I. The Conflict Between the “Universalizing” and the “Particularizing” Faces of Morality

Stuart Hampshire, in Morality and Conflict, brings focus to bear on a point that, notwithstanding its practical importance, has perhaps not received sufficient attention in contemporary moral theorizing, namely, that conflict and competition can hardly be avoided between desirable or commendable ways of life, between moral ideals and obligations, between essential but incompatible interests.¹ What Hampshire means by the term, "conflict," he states as follows:

In a situation of conflict, two necessities may be left to be stringent, and even generally inescapable, and the agent's further reflection may confirm his first feeling of their stringency. Yet in the circumstances of conflict he has to make a choice, and to bring himself to do one of normally forbidden things, in order to avoid doing the other. He may finally recognize one overriding necessity, even though he would not be ready to generalize it to other circumstances. The necessity that is associated with types of action — for example, not to betray one's friends — is absolute and unconditional, in the sense that it is not relative to, or conditional upon, some desirable extend end; but it is exposed exceptionally to conflict with other necessities.²

In Hampshire's view, a situation of conflict arises, not when the performance of some "normally forbidden" act is forced upon someone, but when one is confronted with a situation, calling for decision, in

²Ibid, p. 93.
which one perfectly legitimate, even morally desirable, activity or pro-
gram of life (e.g. striving to become a dutiful mother) is pitted against
another that is just as legitimate and just as desirable (e.g. seeking suc-
cess as a career woman). The trouble is, notwithstanding the fact that
each of his options presents itself to him with the force of an impera-
tive, what he must do in the teeth of these conflicting moral claims
(rights, duties or obligations), conflicting virtues (loyalty, courage,
friendship, etc.) and even conflicting elements in a desirable but com-
plex way of life, is not intuitively clear to him. Hampshire writes:
"[F]rom the fact that man thinks that there is nothing other than X
which he can decently do in a particular situation it does not follow that
it is intuitively obvious to him that he must do X." Given the complexi-
ties involved, Hampshire does not think the agent could ever train his
sights on a single object or on a single type of object.

There is material for conflict of moral claims in the experience
of moral aspirations or emotions which do not converge on single
objects, or single types of object, and the divergences are brought
to the surface by common situations in which features judged good
and bad are combined unexpectedly, in a complex situation.³

Mainly utilitarians and contractarians still hold the single-criterion
objectivist position in moral decision-making. As Hampshire sees it,
this position sets too much store by standards of rationality and the
requirements of the scientific method, with the result that other el-
ements of moral decision-making, such as unmethodical intuitions, feel-
ings, perceptions, get rejected out of hand. It is these other elements
that Hampshire rehabilitates in his discussion of the two faces of mo-
rality: its "universalizing" face, which he characterizes in terms of the
rationality and precise articulation of the natural sciences, and its "par-
ticularizing" face, which he characterizes in terms of the less-than-ra-
tional and less-than-precisely-articulate discursive systems of histori-
cal and linguistic studies.⁴ Hampshire underscores the distinction, be-
cause while it is possible, on occasion, to provide a given activity with a
basis either in "justice" or in some other general moral principle, more
often than not, the basis supplied refers back to what Kant calls the an-

³Ibid, p. 25.
⁴Ibid, p. 3.
thropical dimension, that is, to that whole wide array of historical realities and causal relations (customs, conventions, and practices) out of which the activity arises — so there is no single, overriding standard or criterion for producing certain knowledge of the morally correct thing to do, only sundry considerations. To insist on the contrary is to discourage new and exploratory thinking on moral aims and objectives as redundant and unprofitable. It is to stop alternative programs of action from being tried out, to prevent the good and the bad in a given situation from being weighed on various scales, to foreclose upon the future and keep it from remaining open to endless invention. The ability to operate on several different registers, in the teeth of conflicting claims, is such a distinctive trait of the human species, Hampshire tells us, and it must be supported, not curtailed.

To underscore further the tension between the universalizing and particularizing faces of morality, Hampshire turns a critical eye upon John Rawls' conception of the Original Position in *A Theory of Justice*. Rawls argues that hidden beneath the variety of concrete, culturally conditioned and propagated moral beliefs, is an underlying structure of moral distinctions, and that it is the task of rational argument to remove the veil of prejudice and superstition, and to carefully catalogue common human desires and sentiments, in hope of bringing that structure to surface. Rawls writes:

My aim is to present a conception of justice which generalizes and carries to a higher level of abstraction the familiar theory of the social contract as found, say, in Locke, Rousseau and Kant. In order to do this we are not to think of the original contract as one to enter a particular society or to set up a particular form of government. Rather the guiding idea is that the principles of justice for the basic structure of society are the object of the original agreement. They are the principles that free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their association. These principles are to regulate all further agreement; they specify the kinds of social cooperation that can be entered into and the forms of government that can be established. This way of regarding the principles of justice I shall call justice as fairness.⁵

It is Rawls' contention, in other words, that, notwithstanding the impact upon one's life of natural chance, of such contingent social circumstances as one's place in society, one's class position or social status, one's natural assets and abilities, one can, still rationally and disinterestedly, enter into an agreement with others concerning "justice," insofar as, in their Original Position, "all are similarly situated and no one is able to design principles to favor his particular condition, the principles of justice are the result of a fair agreement or bargain." Against this universalist claims of Rawls, Hampshire argues that moral prescriptions mean nothing at all unless they can be referred back to an actual, even idiosyncratic, way of life. He writes:

The recognition of distinctiveness, and the moral endorsement of it, only entail that there are acceptable moral prescriptions which are not to be defended and justified by the kind of rational argument, which enters into ideal social contract theory, whether in Plato, Hobbes, Locke, Rousseau or Rawls.

Hampshire does not intend to be dismissive of the canons of practical deductive reasoning, or of prudence, nor is he suggesting that we set aside the rational foundations of law and justice. What, however, he does insist upon is the reinstatement into the moral decision-making process of such factors as personal abilities, class status, age, sex, race, linguistic affiliation, local custom, social patterns of thought and speech, the distinctive elements of culture. To illustrate his point, Hampshire

---

6Ibid., p. 12.
7Hampshire defines a way of life as follows: "A way of life is a complicated thing marked out by many details of style and manner, and also by particular activities and interests, which a group of people of similar disposition in a similar social situation may share; so that the group may become an imitable human type who transmits many of their habits and ideals to their descendants, provided social change is not too rapid" (Ibid, p. 91).
8Morality and Conflict, p. 133.
9While it may not be possible to make the absolute claim that a particular set of manners, customs, traditions, is exclusive to some given culture, it is usually possible to point to certain elements of that culture's way of life that are distinctive of its ethos or way of life, such that a habit, custom, tradition, or even a name, will possess within that culture a significance and meaning distinguishable from whatever else might come to be identified with it in a different cultural context. Even so, it will be admitted that
uses the analogy of language. An important dimension of what marks a people out as this particular people is their language. Their language is imbedded in their particular shared history, their shared associations, their largely unconscious memories. Its mastery, as such, entails considerably more than a knowledge of its grammar, syntax and vocabulary; it entails a sort of "lived" knowledge of its idiomatic use (definitely a Wittgensteinian influence), a "feel" for the right rejoinder in any given linguistic situation. Such a facility of idiomatic expression distinguishes the person who is good at it (such as a native speaker), from the person who is not. But to speak of the connection between a language and the particular history of its development — a necessarily incomplete history, given the complexity of relationships (cultural, physiological, etc.) involved — is really to speak of the fact that it evolves, that it is inescapably open-ended. Here, Hampshire brings up the parallel with morality. For to know how to behave under specific circumstances one need not always resort to a code-book or a set of instructions. Correct behavior is not the outcome of "careful and laborious reflection"; quite the contrary, it is "immediate, spontaneous and governed by intuition."

There is no reason to regard all, or any, natural language as an approximation to, or a partial realization of, the ultimate perfect language so there is every reason not to think of past and present ways of life, with their supporting and dominant virtues, as phases in the development towards the one perfect way of life.¹⁰

the phrase "way of life" does not convey something very definite. While, indeed, one may speak of distinct cultural aggregations (e.g. tribes, cultural minorities, language-groops, nations, etc.) there may or may not be deep cohesions within these groups. Of course, much depends on what is meant by "deep cohesions." Given the vast possibilities for cultural exchanges and influences coming from other ways of life, it is not always easy to determine what it is that is specifically unique to this "way of life," or what it is that gives a distinct identity to a particular cultural aggregation. What is more, the so-called "way of life," which gives a sense of identity and belongingness to the individual, and a sense of cultural achievement to the community because this is something they can take great pride in calling theirs, may actually be oppressive and, in some cases, even be mistaken. A particular way of life can be inequalitarian, oppressive to a particular class, race or sex. It need not consider any attempt at justice as justifiable or acceptable within its framework because as it has evolved through time, it has reached the most pragmatically "optimum" stage and in that sense can be said to be valid.

¹⁰Morality and Conflict, p. 160.
But notwithstanding the contingency of language — it did not have to be this particular one, nor did it have to assume this specific configuration of the elements of communication — language, any given language, contains within itself the “rules” which govern its correct use. It is possible thus to speak of a deep structure, a natural and universal grammar and syntax, produced by the imperatives of learning, hearing, understanding, and speaking, by which the language is configured.

Morality, too, has an underlying “grammar” produced by the physiological and biological needs that all humans share, such as the need for nurture, for instruction in growth and survival, for interaction and communication, for involvement in community occupations and family relationships, for sexual identification, etc. These “natural” needs set the parameters of what might then be seen as acceptable in moral behavior, condoned as part of being human, or rejected altogether as inhuman. Just as there is a “right” way to speak and use a language, so also there is a “right” way to conduct a way of life. Just as there is such a thing as conforming with competence to the necessities of a language, there is such a thing as well as satisfying with competence the requirements of a morality. Just as language is a living, open-ended institution, contingent but with its own rules of necessity, so also morality responds to particular emphases and a specifiable manner of proceeding; within that manner of proceeding definite rules obtain; morality is not a matter of “anything goes.”

There can be no strategy, then, then for a final reconciliation of conflicting moralities in a perfect social order. Conflicts between moralities which prescribe different priorities will not gradually disappear, even in face of the swarming of the rational methods of the sciences and law. It may still happen, however, that rational considerations of human welfare and justice will override the more intuitive perceptions of the value of particular relationships, practices, and sentiments. Hampshire writes:

Reasons can be given for these two faces of morality: the law-like and rational, the language-like and imaginative; that men are not only rational and calculative in forming and pursuing their ideals and in maintaining rules of conduct, but they are also in the grip of particular and distinguishing memories and particular and distinguishing local passions.\(^\text{11}\)

\(^{11}\)Ibid, p. 135.
But by discarding, on rational moral grounds, conventional behavior or a concrete and historical "way of life," one is merely adopting another conventional way of life. And we're back to a conflict between a way of life characterized by a strict adherence to universal principles, and another way of life which is more nuanced in that it takes into account the particulars of the specific culture and historically-conditioned way of life. The conflict, then, between the universalizing and the particularizing boils down to which is able to more fully represent and capture the complexities involved in actual human affairs. Hampshire writes:

[H]uman nature, conceived in terms of common human needs and capacities, always underestimates a way of life, and under-determines an order of priorities among virtues, and therefore underdetermines the moral prohibitions and injunctions that support a way of life. I am making three points against the classical moralists: (a) that there cannot be such a thing as the complete human good; nor (b) can there be a harmony among all the essential virtues in a complete life; nor (c) can we infer what is universally the best way of life from propositions about human nature. Human nature includes the capacity to reflect on, and compare, aims and ideals, and to reflect on this reflection, which in turn demands the capacity to evolve conventions of behavior alongside linguistic conventions, and thereby to create a moral order within the natural order.  

In the polarity between a universalizing moral theory and a particularizing way of life, the former applies a corrective to what may be oppressive and iniquitous in a particular set of conventions, while the latter gives definition and rootedness to the moral claims.

II. Social Artifices, Dialogue, the Individual
A social artifice (a human institution developed over time, such as a form of government, a system of property ownership, legal principles, etc.) is a cultural artifact, created by a human community at a particular juncture in its history to overcome adversity, or otherwise fulfill a

\[12\text{Ibid, p. 161.}\\13\text{Ibid, p. 155.}\]
requirement important to its life and well-being. Insofar as the motive for its creation is bound up with concrete historical needs and challenges, at another point in the community’s history, a given social artifice could prove either superfluous or disastrous. To determine the value to itself, here and now, of a given social artifice, a community could try to engage in a deep and integrative reflection on the demands of both the universalizing and the particularizing, by considering what universal principles (e.g. justice and utility), can be made to animate the life of the community in its social and cultural concreteness, in its efforts, say, to alleviate poverty, to redress injustice, to control coercion. But before a community can get to that point of integrative reflection, it must contend with the reality of conflict or dissension in its midst. For always there will be some among its number who in acquiescing to the appeal of universal, rational principles (e.g., justice, and utility), will ignore some claim being made upon them by the demands of living a particular way of life. Or else, awakening to the realization that the universal is not adequately sensitive to the particularity of his way of life, they may emphasize the latter at the expense of the former. While the situation is not helped by the fact that different individuals, and different groups (composed of individuals with similar interests, needs and claims), perceiving their interests and the best-life-ideal differently, will tend sometimes to clash head on with one another, it does impress upon all the importance of resolving the problem of mutual coexistence in a reasonable way.

But how does this work for the individual? How, in actual circumstances, does he strike a balance, or navigate an either/or course, between the universal principle and the possibilities for its particular application? Or, for that matter, how is this same problem to be managed by a group? Now if, for the parties involved, there are compelling reasons to seek a resolution to the conflict, there needs to be (a) a desire to come to a resolution, the converse of which will be an enduring state of belligerency, (b) an adequate and acceptable description of the issue(s), (c) a mediator, facilitator, “judge,” capable of providing an impartial, objective, and balanced description and assessment of the state of affairs, showing both a knowledge of the universal principles and a sensitivity to cultural, particular norms. Indeed, oftentimes it will fall upon the mediator to initiate dialogue, to facilitate dialogue, to help the contending parties to come to such a level of mutual understand-
ing and trust that they will not to want to break off communication with
one another. While a certain indeterminacy will usually characterize
what have come to be considered “valid” resolutions, an unceasing app-
proximation of them will result in the attainment of various levels of
resolution. But as much as individuals and groups might successfully
engage in a meaningful exchange, and on the basis of past resolutions
and calculations, and of successful precedents, even bring about some-
thing of a resolution to the conflict stirred up by their divergent com-
mitments not only to universal, rational principles, but also to the exi-
gencies of their actual individual and collective lives, conflict is not
something they can finally overcome.

One speaks at this point of the need, on the part of individuals, for
a centering, for a creative solution to what conflict they might experi-
ence within themselves, beyond the point where precedent and prin-
ciple can be expected to provide them with guidance. Centering has to
do with an individual’s ability to masterfully and competently apply the
rules and use precedent, and still create novel and brilliant moves, as in
a game of chess, or in a musical composition. It has to do with his abil-
ity to see the whole, Gestalt-like, bringing individual components, con-

cflicting elements, seemingly antagonistic demands, together into a co-
herent picture, a “solution,” a “higher synthesis,” an alternative move.
It means the resolution deep within the individual of those emotions
that always, for him, comprise such a deep point of integration (pre-
suming that emotions are easily recognized and demarcated). Spinoza’s
idea of conatus, of the drive, shared by all biological entities, in their
approximation of freedom and power to the fullest extent possible,
comes to mind here. For it is a drive that comes from deep within the
person, and is outwardly expressed through the concrete results of self-
determination and self-expression. It is part of a person’s drive to want
to strike out his own path, to assert himself, to come to grips with con-

cflicting demands and emerge from the experience stronger and better
able to overcome a crippling fear. This act of centering is achieved by
humans through holistic integration.

As for individuals and groups and the need to resolve the conflicts
that develop between them, norms exist that are adequate to deal with
major conflicts in a peaceable manner. Processes are in place that en-

hance cooperation, maintain a plurality and allow for dynamism. They
need only to be adequately and competently described. Annette Baier,
following Hume, maintains that people have a basic good sense, which they use in going about dealing with obstacles in their daily lives. Speaking of “pockets of gentleness,” she describes how it is that certain basic human sentiments, springing from the biological process and experience of having been nurtured and cared for as infants and children, of having been trained and instructed for growth, if not for survival, adds value to individual processes and to cooperation in communities. Such experiences have an impact on the capacity of the individual to cooperate and tackle, together with others, the dilemmas of social life. Even Bruce Ackermann’s project of specifying the common ground between or among different individual or group interests, would only really be possible if there was such a level of trust and faith. The most likely scenario, following Robert Axelrod’s projections, is that those who cooperate with one another, and build non-coercive and mutually beneficial relationships, will definitely reap more benefits because of their cooperation with one another and perhaps the efforts towards dialogue need not only be through actual verbal exchanges but also by being able to demonstrate and actually construct alternative social arrangements which then showcase what more cooperative arrangements could possibly achieve, e.g. the experience of the Grameen Bank in Bangladesh and even the underground economy in parts of Peru. Not just any instance of a productive and creative cooperation will do (we rule out, for example, Colombian drug mafias) but one truly responding to moral universals and particular human needs as well.

I have sought in our limited discussion to present Hampshire’s main contention that moral conflicts are inevitable and ineradicable and perhaps even necessary. Conflicts arise within the individual, between the claims on him of universal, rational principles, and of particular, customary ways of life. They arise as well between individuals pursuing divergent ways of life, each working on behalf of his or her own best interests. Finally, they arise among groups that profess different ways of life, and a commitment to certain universal moral principles. A weakness of Hampshire’s presentation is that, ultimately, it does not tell us

14Annette Baier, Postures of the Mind (Minneapolis: University of Minnesota Press, 1985). In particular, see “Secular Faith.”
clearly enough how these conflict are to be resolved, or whether they
can be resolved at all. He tells us that while each one would have to tread
his own path, there are paradigmatic indicators of how the process
might proceed. First of all it is possible to create a moral order on the
basis of a natural order (‘order’ is used here with latitude) even if the
natural needs underdetermine what the more conventional (because
developed and evolved through conscious or unconscious human
choices) moral, social or political “system” might be. And hence there
is always room for a more deliberate reflection and critical evaluation
of what has gone before, including social artifices, such that more ade-
quate and relevant solutions can be found. Secondly, the process of
resolving the conflict between the universalizing and the particulariz-
ing, for example, on the individual level can include an adequate and
competent description of the dilemma, what the universal, rational
principle might demand, as well as what the particular customary way
of life requires. It is important as well to consider what feelings are
evoked in the individual by these considerations. It is of course pos-
sible to make mistakes on the level of the apprehension of the facts of
the case, a misinterpretation or misunderstanding of the moral prin-
ciples, and a misreading of the demands of the way of life, and lastly,
insufficient consideration of emotions. But even given a correct input
of these various elements, there is no guarantee that one will have made
the right choice. At that point perhaps a more holistic integration is
needed, not subject to its parts, not even a conscious integrative Carte-
sian mental deliberation alone would suffice. This is what I would la-
bel centering and it becomes an individual more responding to the
urgings of life.