moral judgment does not need people to understand themselves as making the claims that it ascribes to moral judgment, it does require that people are *able* to make such claims. The intuitive argument for this is that it does not make sense to interpret people as making judgments they are not capable of making. In this way, a philosophical account of moral judgment is committed to certain assumptions about our psychological capacity for moral judgment: it must assume we have the psychological capacities required for making judgments that make those claims. Call this the *possibility requirement*.

Below I suggest that some accounts of moral judgment, including Scanlon’s contractualism, are additionally committed to a stronger requirement. Before doing so, it may be useful to consider a possible objection to the argument for the possibility requirement, which is that it fails to recognise that theories such as philosophical utilitarianism, Kantianism and contractualism have a normative aim. These theories purport to describe the judgments we *ought* to make rather than what they happen to be like. They are therefore silent on our psychological capacity for moral judgment.

The objection fails because even if it were true that philosophical accounts of moral judgment do not aim to account for our actual moral thinking, they would be committed to the possibility assumption in other ways. First, they are committed to it through the principle that ought implies can. In order that an account of moral judgment may plausibly claim that persons ought to form certain judgments, it must assume they are *able* to make such judgments: just as persons cannot be required to act in ways that are not possible for them, they cannot be required to think in ways that are impossible for them.

Second, accounts of the subject matter of moral judgment are committed to the possibility requirement in so far as they assume that, in Scanlon's words, "it is possible to discover facts about this subject matter" (1982, p. 104). I take it that discovering facts about the subject matter of morality involves forming judgments that make correct claims about it. For this to be possible, we surely must have the psychological capacities required to make such judgments. Since most philosophical utilitarians, contractualists and Kantians think we can discover facts about morality, they are committed to the possibility requirement.

It may be replied that these two arguments do not show that an account of the subject matter of moral judgment must assume that people can *at present* make correct moral judgments; they show at most that it must assume that they can *learn* to make such judgments. They show, therefore, not that a moral theory is committed to assumptions about our capacity for moral judgment as it *is* but about what it *can become*. That means that satisfying the possibility requirement only requires that our moral psychology has a sufficient degree of plasticity.

Rather than engaging with this reply, I wish to concentrate on a more fundamental response to the earlier objection, which is that it does not seem to be true that moral theories have only a normative aim. Most moral theories aim not only to describe what our judgments should be like in order to be correct, but also why such judgments as we are very confident about *are* correct. A theory having this aim *is* committed to people having the capacities, at present, to make the claims it says they are making. What is more, it seems to be committed to people *actually* making such claims when they correctly judge an action to be right or wrong. In that case it supposes not just that people *can* but that they *do in fact use* the capacities required to make such claims, in one way or another, in their moral thinking. Call this the *actuality requirement*.

To defend the two claims presented in the introduction I do not need to establish that philosophical utilitarianism and Kantianism are committed to the actuality requirement, but to defend the claim that Scanlon's account of moral judgment implies that our actual moral thinking depends on our capacity for perspective-taking, I do need to establish it with respect to his contractualism. To see that Scanlon's contractualism is committed to the actuality requirement it is sufficient to consider the aims he himself sets for his theory.

Scanlon is very clear that his contractualism is supposed to account for those moral judgments about which we are very confident. Indeed, the case for his theory depends, as he has put it recently, "on a reflective equilibrium argument that it provides the best overall account of our considered judgments about this subject matter, including, as

before, judgments ‘of all levels of generality,’ not just judgments about the rightness and wrongness of particular actions” (2014, p. 97). With judgments “of all levels of generality” Scanlon is referring to John Rawls’s idea that the considered judgments for which a moral theory seeks to account include judgments about actions, as well as judgments about broad standards, first principles, and formal and abstract conditions on moral conceptions (Rawls 1974). This indicates that contractualism is not just supposed to explain the subject matter of moral judgment in a way that most of our considered moral judgments about actions turn out to be correct, but also to account for our moral thinking more broadly.

That contractualism is supposed to account for our moral thinking more broadly is further supported by Scanlon’s claim that it is in various ways “phenomenologically accurate” (1998, pp. 155-158). The first way in which contractualism fits our moral experience is that when we reflect on the reason that the wrongness of an action gives us not to do it, the fact that others could reasonably object to it seems to be a plausible answer. As Scanlon writes somewhat later, “when we look carefully at the sense of loss occasioned by charges of injustice and immorality we see it as reflecting our awareness of the importance for us of being ‘in unity with our fellow creatures’” (p. 163). A second way in which contractualism supposedly fits our moral experience is that “the ideal of justifiability to others plays a large enough role in our practical reasoning” (p. 155). Reflecting on the phenomenology of moral reasoning, Scanlon claims that important features of it are explained by the ideal of justifiability “shaping” our practical reasoning (pp. 156-158).

I take this all to indicate that Scanlon intends his contractualism to provide, as he puts it himself in the introduction of *What We Owe to Each Other*, “the best interpretation of what at least many of us *are* claiming when we say that an action is morally wrong” (Scanlon 1998, p. 9, my italics). Contractualism thereby not merely assumes that people have the capacities required to make such claims, but also that we, or at least many of us, are *actually* employing these capacities in our moral judgment. In the following section I argue that this means that contractualism assumes that our capacity for moral judgment depends on our capacity for perspective-taking.

3 Contractualism and perspective-taking

Which capacities are required to judge whether principles can be reasonably rejected or not? Most evidently it requires the capacity to reason in a certain way. Like most social contract theorists, Scanlon holds that facts about what principles no one can reasonably

reject are conclusions of a certain way of reasoning. I argue that perspective-taking has a crucial place in this reasoning process.

Applied to a particular action, this reasoning process involves the following steps. First we must identify a general principle that would permit the action under the relevant circumstances. The second step is to consider that reasons individuals in various situations could have to object to this principle given how they would be affected by its general acceptance; objections that are “based on the ways their lives would be affected by living with the consequences of the actions it would permit and with the possibility that agents may perform such actions, since they would be permitted to do so” (2014, p. 96). As the judgment that a principle can reasonably be rejected is essentially a comparative one, the third step is to consider what opposing reasons others, considered individually, have for wanting the principle to be accepted, again based on how they would be affected by it (Scanlon, 2011, p. 132-133). The fourth step is to compare the reasons that some have for wanting the principle to be rejected with the reasons that others have for wanting it to be accepted. If the reasons for rejecting the principle are stronger than the reasons for accepting it, the action is morally wrong. If it is the other way around, the action is permissible.

The most relevant aspect of this reasoning procedure for my purposes is that it takes judgments about right and wrong to depend on judgments about what individuals in various situations would have reason to do (Scanlon 2014, p. 97). Scanlon (1998) speaks in this respect of judgments about reasons associated with different “standpoints” that individuals, in virtue of certain general characteristics that affect their reasons, occupy with respect to the principle in question.

According to contractualism, then, when I judge that it would be wrong for me to perform a given action, I should be interpreted as making further judgments about what individuals with different standpoints have reason to do. By the reasoning from the previous section, this interpretation commits contractualism to assumptions about our capacity for moral judgment. Because of the possibility requirement, it must assume that we have a capacity, or can develop a capacity, for forming judgments about the reasons associated with other standpoints. I do not think this claim is controversial, as Scanlon himself writes that we have “a direct reason to be concerned with other people’s points of view: not because we might, for all we know, actually be them, or because we might occupy their position in some other possible world, but in order to find principles that they, as well as we, have reason to accept” (Scanlon 1998, p. 191).

I contend that the capacity to form judgments about the reasons associated with other standpoints depends on the more familiar capacity for perspective-taking, which

is often described as the capacity to put yourself in the other's shoes. This description is ambiguous between two different forms of perspective-taking that have been distinguished by psychologists: imagining being yourself in the other's position, and imagining being the other in his or her position (Batson 2009). The first form does not seem to be exactly what contractualism needs. The reasons persons may have for objecting to principles depend not just on their circumstances, but also on, in Scanlon's words, "such things as their aims and capabilities" (p. 205). By projecting ourselves in the other's place we may fail to recognize such reasons.

What about the second form of perspective-taking? Psychologists typically describe it as being directed at understanding the thoughts or feelings of particular others. In a recent handbook on imagination and perspective-taking, Daniel Batson describes this form of perspective-taking as the ability to "imagine how another person sees his or her situation and feels as a result" (2009, p. 267).⁴ In the same collection, Nicholas Epley and Eugene Caruso describe it more generally as "[t]he ability to intuit another person's thoughts, feelings, and inner mental states" (2009, p. 295). Described like this, this form of perspective-taking may not seem to be involved in moral judgment as contractualism conceives it. I can think of two apparent differences between what this form of perspective-taking offers and what contractualism needs. First, it may seem that whereas this form of perspective-taking may enable us to recognize whether others *would in fact* object to a principle under consideration, contractualism requires us to recognize whether they *have reason* to object to it. Second, and relatedly, whereas this form of perspective-taking is directed at *particular* persons, contractualism requires us to form judgments about the reasons associated with more *abstract* standpoints or roles. As Scanlon writes, "what we consider are not the reasons of actual persons but the 'generic' reasons that someone would have in virtue of occupying a certain role in regard to the principle in question, such as being the person who has relied on the assurance of others, or a person in need of help, or a person called upon to give it" (Scanlon 2011, p. 131).

These apparent differences only show that contractualism requires us to use our capacity for perspective-taking in a different way than when our aim is to understand particular others. I start with the first difference, between recognizing the objections

⁴ As this description make clear, perspective-taking is related to empathy. Most researchers, however, take empathy to include a vicarious affective component; 'feeling what one takes another to be feeling' (Prinz 2011). This component does not seem to be essential to perspective-taking: we seem to be able to imagine how another feels without feeling what we take him or her to be feeling. While perspective-taking is conceptually distinct from empathy, it does often evoke empathy; indeed, when researchers want participants to experience empathy with a target person they sometimes manipulate them into adopting that person's perspective (e.g. Batson et al. 1997).

that others would have and recognizing the objections they could reasonably have. Note first that it is not self-evident that finding out whether others could reasonably object to a given principle requires perspective-taking. Moral theorists who hold that the relevant reasons depend on some standard that exists independently of us, for example, such as divine command or natural law theorists, would likely say it is not needed. Scanlon's contractualism, however, holds that individuals' reasons for objecting to a principle depend on, as I quoted earlier, "the ways their lives would be affected" by its general acceptance (Scanlon 2014, p. 96). How individuals would be affected by a principle depends on the role they occupy with regard to the principle (e.g. agent, victim, bystander) as well as on aspects of their situation, such as their aims, capabilities, and the conditions in which they find themselves (Scanlon 1998, p. 204). In order to judge whether someone has reason to object to a principle, you must thus, first, imagine how she would be affected by acceptance of the principle given her situation, aims, capabilities, etcetera and, second, consider whether she could reasonably object to the principle given these implications. That is, rather than thinking about the principle from your own point of view, you must adopt the other's perspective and think about the principle given what its acceptance would mean for her.⁵

There is still a difference from how the aforementioned psychologists describe perspective-taking. Their descriptions suggest that adopting another's perspective towards something essentially involves imagining how she would think or feel about it. It seems worthwhile, however, to distinguish between the act of adopting another perspective and subsequent judgments that one can, from that perspective, make about the person whose perspective it is. Both predicting whether another person would object to a principle and judging whether she could reasonably object to it seem to involve a switch in perspective: you must imagine what implications acceptance of the principle would have *for her* rather than for yourself, given *her* situation, aims, capabilities, etcetera, rather than your own. The difference lies in what you do after having adopted her perspective: predict how she will respond or judge how she could reasonably respond.⁶

The second apparent difference between perspective-taking as described above and the capacity that contractualism needs concerns the level of abstraction of the relevant perspectives. Psychologists tend to be interested in our capacity to consider the

⁵ I intend to be neutral on *how* people adopt other perspectives. In the philosophy of mind, theory theory and simulation theory are the best known accounts of how we do this. Nicholas Epley and his colleagues (2004) provide an empirically informed explanation of our capacity for perspective-taking that is similar to simulation theory.

⁶ I am indebted to an anonymous reviewer for suggestions that helped me clarify this point.

perspectives of particular others. The standpoints that contractualism has us concentrate on are more abstract, associated with certain general properties that affect people's reasons for wanting a principle to be accepted or rejected.⁷ Take, for example, a principle that allows persons to refrain from helping others in need when they can do so at little cost to themselves. When assessing this principle, standpoints to consider include that of persons who would not be getting the help they need were the principle accepted and that of agents who would be called upon to help were the principle rejected in favour of an alternative. Even when described in general terms, though, standpoints may be more specific than this; for example, with respect to the principle just mentioned we must consider the standpoint of individuals whose dire circumstances mean they would face extreme hardships were the principle accepted, including the even more specific standpoint of young children who are unlikely to reach maturity were they not helped in some way.

There does not seem to be an essential difference between thinking about what objections could be reasonably made from such standpoints and thinking about what objections particular individuals would make. In both cases, one must imagine what the acceptance of a principle would mean for persons who are differently situated than oneself and consider how they could respond to it given these implications. The difference lies in which aspects of their situation we must take into account. Certain idiosyncratic properties of a person that are relevant for predicting her responses may not be relevant when we want to know how a person in her situation could reasonably respond. There may, though, also be facts about her situation that are relevant for judging her reasons but not for predicting how she would respond, for example facts of which she would not be aware.

The claim I set out to defend in this section is that the capacity to form judgments about the reasons associated with other standpoints depends on the capacity for perspective-taking. To be sure, this does not mean that the capacity for perspective-taking is *all* that is needed to make such judgments. Perspective-taking allows us to consider how persons in a different situation would be affected by a principle and what objections they could voice against the principle given its implications for them. Judging which of these objections they have *reason* to voice seems in addition to require a capacity for normative judgment about reasons for action. I suspect these two

⁷ One reason for this is practical. As Scanlon writes: “[s]ince we cannot know, when we are making this assessment, which particular individuals will be affected by it in which ways (who will be affected as an agent required to act a certain way, who as a potential victim, who as a bystander, and so on) our assessment cannot be based on the particular aims, preferences, and other characteristics of specific individuals” (1998, p. 204).

capacities work in tandem: our judgments about what individuals in general have reason to want or to avoid guide our attention when considering what objections individuals in certain situations have reason to make.

While I am not claiming that perspective-taking is sufficient for making judgments about the reasons associated with different standpoints, I do claim it is necessary. This may be questioned by appealing to other methods for learning about these reasons. May we not learn about others' reasons by observing them and their situations, for example, or by communicating with them or with third-parties who are better informed than ourselves?

Although these methods are surely important, they do not provide an alternative to perspective-taking. Each of the methods mentioned provides information about others that helps us, and may often be indispensable, to form judgments about the reasons associated with their standpoints. But to use this information for this purpose one must employ one's capacity for perspective-taking. First, in order to understand information about others as information about their standpoints, one must perceive them as occupying a different standpoint from one's own towards the principle in question. Perceiving them as such already involves perspective-taking: it involves imagining other perspectives towards the principle than one that is based on one's own situation, aims, etc. Second, in order to use information about others to form judgments about the reasons associated with their standpoints one must integrate this information into one's representation of these standpoints and consider what it means for the objections that can be posed from them. Say, for example, that someone tells you sincerely that he is in dire need of your help. To use this information in order to judge whether or not this person can reasonably object to a principle that allows you to refrain from helping him or her you must represent the standpoint of a person in dire need and consider what objections can be posed from this standpoint, rather than one's own present point of view, towards the principle in question. That is, one must engage in perspective-taking. I return to this issue in the next section.

I have argued that forming judgments about the reasons associated with other standpoints requires a capacity for perspective-taking. The possibility requirement implies that contractualism is committed to the assumption that we have such a capacity. The actuality requirement commits contractualism to a further assumption. As I argued in the previous section, if contractualism is "the best interpretation of what at least many of us are claiming when we say that an action is morally wrong" (Scanlon 1998, p. 9), it must be the case that our capacity for moral judgment does in fact depend on the use of capacities required to make such claims. That making such claims

requires a capacity for perspective-taking thus commits contractualism to the view that our capacity for moral judgment depends on our capacity for perspective-taking. This is the first of the two main claims that this paper set out to defend.

I have only talked about the commitments of contractualism; it is a further question whether its possibility and actuality requirements are satisfied. While this question goes beyond the scope of the present paper, perhaps some brief remarks about how it can be addressed are in order. It seems that the question of whether the possibility requirement is satisfied can be answered relatively quickly: as it is uncontroversial that we have both a capacity for perspective-taking and a capacity for normative judgment about reasons for action, it should also be uncontroversial that we have an ability to judge which principles individuals with different standpoints have reason to accept or reject.⁸ The actuality requirement is another matter. The view that our capacity for moral judgment depends on our capacity for perspective-taking has famous defenders, including developmental psychologist Lawrence Kohlberg (1977), but it is not universally accepted. At present, influential sentimental theories, for example, do not assign a crucial role to perspective-taking.⁹ One defender of such a theory, Shaun Nichols (2004), has recently argued that the idea that moral judgment depends on perspective-taking conflicts with certain empirical findings. This indicates that evaluating whether or not the actuality requirement is satisfied requires an assessment of the relevant empirical material.¹⁰

I started this paper by noting that many people, including many philosophers, believe that perspective-taking is important to moral judgment. Contractualism accommodates this intuition. Moreover, it gives an explanation of why perspective-taking is relevant to moral judgment and thereby of how important it is. According to contractualism, moral judgments make claims about the principles we all have reason to accept or reject. Assuming that individuals' reasons depend on their situation and such things as their aims and capabilities, finding out what others have reason to accept or reject requires us to consider their perspectives. According to contractualism, then, perspective-taking is essential to moral judgment.

⁸ Note that insofar as contractualism assumes not only that it is possible to form judgments about the subject matter of morality but also that people can do so reliably under various types of circumstances that call for moral judgment, there are further questions about our skill in perspective-taking that cannot be answered so quickly.

⁹ Examples are the currently influential sentimental theories of Jonathan Haidt (2001), Shaun Nichols (2004) and Jesse Prinz (2007). Nichols argues explicitly against the idea that perspective-taking plays a significant role in moral judgment.

¹⁰ For a discussion of what empirical findings show about the role of perspective-taking in moral judgment, see Timmerman (2014), Chapter 3.

I believe that the significance that contractualism assigns to perspective-taking is a distinctive quality of this account of moral judgment. This is the second of the two main claims of this paper. To defend it, I now consider the significance of perspective-taking according to two other important accounts of the subject matter of moral judgment, philosophical utilitarianism and Kantianism.

4 Why perspective-taking is less significant to utilitarianism and Kantianism

It seems that perspective-taking is also important to moral judgment on a utilitarian or Kantian account of the subject matter of morality. Making accurate judgments about what would promote well-being and about whether or not a maxim can be universalised often seems to require our thinking about other points of view. I do not argue against this. I do, however, argue that these accounts allocate to perspective-taking a different role, one that is less significant than the role assigned to it by contractualism.

Let us start with philosophical utilitarianism, the view that facts about the subject matter of moral judgment depend only on facts about individual well-being. What would promote or worsen the well-being of individuals seems to depend, just as their reasons for objecting to a principle, on aspects of their situation, including such things as their aims, needs, and capabilities. It may therefore seem that in order to form judgments about what would promote the well-being of others one must engage with their perspectives.

There do, however, appear to be cases in which this is not so. Note first that most versions of utilitarianism based on the thesis of philosophical utilitarianism hold that moral judgments are true when they make correct claims about what promotes well-being *most*.¹¹ It seems that we can sometimes judge that something—whether it is an action, a motive, or a rule—promotes individual well-being more than alternatives would without considering the points of view of those affected. A clear example is when we must choose between benefiting some very large group or some very small group, the members of which are roughly equally well off. When the difference in size between the groups is sufficiently large, we do not need to consider the situations of members of these groups to see that well-being will be promoted most by benefiting the very large

¹¹ See footnote 2 for an explanation why. One can imagine versions of satisficing utilitarianism that hold that moral judgments are true when they make correct claims about what promotes welfare *adequately* rather than what promotes it most (cf. Vallentyne 2007). The argument presented in this paragraph also counts for such variants: it seems that for any plausible criterion of adequacy, we can imagine a pair of alternatives, one of which evidently satisfies the criterion without us having to engage in perspective-taking to see so.

group. Indeed, this seems to be so even when benefiting the very large group would involve imposing a significant cost on the very small group. This is different in the case of contractualism. In order to decide which choice is permitted by principles that no one can reasonably reject we must consider the objections of members of the very small group, which seem particularly weighty when these individuals are being made worse off in order to improve the situation of others.

It may be objected that whether or not we can form judgments about what would promote well-being most without perspective-taking depends on the account of well-being we have in mind. I agree that on plausible accounts of well-being, forming accurate judgments about the effects that something will have on an individual's well-being requires considering the matter from his or her viewpoint, but I do not think that this matters for the above argument. The point is that in certain cases, such as cases in which the number of people benefited by one alternative heavily outnumbers the number benefited by the other, judging what promotes well-being most does not require accurate judgments about the effects on individuals.

This reveals that, unlike contractualism, philosophical utilitarianism does not imply that forming judgments about the subject matter of moral judgment *requires* a capacity for perspective-taking. Perspective-taking may be relevant in many cases to gather information about effects on individual well-being, but it is relevant as an *instrument* that provides an input to moral judgment. That philosophical utilitarianism assigns perspective-taking the status of a helpful instrument is supported by the above example, which shows that it is not always needed to judge what promotes well-being most. However, even with respect to those cases in which we would at present rely on our capacity for perspective-taking to assess effects on well-being, it may in principle be replaced by another instrument. Imagine an agency that conducts extensive research and provides agents, by means of a smart-phone app, with information about the effects on well-being of alternatives relevant to the agent—whether they are actions, motives, rules, etc. If this welfare agency were to provide more reliable information than one's capacity for perspective-taking, utilitarianism would have us rely on the former rather than the latter.

It may be objected that the agency would itself need perspective-taking to measure the extent to which the various alternatives promote well-being. That the agency could replace *our* capacity for perspective-taking, the objector may continue, therefore hardly shows that utilitarianism sees perspective-taking as a helpful instrument that can in principle be replaced. My response to this objection is that it is not evident that the agency would need perspective-taking. It seems plausible, to me at least, that it could

provide more accurate information on the basis of empirical research, employing improved versions of the measurement devices that are currently being used in the science of subjective well-being (e.g. Kahneman and Krueger 2006). Whether or not this estimation is correct, its being imaginable is sufficient to say that on a utilitarian account of moral judgment perspective-taking is not essential to moral judgment but instead an instrument that can *in principle* be replaced.

Another objection to this claim would be that the point surely applies just as well to contractualism: if there were a better instrument for us to learn whether a principle can be reasonably rejected or not than by considering the perspectives of those who would be affected by it, we should use that instrument. To assess this objection, we must first consider what type of information this instrument must give us in the case of contractualism. It could not tell us whether a principle can reasonably be rejected or not because such an instrument would not just replace perspective-taking; it would replace our capacity for moral judgment altogether. To parallel the role of the welfare agency, this instrument must inform us about the reasons that individuals in various situations have for objecting to the principle being accepted (as well as the reasons that others have for objecting to its being rejected). It must be left to us to decide whether or not the principle can be reasonably rejected.

If we were to assume that individuals' reasons for wanting a principle to be rejected or accepted must depend on its effects on their well-being, it may seem that if the earlier mentioned welfare agency can replace the function of perspective-taking for utilitarianism it can indeed also do this for contractualism. In my view this is not correct. When a utilitarian agent is told about the extent to which the alternatives open to him promote individual well-being, he can decide which alternative promotes it most without using his capacity for perspective-taking. That is, he does not need his capacity for perspective-taking to form a moral judgment on the basis of the information received.¹² But when a contractualist agent is told about the welfare-based reasons that individuals with different standpoints towards a principle have for objecting to its being accepted or rejected, she does need to engage in perspective-taking to arrive at a moral judgment: she must assess and compare the welfare-based reasons associated with various standpoints to decide whether or not the principle can be reasonably rejected.

¹² If we assume that the well-being of individuals cannot be specified independently of their perspectives, it seems that perspective-taking will be needed to understand information about effects on well-being. This does not affect my conclusion, however. That utilitarianism in combination with such a notion of well-being but not with other notions requires perspective-taking still means that utilitarianism, taken on its own, does not imply that moral judgment requires perspective-taking. It is also worth noting that such a notion of well-being seems to be in tension with the utilitarian idea that the welfare of different individuals can be aggregated. Thanks to an anonymous reviewer for raising this issue and providing helpful suggestions.

She must thus consider the principle from perspectives that are different from her own point of view.

That the role contractualism assigns to perspective-taking cannot be replaced becomes clearer when we appreciate that Scanlon rejects the idea that there is a specified conception of well-being that can serve as the sole standard for assessing reasons. He holds instead that, besides its effects on how well their lives are going, there is a broad range of legitimate grounds that individuals may refer to when objecting to a principle, including: one's *level* of welfare, how bad one's situation is in comparison with those of others (1998, pp. 226-227); the unfairness of a principle, in case it arbitrarily favours the similar claims of others over one's own (pp. 212-216); the instrumental, representational and symbolic value of having what happens to one depend on one's choices (pp. 254-256); and responsibilities and entitlements based in other principles that no one can reasonably reject (p. 214). Scanlon leaves open the issue of what other considerations may be relevant; as he puts it, "on the contractualism I am defending, we must sometimes exercise judgment as to whether certain considerations are or are not relevant to the reasonable rejectability of a principle, since these grounds are not completely specified in advance" (p. 218).

To recognise such considerations as reasons for objecting to a principle we must consider the principle from the standpoint of those who could raise the objection.¹³ Elizabeth Ashford and Tim Mulgan (2012) describe a case that can be used to illustrate this. Imagine that in order to preserve the grass in some park, we need at least 90% of its visitors to avoid walking on the grass, but it does not do any harm if 10% do walk on it. Instead of a principle that randomly allows 10% of the population to walk on the grass, a principle that only allows members of a racial minority to walk on the grass may be less costly to implement. As Ashford and Mulgan point out, members of the majority would have a weighty reason to want the racist principle rejected; not because it burdens them—after all, the random principle imposes an identical burden on someone else—but because of *how* it imposes that burden on them. By regarding race as a relevant ground for the distribution of benefits, it imposes the burden in a way that constitutes a failure to respect their status as a person. The point to appreciate is that in order to recognise that they have this forceful reason for objecting to the principle, we must imagine what the acceptance of a principle would mean for members of the majority, rather than for ourselves or members of the minority, and consider how they

¹³ I believe this is also true for reasons based on the effects that acceptance of a principle would have on an individual's well-being, but the point is clearer with respect to other considerations.

could respond to it given these implications. That is, we must consider the principle from their standpoint.

My claim is not that perspective-taking is necessary to become *informed* about objections such as the one described in this example. I claim instead that, for contractualism, perspective-taking is not just an instrument that provides input to moral judgment. This may be clarified by imagining an agency that can inform agents not just about welfare-based reasons, but about all the reasons that individuals in various situations have for objecting either to a principle being accepted or to it being rejected. (Let us for the sake of argument ignore Scanlon's view that the possible grounds for objecting cannot be specified completely in advance.) Someone who has received this information with respect to a principle in question would still need perspective-taking to judge whether or not it can reasonably be rejected. Being told that certain individuals have reason to want a principle rejected does not yet allow one to conclude that they can reasonably reject it; one must *recognise* these reasons as such and appreciate that they have more force than the reasons that others have for wanting the principle to be accepted. With respect to the racist principle, I imagine the agency would have to say something like: "members of the majority have reason to object to this principle because by regarding race as a relevant ground for the distribution of benefits, it fails to respect their status as persons". To recognise the reason described and to appreciate that it is significantly stronger than certain opposing reasons, such as the benefits that the principle has for members of the minority, one must consider the principle from the standpoint of a member of the majority. One must see that, indeed, acceptance of the principle would affect these individuals in the way described and that they could therefore, from the standpoint in which the principle places them, reject it.¹⁴

It may be thought that we can also reason to this conclusion without perspective-taking. The agency's statement indicates that the principle is racist and we know that racism is objectionable. Scanlon's contractualism, however, explicitly excludes such agent-neutral reasons as a basis for moral judgment. As we have seen in the previous section, when evaluating a principle we must consider the reasons individuals have for objecting to it "based on the ways they would be affected by it" (Scanlon 2014, p. 96). That is to say, we may only consider "personal" or agent-relative reasons.¹⁵ This aspect of contractualism is explained by the value it takes us to respond to when we engage in moral deliberation: it takes us to be concerned with being able to justify ourselves to

¹⁴ I wish to thank an anonymous referee for helping me clarify this issue.

¹⁵ See Scanlon (1998, pp. 218-223). Ridge (2001; 2003) shows that this aspect of contractualism is often overlooked by its critics.

others, due to the value of our standing in a relation of mutual recognition with them. As Michael Ridge puts it: “if we do not try to take account of our potential victim’s normative perspective more globally, paying careful attention to their agent-relative reasons as such, we have not done enough to accommodate their point of view or to realize the ideal of mutual recognition and respect that [Scanlon] argues is an important substantive good” (2003, pp. 340-341). That contractualism takes moral judgments to make claims about the agent-relative reasons of others thus explains its commitment to perspective-taking. That philosophical utilitarianism instead takes moral judgments to make claims about the promotion of welfare, which it assumes to have agent-neutral value, also explains why it does not share this commitment.

In the previous discussion, I deliberately chose examples in which contractualism directs us to morally significant considerations that are in danger of being overlooked when we aim only at the promotion of welfare. The first example concerns cases in which we can promote individual welfare by imposing significant costs on certain individuals. The second example concerns the more concrete case of a racist principle of distribution. Contractualism directs us to what is morally significant in these cases because it directs us to the perspectives of individuals who would be affected in these cases. I take this to indicate that the fact that contractualism assigns greater significance to perspective-taking than philosophical utilitarianism is associated with its being better at accounting for our first-order moral judgments. Below I suggest that the same is true with respect to Kantianism.

Kantians sometimes describe morality in a similar way to contractualists.¹⁶ Christine Korsgaard (1996a), for example, writes that “[t]he moral law tells us to act only on maxims that all rational beings could agree to act on together in a workable system” (p. 99). This may seem to mean that working out which maxims to follow requires perspective-taking: to find out whether a maxim is part of the moral law, one must consider whether it is acceptable from the perspectives of other rational beings. A closer look at the sort of reasoning that Kantians take to underlie moral judgment shows otherwise. I concentrate here on Korsgaard’s view.

When explaining the reasoning that underlies moral judgment, Korsgaard (1996b) concentrates on the first formulation of the categorical imperative, the Formula of Universal Law: “Act only in accordance with that maxim through which you can at the same time will that it become a universal law” (Kant, 2002, p. 37). This is usually

¹⁶ Derek Parfit (2011) goes even further, interpreting Kant as if he were defending a type of contractualism akin to Scanlon’s. This interpretation of Kant does seem unorthodox, however, as Scanlon (2011) points out. I therefore stick to Korsgaard’s interpretation of Kant.

understood to mean that in order to judge whether an action is right or wrong, an agent must determine whether the maxim of her action is one that she can at the same time, without contradiction, think and will as a universal law of nature. According to Korsgaard (1996b), the contradiction must be understood as a “practical” one. As she puts it, “the contradiction that is involved in the universalization of an immoral maxim is that the agent would be unable to act on the maxim in a world in which it were universalized so as to achieve his own purpose—that is, the purpose that is specified by the maxim” (p. 92).

Does this procedure, like the contractualist procedure, require one to consider alternative perspectives? Korsgaard says that the test requires you to imagine that the action you propose to perform in order to carry out your purpose would be how people in general carry out that purpose. Such a thought experiment does seem to involve social cognitive capacities such as perspective-taking, albeit in a different way than the contractualist procedure, as it involves predicting what would happen if everyone were to come to behave in a certain way. Rawls also seems to understand Kant in this way when he writes: “in the course of testing [...] maxims we are to compare social worlds, that is, the social world that results when everyone follows the proposed maxim, as if by a law of nature, with the social world in which the contradictory maxim is followed” (Rawls 1980, p. 552).

Perspective-taking, however, is not necessary to moral judgment on the Kantian understanding of the subject matter of morality. The argument is similar to that in the case of philosophical utilitarianism. Perspective-taking is only relevant in the Kantian procedure in so far as it provides information about whether or not it would be possible to act on a maxim were it universalized. This means that it is not always needed. The maxim of not helping others in need when doing so comes at little cost to oneself serves as an illustration. It does not seem to require perspective-taking to see that were this maxim a universal law, others would not help you in case you need it. This is the only relevant implication for the purpose of the test: it is this implication of the universal law which, in combination with the assumption that as a rational being you do want to be helped when in need, leads to a practical contradiction. Recognising that others would also not get the help they need, including others who due to their circumstances need it much more than you, does of course require perspective-taking. But seeing this is not relevant to applying the test as it does not affect your ability to act on your maxim.

This example indicates that for Kantianism, as for philosophical utilitarianism, perspective-taking is an instrument to gather information about something that has

essentially nothing to do with the perspectives of others. If information about whether or not maxims can serve as universal laws could be obtained without using one's capacities for perspective-taking, there seems to be no reason to use them. This is because, like utilitarians, Kantians do not take moral judgments to make claims about the reasons of individuals in various situations. Kantians understand moral judgments as making claims about rationality: about the maxims agents must accept insofar as they see themselves as rational. Like contractualists, Kantians see such judgments as the result of a reasoning process, in their case characterised by the categorical imperative. But whereas contractualists take this procedure to involve making substantive judgments about what individuals in various situations have reason to do, Kantians are constructivists through and through, holding that reasons for action only appear as conclusions of the reasoning process: as those that are specified by maxims that turn out to be universalisable.¹⁷ By not allowing moral judgment to depend on judgments about the reasons of differently situated individuals, Kantians do not assume that our capacity for moral judgment depends on our capacity for perspective-taking.

Were we to ask instead whether the maxim or principle that allows not helping others in need when doing so comes at little cost for oneself can reasonably be rejected, we *do* need to consider what it would mean for others. Indeed, contractualism directs us naturally to the perspectives of those who would suffer most if the principle were to be generally accepted. It is because of the weight of their objections that it would be wrong not to help. This is another case in which, due to the significance that it assigns to taking the perspectives of others, contractualism leads directly to what seems morally most significant.¹⁸

Does my claim that Kantians do not make moral judgment depend on perspective-taking not contradict the view that morally permissible maxims are those “that all rational beings could agree to act on together in a workable system” (Korsgaard 1996a)? Not once we have assumed, as Kantians do, that all rational beings would arrive at the same conclusions about which maxims are universalisable and which not. They would as such reach agreement about maxims, but without having to consider each other's perspectives.

Let me finish by mentioning one way in which both philosophical utilitarianism and Kantianism may be thought to assign a more fundamental role to perspective-taking

¹⁷ Scanlon (2011; 2012; 2014) has recently emphasised this difference between his own and the Kantian position.

¹⁸ For other examples in which contractualism yields more plausible answers than Kantianism, see Parfit (2011).

than I have argued. Both theories may be said to require us to abstract from our own particular point of view and take up a moral perspective. Abstracting from one's own point of view, however, is different from adopting the perspectives of other individuals. Whereas abstracting is directed at what is shared with others, the function of perspective-taking as I have understood it here is to recognise the ways in which others differ from ourselves, and in particular to recognise how those differences affect their reasons. When perspective-taking is understood as the capacity to consider the perspectives of other individuals, moral judgment as conceived by utilitarians and Kantians does not depend on it.

5 Conclusion

Many of us think that considering the perspectives of others is important for moral thinking. In this paper I have argued that contractualism gives an appealing explanation of why this is so. Contractualism interprets morality as being about the principles no one can reasonably reject, and takes our moral judgments to make claims about what individuals in other situations have reason to do. Moral judgment requires perspective-taking because recognizing these agent-relative reasons requires taking up the standpoints of others. Given that contractualism is intended to account for the claims we are actually making with our moral judgments, this means that contractualism takes our ability for moral judgment to depend on our capacity for perspective-taking. This first central claim of this paper implies that, through its account of the subject matter of moral judgment, contractualism takes a position in a debate about how we form moral judgments that on first view it seems to have little to do with. It also means that empirical findings about moral judgment bear on contractualism's plausibility.

To show that its explanation of the significance of perspective-taking is a distinctive quality of contractualism, I have argued that philosophical utilitarianism and Kantianism do not assign a similarly significant role to this capacity, which constitutes the second main claim of the paper. For these accounts perspective-taking is an information-gathering instrument that may provide relevant input but is not essential for moral judgment. Although I have not argued that this is a deficiency of these theories, I did suggest that by allocating a central role to perspective-taking,

contractualism can explain our first-order moral judgments more naturally in certain key cases than either utilitarianism or Kantianism.¹⁹

References

- Ashford E, Mulgan T (2012) Contractualism. In: The Stanford Encyclopedia of Philosophy (Fall 2012 Edition). <http://plato.stanford.edu/entries/contractualism/>. Accessed 14 Aug 2012
- Batson CD (2009) Two forms of perspective taking: Imagining how another feels and imagining how you would feel. In: Markman KD, Klein WMP, Suhr JA (eds) Handbook of imagination and mental simulation. Taylor & Francis Group, New York, pp 267–280
- Batson CD, Polycarpou MP, Harmon-Jones E, et al. (1997) Empathy and attitudes: Can feeling for a member of a stigmatized group improve feelings toward the group? *Journal of Personality and Social Psychology* 72:105–118
- Epley N, Caruso EM (2009) Perspective taking: Misstepping into others' shoes. In: Markman KD, Klein WMP, Suhr JA (eds) Handbook of imagination and mental simulation. Taylor & Francis Group, New York, pp 295–309
- Epley N, Keysar B, Van Boven L, Gilovich T (2004) Perspective taking as egocentric anchoring and adjustment. *Journal of Personality and Social Psychology* 87:327–339
- Haidt J (2001) The emotional dog and its rational tail: A social intuitionist approach to moral judgment. *Psychological Review* 108:814–834
- Haidt J, Koller SH, Dias MG (1993) Affect, culture, and morality, or is it wrong to eat your dog? *Journal of Personality and Social Psychology* 65:613–628
- Kahneman D, Krueger AB (2006) Developments in the measurement of subjective well-being. *Journal of Economic Perspectives* 20:3–24
- Kohlberg L, Hersh RH (1977) Moral development: A review of the theory. *Theory Into Practice* 16:53–59
- Korsgaard CM (1996a) The sources of normativity. Cambridge University Press, Cambridge
- Korsgaard CM (1996b) Kants formula of universal law. In: *Creating the kingdom of ends*. Cambridge University Press, Cambridge, pp. 77-105
- Nichols S (2004) *Sentimental rules*. Oxford University Press, New York
- Parfit D (2011) *On what matters* (vol 1). Oxford University Press, Oxford
- Prinz J (2011) Is empathy necessary for morality. In: Coplan A, Goldie P (eds) *Empathy: philosophical and psychological perspectives*. Oxford University Press, Oxford
- Prinz JJ (2007) *The Emotional construction of morals*. Oxford University Press, Oxford
- Rawls J (1974) The independence of moral theory. *Proceedings and Addresses of the American Philosophical Association* 48:5–22
- Rawls J (1980) Kantian constructivism in moral theory. *The Journal of Philosophy* 77:515–572
- Ridge M (2001) Saving Scanlon: contractualism and agent-relativity. *Journal of Political Philosophy* 9:472–481
- Ridge M (2003) Contractualism and the new and improved redundancy objection. *Analysis* 63:337–342

¹⁹ Many thanks to Frank Hindriks, Pauline Kleingeld, Bart Streumer, Herman Veluwenkamp and two anonymous reviewers for *Ethical Theory and Moral Practice* for stimulating comments and helpful suggestions.

- Scanlon TM (1982) Contractualism and utilitarianism. In: Sen A, Williams B (eds) *Utilitarianism and beyond*. Cambridge University Press, Cambridge, pp 103–128
- Scanlon TM (1992) The aims and authority of moral theory. *Oxford Journal of Legal Studies* 12:1–23
- Scanlon TM (1998) *What we owe to each other*. The Belknap Press of Harvard University Press, Cambridge
- Scanlon TM (2011) How I am not a Kantian. In: Parfit D, *On what matters*, vol 2. Oxford University Press, Oxford, pp 116–141
- Scanlon TM (2012) The appeal and limits of constructivism. In: Lenman J, Shemmer Y (eds) *Constructivism in practical philosophy*. Oxford University Press, Oxford, pp 226–242
- Scanlon TM (2014) *Being realistic about reasons*. Oxford University Press, Oxford
- Timmerman P (2014) *Moral contract theory and social cognition: An empirical perspective*. Springer, Dordrecht
- Vallentyne P (2007) Consequentialism. In: LaFollette H (ed) *Ethics in Practice*, 3rd edn. Wiley-Blackwell, Malden, pp 22–30