Synthese (2024) 204:129
https://doi.org/10.1007/s11229-024-04775-w

ORIGINAL RESEARCH

Minimal metaphysics in moral and political philosophy

Michael Esfeld[1] · **Cristian López**[1]

Received: 17 March 2024 / Accepted: 11 September 2024
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Abstract
The aim of this paper is to apply the methodology of minimal ontological commitments to moral and political philosophy. As minimal metaphysics in the philosophy of science endorses scientific realism, so we subscribe to moral realism, arguing that the presumption of liberty is the fundamental assumption defining a person. What needs to be justified then are restrictions to liberty and, in particular, the application of coercion upon persons. In examining knowledge claims about normative facts going beyond the presumption of liberty, such as, for instance, facts about a common good, we show that an ontological commitment to such normative facts is at odds with minimal metaphysics. We thus show how minimal metaphysics vindicates a Kantian deontological stance in moral and political philosophy: moral realism is limited to the obligations that follow from extending the presumption of liberty to all human beings in virtue of them being rational animals, hence to respect every person as an end in itself.

Keywords Descartes · Kant · Minimal metaphysics · Moral realism · Presumption of liberty · Scientific realism · Transcendental argument

1 Introduction

Minimal metaphysics in a certain domain means endorsing minimally sufficient ontological commitments given certain constraints. The main constraint is realism with respect to the domain in question. Solipsism obviously would be the most minimal metaphysics, but it would not cut any ontological ice. Thus, minimal metaphysics in

✉ Michael Esfeld
michael.esfeld@unil.ch

Cristian López
cristian.lopez@unil.ch

1 Department of Philosophy, University of Lausanne, Lausanne, Switzerland

the domain of the natural sciences seeks to figure out which ontological commitments are minimally sufficient for an account of the natural world that respects scientific realism (see Esfeld & Deckert, 2017).

One may ask the question whether a minimal metaphysics of the natural world is sufficient to also account for moral facts. If the reply is positive, then morality could be naturalized and covered by the minimal metaphysics of the natural world. We would then have a minimal metaphysics that can account for both natural and normative facts, including moral facts. But if the reply is negative, then the programme of a minimal metaphysics of the natural world would be insufficient for moral philosophy. Additional ontological commitments would then be called for to achieve a minimal metaphysics of the moral realm. These additional ontological commitments are necessary to account for *irreducible* moral facts to which our moral propositions refer.

In this paper, we apply minimal metaphysics to moral and political philosophy. We argue that moral facts cannot be accounted for in terms of the minimal metaphysics of the natural world. Invoking the presumption of liberty, we show that there is a gap between facts and norms (moral facts). In particular, we start from scientific realism and argue that the knowledge produced by modern natural science is limited to matters of natural fact and does not apply to moral facts. No norms follow from natural facts. Hence, the facts that natural science refers to cannot be the truth-makers of moral statements. Realism, however, demands that moral propositions have a truth-value. They are not part of a realm of pure subjective opinions but can be rationally explored. This, then, implies that their truth-value does not depend on what individuals or entire groups take to be right or wrong. Thus, also a whole community can be wrong in their moral beliefs. There is a standard for these beliefs beyond community agreement, which delivers a strong moral realism. The question then is what makes these propositions true, that is, what are *minimal* ontological commitments such that moral propositions have truth-makers that are independent of the moral beliefs that individuals or entire communities hold.

The structure of the article is as follows. In Sect. 2, we link the minimal metaphysics for moral philosophy to the presumption of liberty. We argue that a minimal metaphysics based on the presumption of liberty can provide truth-makers for moral propositions without being committed to any natural or super-natural facts beyond persons. In Sect. 3, we show how a transcendental argument can justify the presumption of liberty. In Sects. 4 and 5, we draw two important consequences for moral and political philosophy: a minimal metaphysics for moral philosophy based on the presumption of liberty entails, first, the rejection of scientism and political scientism. This is based on a sharp separation between facts and norms (Sect. 4). Furthermore, it entails the vindication of a Kantian deontological stance with the categorical obligation to always respect every person as an end in itself at its centre (Sect. 5).

2 Minimal metaphysics and the presumption of liberty

The application of minimal metaphysics to the natural world, constrained by scientific realism, aims to reply to the following question: which ontological commitments are minimally sufficient to understand our scientific knowledge? A minimal ontol-

ogy for the natural world then amounts to the set of objects, properties and relations that are minimally sufficient to accommodate what science tells us about the natural world. The requirement of "minimal" aims to avoid metaphysical explanations that include superfluous or unnecessary elements; that is, elements that do not yield any explanatory gain. If two ontologies can account for scientific knowledge equally, but one of them is committed to less elements, then this one is to be preferred over the other (parsimony principle). What is minimal is hence relative to the scientific knowledge to be accounted for and to the alternative explanations at stake.

One may maintain that the same set of objects, properties and relations that account for the natural world are also sufficient to account for moral facts and moral knowledge. If this were so, then our moral knowledge could be naturalized: in the end, moral facts *are* natural facts. Although this view delivers a stance-independent account of morality, in the sense that moral beliefs and attitudes are independent of subjects' opinions, morality is natural in the sense that our knowledge of it can be derived from our knowledge of nature: science is expected to tell us what morality is (see Shafer-Landau, 2003, ch. 3, Smith, 1994). As Matthew Lutz puts it: "To say that moral facts are natural facts, then, is to say that moral facts are part of the naturalistic picture of the world that is revealed by empirical science" (2023). It is then expected that the application of a minimal metaphysics for the natural world is also sufficient to deliver the truth-makers for moral propositions.

Notwithstanding how much popular moral naturalism has been in the last decades, there are good reasons to believe that the project cannot succeed. The main reason is that moral facts, and normativity in general, presuppose freedom and persons (Sellars, 1956; McDowell, 1995). In the literature on freedom, it is common to distinguish between *metaphysical* freedom and *political* freedom. In a general sense, freedom is related to the absence of constraints; since there are different types of constraints, there will be different types of freedoms. Metaphysical freedom then refers to the absence of metaphysical constraints such as laws of nature that predetermine how a person will act (my disposition to act is not predetermined by an external, deterministic world). Political freedom rather refers to the absence of political constraints, as coercion by the state (my actions should not be coerced by a political authority). This distinction is conceptually important, but it is worth emphasizing, as we will do later, that metaphysical freedom is more than mere absence of metaphysical constraints– in a Kantian vein, we will hold that metaphysical freedom also implies *autonomy*, *self-determination*, that is, to be the origin of a chain of causal actions. We are not concerned with the potential metaphysical constraints to freedom in this sense, but with the normative role that freedom plays in moral and political issues: freedom as self-determination is a condition for freedom in the moral and political sense.

Besides the difference between political and metaphysical freedom, many problems in moral philosophy and political philosophy assume what is known as the presumption of liberty (in the political and moral sense). This is indeed the central characteristic trait of the modern liberal tradition in politics and morality. Gerald Gaus expresses this presumption in this way:

> The liberal tradition in political philosophy maintains that each person is free to do as he wishes until some justification is offered for limiting his liberty… we

> necessarily claim liberty to act as we see fit unless reason can be provided for interfering. (Gaus, 2003, p. 207)

The presumption of liberty covers politically the whole spectrum from left to right (e.g., Feinberg, 1973, Rawls, 2001, Nozick, 1974), so it is quite widespread. It is not only a normative principle for moral and political philosophy, but it is also dialectically powerful. It puts the burden of proof on those who advocate coercion. Coercion is what calls for justification, not granting freedom and freedom rights. This principle, then, is important to account for the justification of political institutions and moral principles that intervene upon persons.

The political and moral freedom that is at issue in the presumption of liberty entails a minimal ontological commitment that goes beyond the minimal metaphysics for the natural world: the minimal ontological commitments that are sufficient to explain our scientific knowledge are insufficient when it comes to morality since they cannot offer proper reasons to justify (or not) coercion. The reason is the freedom that Immanuel Kant expresses in these words:

> If an appearance is given to us, we are still completely free as to how we want to judge things from it. (*Prolegomena* § 13, note III; quoted from Kant, 2002, p. 85)

If, for example, one has the sense impression of a stick that *appears as* broken on the surface of the water, one may be led to judge that the stick *is* broken. But the sense impression does not impose this judgement. The person can take a position with respect to the sense impression and form a judgement: to be a person is to be *positively* free, to be the origin of a chain of decisions and actions. Judgements contain concepts; but concepts do not follow from sense impressions. We are free to form concepts based on sense impressions and whatever else may be given to the mind (see also Sellars, 1956 against what he calls "the myth of the given"). This implies our main point: scientific data cannot either impose judgments on us; we are always free what to make of the scientific evidence to form judgements.

The same applies to actions. There is no automatism from sense impressions and desires to actions. In an extension of Kant's quote, one can say: if a desire is given to us, we are still completely free as to how we want to act. The person can position herself with respect to her desires and form an intention to act. Intentions presuppose judgements and thus concepts. They are not a mere reaction to desires. Intentions are a judgement about how the world *should be*, combined with an attempt to bring about the corresponding change in the world through a physical movement.

John McDowell makes the same point by asking what it would take for a wolf to think and act:

> A rational wolf would be able to let his mind roam over possibilities of behaviour other than what comes naturally to wolves.… [This] reflects a deep connection between reason and freedom: we cannot make sense of a creature's acquiring reason unless it has genuinely alternative possibilities of action, over which its thought can play.… A possessor of *logos* cannot be just a knower, but

> must be an agent too; and we cannot make sense of *logos* as manifesting itself in agency without seeing it as selecting between options, rather than simply going along with what is going to happen anyway. This is to represent freedom of action as inextricably connected with a freedom that is essential to conceptual thought. (McDowell, 1995, § 3)

This entails two things. First, descriptions about wolves as a species (a scientific description, for instance) cannot *justify* anything about what rational individuals do. Second, such descriptions enter as information to be considered rationally, that is, from a critical stance. If rational beings could not step back and ask for the epistemic credentials of, for instance, scientific descriptions, then they would not be rational beings anymore. McDowell's ingenious comparison sharply draws the line between descriptions of facts and normative attitudes. If we are genuinely rational, we can also ask for the epistemic credentials of any description of facts that is given to us.

That is to say: *freedom*, *reason and normativity form an inseparable trio*. For thoughts and actions– and only for these– one can demand and cite reasons. This is what the ancient Greek expression *logon didonai*, giving reason, means. Events in nature happen according to certain regularities (laws of nature), but one cannot demand reasons for them. If the storm knocks down a tree and someone is harmed as a result, one cannot demand reasons and thus no accountability for this event. The same applies to the behaviour of animals: if a cat plays with a mouse before killing and eating it, one cannot demand reasons and thus accountability for the cat's behaviour.

By contrast, humans can position themselves with respect to their sense impressions, desires, needs, instincts, etc.; they are therefore free in their thoughts and actions and hence accessible to reasons and thus accountability. Normativity and morality come with this: if a person positions herself with respect to her sense impressions, desires, needs, instincts, etc., then the question is what the person *should* think and do, that is, what is right in thinking and acting and what is not. It is clear that a scientific description is insufficient to answer this question. It then follows that a minimal metaphysics for scientific knowledge is also insufficient to account for normativity and morality.

This brings us back to the idea of the presumption of liberty. Persons are free in the sense of self-determination. This entails that natural facts and scientific descriptions cannot impose judgments on us. In turn, this implies that natural facts and scientific descriptions are not an adequate basis to justify constraints on moral and political freedom. The presumption of liberty, in consequence, cannot be violated on such grounds. It is this principle that is at the basis of minimal ontological commitments in moral philosophy and explains moral facts and knowledge. In turn, it opens the door to a novel form of *minimal* moral realism: the truth-maker of any moral statement cannot be natural facts, but moral facts that are linked to the presumption of liberty. To put it differently, any moral statement is ultimately about moral facts that concern the freedom of persons. This implies that any answer to the question of what a person should do that is not entailed by the presumption of liberty requires not only additional ontological commitments that go beyond a minimal metaphysics for moral and

political philosophy, but also a rational way to investigate moral and political reasons that are different from that of science.

3 The presumption of liberty and transcendental arguments

The presumption of liberty draws a line between scientific explanations and justifications. Enjoying liberty in the outlined sense and thus being a person is not an empirical fact revealed by natural science, like having a brain, a heart and an upright gait. It is a normative status, namely the status of being subject to justifications in virtue of enjoying the freedom to be able to position oneself with respect to what is given to one's mind (instead of merely reacting to stimuli such as sense impressing, desires, needs, etc.). This status is presupposed by science. Any scientific theory, hypothesis or explanation is formulated, accepted, and justified in a normative framework by claiming the freedom to form a judgement on the basis of what is given (sense impressions, data, observations, etc.). In other words, justification is only possible by claiming the freedom to be able to position oneself in relation to everything that is given and to form a judgement by oneself. Consequently, the presumption of liberty neither requires a scientific justification, nor could natural science provide such a justification. Quite to the contrary, the very possibility of doing science presupposes the presumption of liberty.

When it comes to justifying this presumption, one can invoke what is known as a transcendental argument. Unlike arguments that refer to transcendent objects that are supposed to exist beyond space and time, a transcendental argument refers back to the subject itself, namely to the conditions of the possibility for the person to recognize objects in the world and to change the world through actions. These are conditions whose negation would consist in a performative contradiction: the performance– the assertion– of the negation of these conditions would itself be an act that makes use of them. This is the proper methodology to investigate reasons and arguments in the moral realm.

René Descartes formulates a transcendental argument in the *Meditations on first philosophy* (1641, second meditation): it is impossible to deny that I think. For if I deny that I think, then the performance (act) of denying is itself an instance of thinking. It follows that I exist as long as I think. This is a transcendental argument that establishes the existence of something– one's thinking– without depending on observations and without being able to be confirmed or refuted by observations. By the same token, in a Kantian vein, freedom and normativity in thinking cannot be denied without committing a performative contradiction. The act of contesting would itself be an act that claims freedom in forming a judgement (instead of being, for instance, mere noise) and that makes a claim to validity. The same applies to actions: one cannot deny freedom in forming intentions to act without the act of denial itself being an exercise of that freedom. This act is an action– at least a speech action– for which it makes sense to demand reasons. Consequently, it is not mere behaviour, but the exercise of the person's freedom to position herself in relation to sense impressions, needs, desires, etc. Therefore, it is a transcendental argument, when applied to

persons, that justifies freedom. From it, the presumption of liberty follows and the necessity to justify coercion in cases of moral and political freedom.

The presumption of liberty applies to all human beings qua rational animals. In this sense, universal reason unites all human beings irrespective of their ethnicity, gender, social status, religion, culture, etc. Consequently, whatever follows from the presumption of liberty applies to all human beings qua rational animals and is not relative to anything like ethnicity, gender, culture, etc.

4 Science vs. scientism and its moral and political use

The application of minimal metaphysics to moral and political philosophy, based on the presumption of liberty, draws a sharp demarcation between natural facts and norms that has deeper consequences beyond metaphysics. One of these is the vindication of modern science as purely descriptive, based on objectivity and disciplined scepticism. Another one is the rejection of scientism and political scientism as an illegitimate attempt to blur (or to bridge) this demarcation.

René Descartes' *Discourse on method*, published in 1637, is, along with Galileo Galilei's works, one of the turning points in the road to modern natural science. In the sixth part of the *Discourse*, Descartes advances the famous statement that science should be employed to make us masters and owners of nature (Descartes, 1902, p. 62). By "nature", Descartes here means first and foremost human nature. The goal is to develop medicine to fight diseases and epidemics, which had swept Europe for almost three centuries. Non-human nature then comes also into focus, namely, to gain knowledge about the laws of motion of matter in order to improve people's living conditions through technological progress.

In setting natural science's goal in terms of improving people's living conditions, modern science has to abstract from all subjective and evaluative features in order to achieve objectivity. Objective knowledge of how non-human nature is independently of our subjective and evaluative judgements is necessary in order to be able to improve our living conditions through technological progress based on knowledge. Objectivity therefore is the first and foremost feature of modern natural science. By abstracting from all subjective features, Descartes gets to conceiving non-human nature as *res extensa*, characterised solely by extension and motion, the aim then being to discover the laws of motion.

The ideal of objectivity is well expressed in terms of what is known as the point of view from nowhere. This is the point that is reached by abstracting from all subjective elements of how things appear to a person (how they smell, how they look, etc.). In physics, this ideal is clear in the requirement of invariance under different perspectives when formulating scientific laws: what is objective is what remains invariant under symmetry transformations (e.g., under space translation; see Nozick, 2001). More generally, the idea of a point of view from nowhere in science is that cultural, linguistic or ethnic aspects are unimportant when it comes to assessing the truth-value of scientific claims. What then is left are only the relative positions of objects (extension) and their change (motion); for only these can be checked by scientific

experiments (see e.g., Bell, 1987, pp. 166, 175, Maudlin, 2019, pp. 49–50, Esfeld, 2020, ch. 1.1 and 1.2).

The strategy of formulating a kind of knowledge that is centreless and featureless (Nagel, 1986, p. 14) is the basis for the success of modern science. This does not mean that modern science has ever achieved full objectivity; nor that it is even achievable. Even though the idea of a point of nowhere is a metaphor, it is strictly speaking contradictory. A point of view from nowhere obviously is no point of view anymore, that is, no theory conceived in a language with a semantics and a pragmatics. The point of view from nowhere is a regulative idea that guides theory construction and empirical research. It works as a norm for assessing knowledge claims according to a standard. Objectivity is important not because it is fully achievable, but because it makes science filter out as much as it can any trace of subjective influences.

Objectivity as the first and foremost feature of modern natural science therefore implies the method of disciplined scepticism. Although all scientific knowledge is generated within a specific historical and cultural context, the justification of scientific knowledge must be guided by the point of view from nowhere as regulative idea. However, no scientist can ever abstract from all subjective features in doing science. That is why disciplined scepticism is the hallmark of the scientific method: every claim to scientific knowledge (objectivity) has to undergo rigorous scrutiny, because it is conceived in a particular subjective context (which includes here the inter-subjective, historical and cultural context).

The sociologist Robert Merton (1942) characterises the institutionalised science of the 20th century as "organized scepticism". The idea is very simple: science is about the explanation of regularities. Any assertion about the explanation of such regularities only can stand up under critical scrutiny. Hypotheses are proposed to explain regularities. But the endorsement of a hypothesis is always negative: it is endorsed not because it has been shown to be true, but because there are no weighty reasons to deem it false. Therefore, the hypothesis is adopted only hypothetically, always trying to find something somewhere in the world that contradicts it.

Richard Feynman makes the same point in his lecture on "The value of science" (1955), which has the following subtitle:

Of all its many values, the greatest must be the freedom to doubt. (Feynman, 1955, p. 13)

He then describes scientific knowledge in these terms:

> Scientific knowledge is a body of statements of varying degrees of certainty—some most unsure, some nearly sure, none *absolutely* certain. Now, we scientists are used to this, and we take it for granted that it is perfectly consistent to be unsure—that it is possible to live and *not* know. (Feynman, 1955, p. 14)

As mentioned above, one can regard modern science as being motivated by the goal of improving people's living conditions through technological progress. However, since this goal implies the strive for objectivity as the hallmark of modern natural science and disciplined or organized scepticism as the method to achieve objectivity, the consequence is that modern science is about matters of fact only and can in principle not have any normative implications. In other words, although it can be considered

as being motivated by the normative goal of improving people's living conditions, to what extent and how the discoveries of modern science are to be employed in view of that goal is not an issue of science itself. It is an issue of individual or collective deliberation. Science enters into this deliberation as providing information about matters of fact, but not as a normative guide.

Modern science is about facts, delivering objective, disenchanted descriptions of the world. It gives us information about the world and thereby enhances our possibilities for actions. Thanks to scientific knowledge, we can "roam over" more options, to take up McDowell's terms from the quotation above. But it is up to us which judgments we form on this basis, which possibilities we embrace. Scientific knowledge can enhance and enrich us, but how it does so depends on our aims and values, on which scientific knowledge has nothing to say. Consequently, the slogan "follow the science" is meaningless.

Consider quantum physics as one example. Quantum physics discovers facts about radioactive atoms. However, the slogan "follow quantum physics" would obviously not make any sense: quantum physics enables us to exploit radioactivity for the purpose of energy production (nuclear energy) as well as for military purposes (nuclear weapons). But nothing follows from quantum physics as to whether we *should* build nuclear power plants or produce nuclear weapons. This is not a matter of physics, but of– open and controversial– public debate.

Our approach to minimal metaphysics when applied to moral philosophy (or normativity more generally) can accommodate this distinction easily. The minimal metaphysics for the natural world is limited to the ontological commitments that are minimally sufficient to account for factual knowledge as delivered by modern science. The claim that to account for moral or normative knowledge, it is necessary to adopt additional ontological commitments just stresses the demarcation between natural facts and norms (or normative facts): the minimal metaphysics for facts is unable to also be a minimal metaphysics for norms. Therefore, additional ontological commitments are necessary. However, in the vein of minimal metaphysics, it is sufficient to commit ourselves to freedom as self-determination and, in consequence, the presumption of liberty only and to reduce the justification of moral or political statements to this presumption.

By contrast, when this demarcation line between facts and norms is ignored, science turns into scientism. Scientism is the stance according to which the scope of modern natural science is in principle unlimited, covering also human thought and action and thus being able to prescribe norms (see e.g., Peels, 2023). Scientism is therefore associated not only with a strong naturalist approach to morality, but also with what is known as social engineering. Like the art of technical engineering, there is supposed to be an art of social engineering that steers society through scientific knowledge. However, in the case of technical engineering, the goals come from outside. People may, for instance, have the desire to travel to other continents and to do so quickly. Technical engineering can then tell us how to build airplanes to achieve that goal. But even if one extends technical engineering to what is known as technocracy, this can never stand on its own feet. It has to be fed with a goal towards which the engineering shall be done. That goal does not follow from science. That is why the idea of social engineering is misguided. von Hayek (1952) therefore called

scientism the “counter-revolution of science” (see also Popper, 1957[1]): it turns the scientific spirit upside down in replacing the strive for objectivity with the prescription of norms that scientists take themselves to be entitled to impose on society (for a different view, see Kitcher, 2011; for an intermediate and more moderate view, see Dorato, 2023). If social engineering is intended to be realized through organs of the state, then scientism becomes political scientism: the legitimization of political measures that are implemented through coercion by something that is presented as science, but that in fact is diametrically opposed to the characteristic traits of science.

Indeed, scientism and its political application undermine science and its position in society in three ways: (i) Firstly, they undermine the objectivity of science: the corresponding knowledge claims no longer refer to facts; as norms, goals or values are presupposed, they no longer abstract from the subjective perspective. (ii) Secondly, they undermine the scientific method: one can no longer apply the method of disciplined scepticism to a knowledge claim that is passed off as an advice for moral, if not outright political actions. (iii) Finally, they undermine the social acceptance of science: those people who have other goals and values than the ones supposedly prescribed by science will be portrayed as unscientific– and are in consequence likely to turn against that sort of science, which they are nevertheless supposed to fund through their taxpayers’ money. The recognition that science enjoys in society across all different value systems depends on its objectivity. If science turns into a moral guideline, we fall back into the pre-scientific age.

By the same token, political scientism goes against the modern republican, constitutional state: one cannot oppose scientific facts such as, for instance, the facts of gravitation. If political measures are supposed to follow from scientific facts, they are no longer a matter of debate, at least not rational debate. It makes no sense to hold votes about scientific facts. Political scientism thereby undermines the rationality of the decision procedures in democratic, constitutional states.

Political scientism confuses science, morality and politics. In science, no authority is required to determine what the corpus of scientific knowledge is. Majority vote or setting up a person or body to settle this– that is, to be the judge of scientific truth–, would obviously be absurd and counterproductive to scientific progress. Science is intrinsically anarchic in the sense that there is no authority that can settle a scientific issue; it is an institution with “rules, but without rulers” (see Chartier & van Schoelandt, 2021). Only evidence and arguments count, because they are rules endorsed and respected by the participants. There is no authority that is entitled to establish something as scientific knowledge and enforce it under threat and, if necessary, use of coercion. It is not a problem that competing hypotheses and theories often coexist in science. On the contrary, this is a motor of scientific progress. It would be contrary to the use of reason on which science is based to resolve disputes about claims to scientific knowledge by resorting to coercion, insofar as these disputes do

[1] Popper has, however, defended piecemeal social engineering to generate slow and local changes. Popper’s idea seeks to oppose revolutionary social changes conforming with a utopian blueprint. Although we share with Popper his opposition to scientism and utopian social engineering, our argument goes also against Popper’s piecemeal engineering insofar it is a politically planned in contrast to a spontaneously developed affair.

not dissolve themselves through evidence and argument that are recognized by all parties of their own accord.

When it comes to morality and politics, the situation is different. For morality, the justification of moral statements requires to bring up normative arguments or moral principles; morality is not up to our opinion, but also requires reason and arguments. What *ought to be* done must rely on some moral principle or normative argument that must be argued for, but science plays no normative role in this process. In politics, a procedure is necessary to bring about a decision in the case of conflicting views about public affairs in order to prevent such conflicts from being settled by the uncontrolled use of violence. Scientific facts enter into such decision procedures as information, but not as a normative guide that predetermines the decision.

Scientism and its political use are a form of naturalism, in the sense that moral and political statements are considered to be ultimately about natural facts. Science can then guide us to be morally better, or to build better societies. But they are also a modern form of Platonism. In his 1945 book, Karl Popper identifies some forms of thorough social planning with Plato's political ideas. Although Popper's reading of Plato remains controversial, his main point is to single out a specific way to design society: a Utopia that can be achieved through scientific knowledge. The idea of Platonism is the opposite of the modern liberal tradition, and in particular, the opposite to the presumption of liberty. The idea is that there is a group of people who have privileged knowledge of the common good– in Plato's main work *The State* it is the philosophers with knowledge of the idea of the absolute good– and who are authorized to rule over the people in virtue of this privileged knowledge of the common good and to regulate their way of life down to the private sphere. Karl Popper therefore identifies Platonism as the root of totalitarianism (1945, part 1). In modern times in this context, scientific knowledge then takes the place of philosophical knowledge of the idea of the good, since scientific knowledge is considered as setting the paradigm for knowledge.

However, for Plato, knowledge is knowledge of ideas, that is, of archetypes, ideal forms of sensible, concrete things that participate in the ideas. The ideas do not only express what things *are*, but also what they *should* be. Sensible horses, for instance, are imperfect copies of the ideal horse, which sets the norm of what horseness is and should be. The normative essence of Platonic ideas enables moving seamlessly from facts to norms. Thus, the philosopher who knows the idea of the good not only has a highly valued epistemic status, but also a moral one: such a person knows what justice is and how it should be realitzed in society. Hence, the ontological commitments of Platonic epistemology are such that the ideas automatically serve as truth-makers also for moral propositions. By contrast, the ontological commitments of modern scientific knowledge are in principle not in the position to go beyond matters of fact only, even if one endorses whatever strong form of scientific realism and subscribes to a richer metaphysics of science than a minimal one. One may endorse modal entities such as dispositions and powers (e.g., Bird, 2007) or admit laws of nature as an ontological primitive (e.g., Maudlin, 2007), or propose hylomorphism (Koons, 2018) and be it on a cosmological scale (Simpson, 2023). But one will not get to anything that can serve as a truth-maker for moral propositions. As we have argued, additional

ontological commitments are then necessary: at least the minimal metaphysics based on the presumption of liberty.

Hence, there is a dilemma: the one horn is that no metaphysics of modern science is in the position to deliver truth-makers for moral propositions. The other horn is that a return to a literal Platonist metaphysics of abstract normative entities (values such as the idea of the good that exist in and of themselves beyond the natural world and persons) that thereby go far beyond the presumption of liberty would amount to jettisoning the whole framework of modern philosophy (and modern society as well). Unless one is willing to go down that way, one has to live with the presumption of liberty as the only ontological commitment that can serve as truth-maker for moral propositions in the vein of moral realism.

5 Natural law and the consequences for political philosophy

Immanuel Kant says in his lecture *Natural Law* (1784):

> Law is the restriction of freedom, according to which it can exist with every other freedom according to a general rule.… But if everyone were free without law, nothing more terrible could be conceived. For each would do with the other as he wished, and so no one would be free.… Law is therefore based on the restriction of freedom.… In the case of law, happiness does not come into consideration at all; for everyone can seek to attain it as he wishes. (Kant, 1979, pp. 1320-21, our own translation)

As the title of the lecture already indicates, Kant means by “law” in this context “natural law”. Natural law is natural in the sense that it derives from human nature, with liberty as in the presumption of liberty defining human nature for these purposes. Since the presumption of liberty applies to every human being in virtue of being a rational animal, natural law expresses the consequences of the presumption of liberty extending to every human being. And since the presumption of liberty is not an empirical matter of fact subject to natural science, but a normative status as explained in Sect. 2, natural law is the normative conclusion following from this status as a normative premise. It is important to note that freedom in this sense is not “mere licence” (as the Hobbesian freedom is), but it is normative in nature, which delivers not only a more substantial concept of freedom, but is also intrinsically connected with reason and rules: freedom (insofar as it is a right) imposes obligations to others.

Kant emphasizes this normative conclusion also in terms of the categorical imperative. Granting a being the status of a person is a normative expression of the recognition of its freedom. The recognition of a being as a person therefore implies, in Kant’s terms, the moral obligation to always treat this being as an end in itself and never merely as a means to an end (see, for instance, *Groundwork of the metaphysics of morals* 1785, section II, in Kant, 1911, p. 429 / English translation Kant, 1996, p. 80). The justification of this obligation depends only on what all human beings have in common as characterized by the trio of freedom, reason and normativity. Since what

they have in common is a normative status, there is no naturalistic fallacy involved here, that is, no derivation of an *ought* from an *is*.

This, then, is the rationale that follows from a minimal metaphysics based on the presumption of liberty when applied to political philosophy, in a Kantian vein. Moral obligations are not constrained by natural facts, but by the presumption of liberty and the Kantian categorical imperative, that is, the limits of moral obligations are normative in essence. The presumption of liberty and the categorical imperative underpin the trio of freedom, reason and normativity. Everyone is allowed to do whatever they want to do, within the limits of moral obligations, settled by the presumption of liberty. It follows from this that in the political realm coercion is what has to be justified, not liberty. This aligns our minimal metaphysics for moral philosophy with the liberal tradition in political philosophy: the employment of coercion is always in need of justification. Prima facie, coercion means the use of violence– physical force– against a person such as locking them up, hurting their body or even killing them (see Huemer, 2013, pp. 8–9).

One of the central questions in political philosophy then concerns the justification and extension of the state. States are coercive institutions that may exert violence upon individuals. Such coercion can come in many forms such as when individuals are coerced to provide goods or services (e.g., by taxation or state regulations). From a minimal metaphysics for moral philosophy that emphasizes the presumption of liberty as basic, it is an important question whether such forms of coercion are justified or not. Coercion is legitimate and justified (being executed by the state or private individuals) if the person against whom coercion is applied first did something– or set out to do something– through which she encroaches upon the way other persons fathom their life, that is, treats other persons not as an end in themselves, but as a mere means to her ends. Coercion then is legitimate as defence against such an act (such as, for instance, self-defence against an assault) or as retaliation against a person for having done such an act. But other forms of coercion can be rendered illegitimate in the light of the presumption of liberty.

The justification of coercion hence needs a normative premise. It can be thought that the idea of the common good might serve as such a premise. But this is incompatible with a minimal metaphysics for moral philosophy. From the normativity to which human freedom in thought and action is tied follows the categorical moral obligation to always treat every person as an end in itself and never as a mere means to an end– and be that end a common good. From this moral obligation then follows that coercion has to be justified; for coercion means treating a person not as an end in itself. It follows in particular that claims to knowledge of the common good, even if these claims were true, could never justify coercion to achieve the common good; for this always implies treating some people as mere means to achieve the– alleged– common good. If one thinks one knows the common good, one has to convince people to act accordingly out of their own free will. One must never coerce them to do so. Kant makes this point in saying in the quotation above “In the case of law, happiness does not come into consideration at all; for everyone can seek to attain it as he wishes”. In other words, the promotion of a common good does not come into consideration in natural law. Everybody is obliged to respect the liberty of

every other person but is free to pursue what they consider as good (their happiness) according to their preferences.

Nonetheless, denouncing this concept of freedom as promoting egoism would be a complete distortion. Freedom, as the liberal tradition conceives it, implies the moral obligation for every person to unconditionally recognize the freedom rights of every other person, namely, to always treat every person as an end in itself and never as a mere means to an end. On the one hand, hence, there is objective knowledge also when it comes to morality, namely truth-makers for moral propositions (moral realism). But on the other hand, this is only a formal knowledge of the freedom that each person enjoys in thinking and acting and thus only a normative knowledge of the moral obligation to respect this freedom. It cannot be a knowledge of a normative content of goals, values, or a common good for society.

Following an influential essay by Berlin (1969), it is common to distinguish between two notions of freedom or liberty, namely a positive and a negative one. Freedom as a positive concept signifies self-determination in thought and action (this is what in the literature can be called *metaphysical* freedom). Thus, *positive freedom* is “the answer to the question ‘What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?’” (Berlin, 1969, p. 121). Freedom as a negative concept means non-interference and chiefly concerns the moral and political realm. Thus, *negative freedom* is “the answer to the question ‘What is the area within the subject– a person or a group of persons– is or should be left to do or be what he is able to do or be, without interference by other persons’” (Berlin, 1969, p. 121).

The distinction between negative and positive freedom is present also in Kant. Negative freedom is independence:

> That *independence*, however, is freedom in the *negative* sense, whereas this *lawgiving of its own* on the pure and, as such, practical reason is freedom in the *positive* sense. (*Critique of practical reason* 1788, book 1, Chap. 1, § 8, theorem 4; translation adopted from Kant, 1996, p. 166)

The crucial point then is that although freedom is a positive concept in the first place, signifying autonomy or self-determination as far as metaphysics is concerned, no universal positive rights follow from this conception of freedom in moral and political philosophy. Positive rights can only be acquired individually through voluntary cooperation. The only universal rights that are possible are negative rights of defence against unwanted interference in the way a person self-determines her life. The moral obligation to always treat every person as an end in itself and never as a mere means to achieve an end is the obligation to refrain from interfering with the way in which a person self-determines her life. This obligation thus establishes negative freedom rights to defence against unsolicited interference; but it cannot establish any positive freedom right.

A minimal metaphysics for moral philosophy based on the presumption of liberty can then easily accommodate the complex realm of rights that are ubiquitous to moral and political philosophy. Having a right to something amounts to enjoying some moral status (see Thomson, 1990, p. 38): there is some moral significance in

having such a right. The moral significance of rights derives from their correlation with obligations. This means that the rights that an individual *A* possesses constrain or limit the actions that other individuals may do against *A*. Paraphrasing H. L. A. Hart's way to put it, to have a right is to have a moral justification for limiting other persons' behaviour towards one (Hart, 1955, p. 183). This expresses the well-known right-duty correlation (see Hart, 1955, Beran, 1987, Thomson, 1990). In general, the right-holder is entitled to have the duty-bearer *do* or *refrain* from some act. That is, to have a right constrains the behaviour of others, since there are things they have to do or refrain to do in virtue of one's having a right. In the framework of minimal metaphysics, the only basic right that individuals *universally* enjoy is the negative right that imposes restrictions upon others about what they can do against us with respect to our actions, decisions and thoughts. In this sense, a right to freedom offers normative protection for our actions, decisions and thoughts.

However, the right to freedom consists only in the right to defence against unsolicited interference with the manner one makes up one's mind in one's actions, decisions and thoughts. This right imposes upon others only the moral obligation to refrain from encroaching upon the way in which a person fathoms her life in her actions, decisions and thoughts. Positive rights, by contrast, can neither be basic nor universal rights since they are rights to certain entitlements. If a person has a right to something, she is entitled to being provided with the thing in question. In virtue of the right-duty correlation, others thus have the obligation to act such that the entitlement in question is fulfilled. Hence, these obligations are not merely duties of non-interference, but they may go well beyond, undermining the right to freedom, and thereby, the presumption of liberty.

As we mentioned in passing, this does not mean that positive rights do not exist. Entitlement rights undoubtedly exist. But they come into being through voluntary contracts among persons. For instance, if a person agrees to do some work that is assigned to her by another person and carries out that work, she thereby acquires the entitlement to be compensated by that other person; accordingly, that other person has the moral obligation to compensate her by providing some specified goods or services (unless otherwise agreed by the two parties). Positive or entitlement rights in this sense are conditional rights: their origin is some voluntary agreement among persons.

Our view explains why a contradiction arises when positive rights are construed as basic and universal, holding unconditionally. Unconditional rights to certain entitlements contradict the moral obligation to always treat each person as an end in itself and never as a mere means to achieve an end. The reason is that for any entitlement of a person to something there is a corresponding obligation of other persons to provide the good or service in question. Thus, if a right to certain benefits– such as, for instance, to being provided with clean water, food, clothes, and housing– obtained in virtue of universal positive rights, then there would also have to be an inherent obligation for every other person to fulfil the entitlement rights of these persons. People would be categorically obliged to spend time of their life and work to do certain things.

The obligation to respect natural law hence is the only universal obligation that we have, in line with the presumption of liberty. If the obligation to respect natural law

holds unconditionally, then what the law in the sense of natural law demands must be such that it can always be fulfilled. Coming back to Kant's definition of law, if natural law is "the restriction of freedom, according to which it can exist with every other person's freedom according to a general rule", then it must always be possible for a person to act in compliance with that general rule. This, in turn, implies that natural law is a matter of cognition instead of stipulation and that this cognition is available to everybody by using their own reason instead of requiring expert knowledge, as in Platonism. In that way, then, minimal metaphysics in moral philosophy based on the presumption of liberty leads to a robust moral realism, as minimal metaphysics in the philosophy of the natural world (metaphysics of science) leads to a robust scientific realism.

Acknowledgements Cristian Lopez gratefully acknowledges support from the Swiss National Science Foundation, grant no. 105212B_200464.

Funding Open access funding provided by University of Lausanne

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