Basic Moral Certainty and the Foundations of Morality

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Submitted to the University of Hertfordshire in partial fulfilment of the requirements of the degree of PhD

January 2017
Acknowledgements

Firstly, I must warmly thank Dr. Danièle Moyal-Sharrock, my primary supervisor for this project. Her years of input, discussion, critique, guidance and encouragement have made a philosopher out of me. Thanks are also due to Prof. John Lippitt, for his guidance and for providing me with a model of a scholar and philosopher, from whose learning and experience I have benefitted greatly. And I am grateful also to Dr. Chon Tejedor who came on board at just the right time – I thank her for her advice, expertise and encouragement.

Thanks go also to those in the philosophy department at Hertfordshire who have helped in official and unofficial ways, and to the post-graduate community for hearing me out on occasion.

Thanks also to my parents for their love, practical help and for everything else, to Ali for never letting me give up, and finally to solitarius tu sola laboris conscia.
Abstract

I aim to show in this thesis that human beings are morally concerned to the core; that a concern for moral goodness is a necessary part of our humanity. Central to my account of the foundations of morality is what I call ‘primary recognition’, which I argue is the source of our moral thinking. By primary recognition, I mean our basic apprehension of other human beings as objects of some moral concern. I take this to be a 'basic moral certainty', in accord with the notion recently introduced by Nigel Pleasants in the debate on moral foundations, which he drew from the work of Ludwig Wittgenstein on the notion of basic empirical certainty, found in On Certainty (1969). Building on Pleasants' notion of 'basic moral certainty' I bring to bear Danièle Moyal-Sharrock’s distinction between universal and local forms of basic certainty in an effort to make sense of the co-existence of universal moral beliefs and local, often conflicting, moral beliefs. I offer and defend two examples of universal basic moral certainties: ‘At least some killings are wrong’ and ‘Some wrongs are more serious, more wrong, than others’, which I take to be necessarily indubitable for any moral agent. I then examine examples of local moral certainties: the wrongness of pig sacrifice in ancient Judaism, the goodness of hospitality among the modern Pashtun, and the wrongness of cannibalism for the ancient Greeks. These examinations lead me to conclude that basic moral certainties come in both local and universal varieties in just the same way as basic empirical certainties, and that holding certain local moral beliefs is definitional for membership in certain epistemic communities. I go on to consider some challenges to the view that morality has its foundations in basic moral certainty, in particular that made by G. E. M Anscombe and Alasdair MacIntyre that modern moral thought lacks any foundations. I reply by reiterating the nonrational nature of the foundations of morality, modern or otherwise. I conclude the thesis by outlining some of the outcomes of this account of moral certainty for contemporary moral philosophy.
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Chapter 1. Introduction

Our moral lives are shaped, at the deepest level, by the different forms of life we share together, but are also anchored in basic, common elements of our humanity. This duality helps account for both the diverse, idiosyncratic nature of our various moralities, and also their profound convergences. In this thesis I will show that the Wittgensteinian notion of basic moral certainty gives us a way of accounting for this unity and diversity, through acknowledging both its universal and local varieties. I will argue that these universal and local basic moral certainties act as the foundation of our moral thinking, that is, that our epistemic moral beliefs are grounded on these indubitable basic beliefs.

This amounts to a claim about the nature of moral justification, or how our moral knowledge claims are grounded. I will argue that the issue of moral justification underlies many of the problems of modern metaethics. Whether we need to appeal to principles to ground our moral talk or whether such principles are unnecessary; whether moral claims can be transposed from their context of origin or not; or whether (as G. E. M. Anscombe and Alasdair MacIntyre suggest) modern moral thought and action can be justified at all – these are all current questions, and they all turn on the issue of moral justification. My aim then will be to show that morality as a whole is grounded – and that moral beliefs are therefore valid candidates for knowledge – but that the ground consists of ungrounded basic moral beliefs.

I will also argue that, far from being basically amoral creatures (as thinkers like Hobbes would have it) in fact human beings are morally concerned to the core. I will seek to substantiate this by giving an account of the source of human morality that I will call ‘primary recognition’. I will argue that this primary recognition, this apprehension of the other as one due moral consideration, is the basis on which we think morally at all, and shapes the nature of what can count as moral thought. The notion of primary recognition will help to show that our morality is rooted deep in the animal, arational level of our nature, rather than being open to rational justification all the way down. My aim throughout will be to show that moral
thought is just as well grounded as empirical thought – both being grounded in ungrounded basic certainties – and to motivate scepticism about moral relativism as a metaethical theory.

### 1.2 Wittgenstein’s *On Certainty* and morality

The notion of basic moral certainty has its origin in Wittgenstein’s later work, *On Certainty* (1969), where he explores the nature of epistemic justification. There he concludes that underlying our empirical knowledge claims is a class of beliefs that are beyond the practices of doubt and justification. Wittgenstein speaks of these beliefs as objects of certainty, as ‘that which stands fast’ and that which is ‘absolutely solid’. Commentators have referred to these as ‘basic certainties’ (a term coined by Danièle Moyal-Sharrock (2005, 78 and *passim*)) or ‘hinges’ (ibid. *passim*), or ‘hinge certainties’ (ibid. 64 and *passim*), following a metaphor used by Wittgenstein in *On Certainty*:

> [T]he questions that we raise and our doubts depend on the fact that some propositions are exempt from doubt, as it were like the hinges on which those turn. (OC 341)

and

If we want the door to turn, the hinges must stay put. (OC 343)

These basic empirical certainties are, according to Wittgenstein, in a different category from knowledge; in fact they are the ‘ungrounded ground’ (Moyal-Sharrock, 2005, 74) of our epistemic activities. The features common to these basic empirical certainties that will be most important for this thesis will be discussed in the following chapter.

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1 (Cf. for example OC 56, 116 and 151) I will expand this account of basic empirical certainty in the following chapter and will defend this Wittgensteinian approach’s application to moral certainty.
While Wittgenstein’s original discussion concerned basic *empirical* certainty, there have been several attempts to apply this notion to the moral realm. The earliest such attempt seems to be that made by Russell B. Goodman (1982). Judith Lichtenberg also applied the notion of Wittgensteinian certainty to morality in her excellent, and somewhat neglected paper ‘Moral certainty’ (1994), noting that his ‘remarks fit the moral case strikingly well.’ (ibid. 185) Lichtenberg makes some useful distinctions; for instance, between, moral certainty and *a priori* knowledge (ibid. 183), and between ‘those moral beliefs that form part of the essential fabric of our thinking and our social life from those that are simply habitual, parochial, or convenient’ (ibid. 203). She also makes the link between doubting moral certainties and pathology, a link I will explore in chapter 5, saying that ‘the language of disease comes almost more naturally in describing such cases than the language of morality’ (ibid. 181).

Michael Kober’s ‘On epistemic and moral certainty: A Wittgensteinian approach’ (1997) contributes to the discussion by drawing out the similarities and dissimilarities between certainties about empirical matters and those about moral ones. Particularly useful is his highlighting the possibility of change in both forms of certainty (cf. 376-7), a matter I will discuss in depth below at section 6.5. Another significant contribution to the debate about moral certainty was made by Robert L. Arrington (2002) who argued that W. D. Ross’s *prima facie* duties are best understood (in a revised form) as functioning like basic certainties in the moral realm.

Mention should also be made of Mark Timmons’ 1996 paper ‘Outline of a Contextualist Moral Epistemology’, and his monograph *Morality Without Foundations* (1999). While not explicitly seeking to apply the notion of basic certainty to morality, Timmons does acknowledge that his contextualist epistemology traces its descent from the later Wittgenstein, among other sources (e.g. Pierce and Dewey). He also states that his work in that area ‘attempts to run with the spirit, if not the letter, of Wittgenstein’s remark [that ‘At the bottom of well-founded belief lies belief that is not founded]’ (1999, 178, citing OC 253). But whilst itself having a rather loose association with *On Certainty*, Timmons’ work has
influenced at least one study, that of Julia Hermann (2011), which claims a more direct descent from the later Wittgenstein, which I will discuss in section 1.4.

1.3 Nigel Pleasants and ‘basic moral certainty’

More recently though, a new impetus was given to the attempt to apply the Wittgensteinian notion of basic certainty to the moral realm in two papers by Nigel Pleasants: ‘Wittgenstein, ethics and basic moral certainty’ (2008b) and ‘Wittgenstein and basic moral certainty’ (2009). In these papers, Pleasants defends two examples of what he terms (following Moyal-Sharrock’s ‘basic certainties’) ‘basic moral certainties’ (2008b, 243). These examples are ‘the wrongness of killing’ (2008b, 255 & 2009, 671) and ‘the badness of death’ (2008b, 257 & 2009, 671). Our belief in the wrongness of killing and the badness of death, claims Pleasants, ‘occupies a similar foundational position in our moral practices and judgements to that of basic empirical certainty in our epistemic practices and judgements.’ (2009, 671) And in line with our basic empirical certainty, our basic moral certainty is characterised by the inapplicability of doubt. There are some things which we can doubt only with great difficulty; some which we can hardly doubt; and some which we simply cannot doubt at all... The objects of our basic certainty are immune to questioning, doubting and testing, [and] are also beyond verification, affirmation and appeal to evidence, grounds or reasons. (ibid. 670)

So for Pleasants, basic moral certainties are indubitable and beyond the practice of justification.

1.4 Basic moral certainty – a flourishing debate

Since Pleasants’ original papers a flourishing debate has formed in which various philosophers have supported, criticized or sought to amend the notion of basic
moral certainty.\textsuperscript{2} Of particular note is Mikel Burley’s paper ‘Epicurus, death and the wrongness of killing’ (2010). In that paper Burley, whilst ‘taking seriously the proposal, recently argued for by Pleasants, that the wrongness of killing might reasonably be regarded as a ‘basic moral certainty’’ (ibid. 69), argued against taking the badness of death likewise as such a basic certainty. Pleasants himself seems to have accepted as much in the light of Burley’s arguments (cf. Ibid. 84 (note 9)). And in any case belief in the badness of death has played little part in subsequent work on basic moral certainty.\textsuperscript{3}

In the same year as Burley’s paper, Rom Harré published a discussion of On Certainty and morality entitled: ‘Are there moral thinges?’ (2010) Harré’s study does not follow Wittgenstein’s exposition of basic certainty as closely as some others, and he is in the end sceptical about the possibility of basic moral certainty. However, he is happy to acknowledge that basic empirical certainties\textsuperscript{4} can underpin our various kinds of moral discourse. For instance, he thinks the empirical certainty that ‘the world did not come into existence a minute ago’ is necessary for our ability to make particular moral judgements,

\begin{quote}
[s]o the hinge-practice of insisting that I am morally responsible for such a dastardly act as [for example] draining the last of the claret at last week’s Guest Night depends on the hinge expressed in the [hinge proposition] ‘The world existed last week with me in it’ (ibid. 21)
\end{quote}

\textsuperscript{2} This is not to disparage previous work on the subject, but only to say that Pleasants’ treatment seems to have galvanized the discussion and set it in a particular direction. Previous attempts are rarely dealt with in detail now, except that of Timmons whose influence I will discuss below.

\textsuperscript{3} An exception can be found in recent work by Robert Schmidle (2016) who seems to accept the badness of death as a basic moral certainty, though under his revised understanding of the term (179-81).

\textsuperscript{4} It should be noted that in On Certainty Wittgenstein is concerned to show the non-empirical nature of basic certainties, and that their empirical form is deceptive. But in order to mark the difference between the foundations of our empirical and our moral thought, I have used terms such as ‘basic empirical certainty’ to provide a contrast to ‘basic moral certainty’. This should not be taken to mean that the certainty itself is empirical, but that it underpins our empirical thought.
Harré also argues that there may occur ‘a change in moral climate as a consequence of the change in the accepted truth-values of’ particular non-moral hinge propositions. For example, changes in hinge propositions about the ‘naturalness of homosexuality’ led, so Harré argues, to changes in moral evaluations of it (ibid. 23-24). But this is far from an endorsement of the notion of basic moral certainty.

Harré’s has not been the only sceptical treatment of the notion of basic moral certainty. In 2013, Robert Brice and Stefan Rummens published papers challenging certain aspects of Pleasants’ treatment of basic moral certainty. Brice’s paper ‘Mistakes and Mental Disturbances: Pleasants, Wittgenstein, and Basic Moral Certainty’ (2013), whilst supporting the general project of applying the notion of basic certainty to morality (‘I think Pleasants is right to affiliate his proposition with a Wittgensteinian form of certainty’ (ibid. 479)) is, I suggest, marred by some confusions. The major one is his maintaining that being the product of social conditioning disqualifies a belief from being held as a basic certainty, at least in the same way as we hold empirical certainties. However, this does not reckon with the fact that some of our basic certainties are inculcated rather than natural. That basic certainties are of these different kinds has been made clear in exegesis of On Certainty at least as early as Avrum Stroll’s Moore and Wittgenstein on Certainty (1994), and specifically with reference to the variously social and natural acquisition of hinges in Moyal-Sharrock (2005).

But the target of Brice’s critique is the alleged universality of the basic moral certainties Pleasants defends (cf. ibid. 480). Rummens also focuses on this aspect of basic moral certainty in his paper ‘On the possibility of a Wittgensteinian account of moral certainty’ (2013). Rummens’ paper displays a comprehensive knowledge of the literature on the subject, and contains an excellent exposition of the nature of basic empirical certainty (ibid. 128-134), though I do not concur with his distinction between ‘moral hinges’ and ‘basic moral certainties’ (ibid. 141-47), or his scepticism about the possibility of universal moral certainties. I will defer further discussion of Rummens’ paper, as I go into his arguments in some detail at section 5.1.

Pleasants responded to some of the criticisms of his 2008 & 2009 papers, and specifically to Brice and Rummens in ‘If killing isn’t wrong, then nothing is: A naturalistic defence of basic moral certainty’ (2015). Again, I will discuss some of
Pleasants’ arguments in a later chapter. Suffice it, for now, to note that here Pleasants makes more explicit the claim that basic moral certainty, or at least that about the wrongness of killing, is universal.

Benjamin De Mesel also discusses Pleasants’ reading of basic moral certainty, especially in his paper ‘How morality can be absent from moral arguments’ (2016). He uses the notion of basic moral certainty to show why certain philosophical moral arguments stray into nonsense. In particular he looks at Hans-Johann Glock’s criticism of some of Peter Singer’s arguments condoning non-voluntary euthanasia. De Mesel concludes that the reason Singer’s arguments fail (and Glock finds them so incomprehensible), is that they involve a submerged denial of basic moral certainties about killing.

De Mesel also considers some potential arguments against moral certainty, in particular what he calls the ‘problem of criticism’ (ibid. 447). By this he means the fact that basic certainties cannot be criticized (because they cannot be doubted), and that this seems to imply they are immune to change. But he returns to On Certainty to make clear that the Wittgensteinian position involves no such claim to immutability, at least not for all types of basic certainty. I deal at some length with this issue of shifting moral certainties at section 6.5.

In closing, we should mention two recent and more substantial investigations into basic moral certainty. Firstly, that of Robert Schmidle whose recent PhD thesis ‘The power of context in shaping moral choices’ (2016) makes substantial use of the existing debate about basic moral certainty by affirming the distinction between universal and localized moral certainties, though along somewhat different lines to how they will be treated here.

Secondly, Julia Hermann (2011) seeks to find a role for basic certainty in the moral realm, but she does so through advocating a contextualist moral epistemology (cf. ibid. 9-11). This approach follows in the wake of previous forms of moral contextualism, like that of Timmons (1996 & 1999) mentioned above, though Hermann takes issue with some of Timmons assumptions. In particular Herman differs from her contextualist predecessors in seeing the problem of moral justification as a kind of pseudo-problem to be ‘dissolved’ rather than solved’ (2011, 3). By this she means that
The process of justifying an assertion comes to an end when either the person defending the assertion or the one uttering doubts run out of reasons. As soon as the doubter has no reason for a further doubt, the asserter does not have to provide any more reasons for his assertion. (ibid. 8-9)

and that,

Accordingly, there is no such thing as a class of special beliefs for which the demand for justification does not arise, but it depends on the context [in] which doubts arise and thus for which beliefs justification is required. (ibid. 9)

Like other contextualist epistemologies, Hermann’s relies on some more or less explicit form of agreement between dialogue partners not to seek further justification in certain circumstances. Timmons’ expands this practice to the social level so that properly justified beliefs are those that ‘one’s group will permit one to get away with believing without having a justification’ (1996, 306-7).

I will not here be working within a contextualist epistemological framework but will instead pursue that ‘class of special belief for which the demand for justification does not arise’ about which Hermann is so sceptical. This procedure will be validated, I hope, by my explanation and defence of the Wittgensteinian approach in the next chapter, and in my attempt to defend specific examples of basic moral certainties in chapters 5 and 6. Rather than agreement lying at the bottom of our morality, I will argue that it is a class of basic belief, logically necessary and objective, that lies at the foundation of our moral knowledge. I outline the nature of this foundation in the next chapter.

1.5 Moving the debate forward – my contribution

How will I move this discussion forward? My contribution will be in the form of the three main ideas on which this thesis is built: primary recognition, universal moral
certainty and local moral certainty. I now give a brief summary of these ideas.

1.5.1 Primary Recognition

By 'primary recognition' I mean the unmediated experience of seeing other human beings as due some consideration or concern. By 'unmediated' I mean that this moral recognition doesn’t result from any inference we make about the other. We do not first see a human being and then infer that they cannot be treated as a mere object, as furniture. Instead it is a necessary part of encountering a human being that you treat it with care (though we will need to define what we mean by ‘care’ here). This primary recognition I take to be the source of our moral thinking. It alerts us to the fact that this other must be treated in a certain way (i.e. not as a mere object). And moral thought then seeks to answer how in certain situations we must do that.

This notion shares some affinities with Levinas’ notion of seeing a ‘face’. He tells us that ‘the face says to me: you shall not kill.’ (Levinas in (Cohen, 1986, 24)). Here ‘the face’ is perhaps poetic shorthand for the other in all their fullness. Now Levinas is right in expressing the immediacy of the realisation of our moral obligations, and in linking this with the recognition of the other’s being human. But he is wrong in seeing this as a rich conceptual experience involving an encounter with the metaphysical subject that is presented in the face of the other, a subject whose fullness is beyond our ability to comprehend. Instead, with the notion of primary recognition, I aim to highlight the absolutely reflex, arational nature of our responding to others with consideration or concern. I will argue that it is not a conceptually rich realisation of the other’s fullness that holds us back from harming them, but a basic, physiologically rooted reaction to our seeing another human being. It is this basic reaction to others that enables us to think morally at all.

1.5.2 Universal and local moral certainty

We also need a framework within which to ask moral questions. That framework is, I argue, provided by our basic moral certainties. These are moral beliefs, like for
instance the belief that ‘At least some killings are wrong’, that are not open to rational doubt. And so they stand at the foundation of our other, less certain beliefs. In fact they act as the rules for our moral thinking. As we have seen, this much has been said already and debated in the philosophical literature. But where I seek to add to the debate is in arguing that some moral certainties are universal while some are only locally operant.

*Universal* moral certainties then, are those moral beliefs that are necessarily indubitable for *all* moral agents. That is to say that, to be a moral agent at all one must hold some particular moral beliefs with certainty, without the possibility of doubt. Local moral certainties are those basic moral beliefs held only within certain distinct communities. For instance, a people from an animistic culture might entertain basic moral certainties about how they should treat the spirits of their ancestors. That is to say, the seriousness with which they take their obligations to the dead might give rise to basic moral certainties like ‘It is right to offer food to the dead’. However, not all humans hold such basic certainties and so they are to be categorised as local.

So whereas holding universal moral certainties is definitional of moral agency as such, holding local moral certainties is definitional of moral membership in certain epistemic communities - to think like X tribe, religious group, community etc. is to hold certain moral beliefs without the possibility of doubt.

It will be helpful now to set out the structure of the thesis by chapter.

### 1.6 Chapter Summaries

Chapter two, *Basic beliefs and basic moral certainty*, will set out the Wittgensteinian picture of basic certainty that will inform what follows. I there defend the Wittgensteinian understanding of our basic beliefs as indubitable and as functioning as rules of grammar/logic. I outline the relationship between basic beliefs and experience, particularly stressing Wittgenstein's realisation that our basic beliefs are not *justified* by experience but are *conditioned* by it. This helps us understand how basic beliefs can be beyond the practice of justification and doubt, yet still remain
connected to the world of experience. I then give an account of Moyal-Sharrock’s distinction between universal and local basic certainties.

In chapter three, I introduce the notion of ‘primary recognition’ and argue that it is the source of all our moral thinking. It amounts to an indubitable certainty that ‘This one before me is owed some consideration’ or that I cannot treat them as a mere object. In the following chapter I clarify what I mean by the term ‘moral’, arguing, via a Bernard Williams-type distinction between the ethical and moral, that we should accept an account of morality as other-regarding. This account will draw substantially on the work of Knud Ejler Løgstrup in seeing morality as thought about our relations with others, or thought about the good of another as opposed to (prudential) thought about our own good. This will help to establish the objectivity of morality, showing that it has an objective aim – the good of the other.

In chapters five and six I defend the core distinction between local and universal moral certainties. This distinction will allow me to provide a better account of the variety of moral thought, and the interminability of some moral disagreement, than moral relativism can. In chapter five I give two examples of universal moral certainty: i) the belief that at least some killings are wrong (K); and ii) the belief that some wrongs are more serious/more praiseworthy than others, or put another way that there is some hierarchy to moral values (H). These are necessary, indubitable beliefs for all moral agents, and in that sense are universal. Chapter six then includes three examples of local moral certainties. These are certainties not held by all human beings, but held as moral certainties by certain groups at certain times. My examples are: i) the wrongness of pig sacrifice in ancient Judaism; ii) the rightness of hospitality for the Pashtun of Afghanistan and northern Pakistan; and iii) the wrongness of cannibalism for the ancient Greeks. I will also give a case study of when and why local moral certainties change, and the relationship between local moral certainties and the wider context in which they are held.

My last chapter will bring out some of the implications of the account I have set out for current metaethics, and some deeper challenges to my view. In particular I will consider how this thesis might effect moral theories built on understandings of human beings as amoral in the state of nature (in the Hobbesian tradition), and how it will affect the plausibility of relativist metaethical theories. I will also take time to
consider the challenge made by G. E. M. Anscombe and Alasdair MacIntyre that modern moral thought and action has become disconnected from the grounds that gives it sense.

I conclude with some thoughts about how the picture of morality laid out here might be taken forward in the future.
Chapter 2. Wittgensteinian and Basic Beliefs

2.1 Introduction: Why Wittgenstein?

The Wittgensteinian approach, that sees basic beliefs as the ‘ungrounded ground’ (Moyal-Sharrock, 2005, 74) of our epistemic practices, offers a new way of understanding the foundations of our empirical knowledge. And this approach can help us draw a convincing picture of the foundations of moral thinking as well. As mentioned in the introduction the issue of moral justification underlies many of the problems of modern metaethics. For example, discussions of moral relativism revolve around whether moral justifications are necessarily culturally bound; and Alasdair MacIntyre’s diagnosis of modern morality as, to a large degree, lacking sense is based on a view that modern moral beliefs have become disconnected from the traditions in which they could be justified, so that modern moral thought has lost its grounding. So considering the Wittgensteinian picture of moral justification may offer ways of helpfully challenging some of the critiques of morality in modern metaethical debate.

How can Wittgenstein's thought in On Certainty be usefully applied to moral thinking? Previous work carried out by Nigel Pleasants about the concept of wrongful killing, and how our belief in its wrongness is a basic moral certainty, has given us a plausible model of the structure of moral justification – moral knowledge is justified by basic moral beliefs that are not themselves grounded or open to justification or doubt. It would be beneficial then to extend this promising work into other areas of our moral thought, not just that around wrong killing. So in this chapter, I give a summary of the Wittgensteinian approach that I will be working from, and defend some of the relevant aspects of that approach, clarifying some Wittgensteinian terms of art.

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5 Or as Wittgenstein puts it ‘At the foundation of well-founded belief lies belief that is not founded’ (OC 253) and ‘The difficulty is to realize the groundlessness of our believing’ (OC 166), by which he means not that no beliefs have a ground, but that grounded belief rests on ungrounded certainty.
2.2 G. E. Moore and On Certainty

As previously noted, the work known as *On Certainty* is a collection of notes taken from Wittgenstein’s notebooks, and posthumously published as a sustained investigation of the concept of certainty and related concepts such as knowing, being sure, doubting etc. This investigation was prompted by Wittgenstein’s conversations with Norman Malcolm about two papers by G. E. Moore - ‘A defence of common sense’ (1925) and ‘Proof of the external world’ (1939). In these papers, Moore attempts to do away with sceptical or idealist claims that the external world does not, or may not exist. He lists ‘... a set of propositions, every one of which (in my own opinion) I *know*, with certainty to be true’ including, ‘There exists at present a living body, which is my body,’ ‘there also exist other things...’ and ‘... the earth had existed also for many years before my body was born...’ (1993, 106-7). Moore also uses, in ‘Proof of the External World’, the existence of his two hands as a known premise from which to prove the existence of external objects. In giving this paper he would (he thought) disprove scepticism by raising one hand and saying ‘This is one hand’ (first premise) then a second saying ‘This is another hand’ (second premise) thereby demonstrating that at least two external objects exist, and that therefore external world scepticism is disproved.

It is these claims to knowledge that interest Wittgenstein. The first remark of *On Certainty* is: ‘If you do know that *here is one hand*, we'll grant you all the rest [about the existence of the external world].’ (OC 1) For Wittgenstein the existence of his hands is not a matter of *knowledge* as it is for Moore. The conclusion Wittgenstein reaches is that Moore-type beliefs are not epistemic (see section 2.5 below); rather, they have a *logical* status (see section 2.6). That is, they are part of the framework within which we acquire and test epistemic, empirical beliefs. This is why Wittgenstein compares Moore-type propositions to ‘hinges’ in that they must be fixed, exempt from doubt if the door of enquiry and doubt is to function, or ‘turn’ (cf. OC 341 & 343). Several features of these ‘hinges’ (or ‘basic certainties’ or ‘basic beliefs’; I will use the terms interchangeably throughout) are discussed during the course of his investigation.
Danièle Moyal-Sharrock, in her book *Understanding Wittgenstein’s On Certainty* (2005), now the standard work on this text, and later (2013), offers a detailed and insightful exegesis. According to her: ‘*On Certainty* traces the arduous process by which [basic] certainties are seen to share [several] conceptual features’ (2013, 3). I will be following Moyal-Sharrock’s account of the features of basic certainties in what follows, but will discuss only those features that will be most important for my thesis about *moral* certainties. Basic certainties are i) indubitable (section 2.3), ii) foundational (section 2.4), iii) non-epistemic (section 2.5); and iv) they function as rules of logic (section 2.6). I will spend the rest of this chapter discussing these four features and offering some reasons why we should accept this account of basic beliefs.

2.3 Basic beliefs are indubitable

In my treatment of basic *moral* certainties, their indubitability will play a central role. I am interested in showing how we can legitimately terminate the justificatory regress in moral thinking, and the indubitability of our basic moral certainties gives us such a terminating point. It will be worth spending a few moments getting clear about what is meant by indubitability in this context, or rather what is not meant. Calling basic certainties indubitable means one cannot rationally doubt them. That is to say that reasonable, rather than irrational or pathological doubt is ruled out (I will say more about pathological doubt at section 2.3.3). Also, doubt should be distinguished from investigation. Of course we may engage in philosophical investigation of basic certainties (as I intend to do here), but this I take it is not to doubt them. For example, I might investigate the nature of my belief that ‘I have hands’ without actively doubting the existence of my hands, and may investigate my body without having corresponding doubts as to its existence. My investigation doesn’t presuppose doubt in these matters or even the possibility of doubt. Even philosophical enquiries that question the epistemic warrant of these beliefs do not destroy my acting with certainty regarding my hands or my own body.

And it should be made clear that the impossibility of rational doubt does not rule out the possibility that our basic certainties may change. Wittgenstein
acknowledges this with his well-known metaphor of the riverbed, which he takes to represent the fixed framework underlying our empirical beliefs. He says that some beliefs

were hardened and function as channels for such... as were not hardened but fluid; and that this relation altered with time, in that fluid propositions hardened, and hard ones became fluid... (OC 96)

so that

the riverbed of thoughts may shift. (OC 97)

I will discuss in more detail (in section 6.5) how and when such shifts in our basic moral certainties occur, and support the view that such changes do not result from rational doubt.

Much of what follows will rest on the fact that our basic beliefs are indubitable; so it will be well to go through some good reasons why we should think of them that way. I will give three such reasons here.

2.3.1 The indubitability of basic beliefs: Justification stops somewhere

Firstly, at a very general level, it should be said that the process of justifying a particular claim must stop somewhere. There are myriad everyday cases of this. For instance, say I need to catch a bus to work and my wife asks if I’ve enough money for the fare. I tell her I’ve got £2.10 in my pocket, and get the coins out and count them. I make it £2.10 again. I might even count them a third time if I was worried I’d made a mistake. At some point, though perhaps we can’t nail down when (after 3 counts, after 10?), the need to justify my claim that there is £2.10 worth of coins in my pocket stops. And it isn’t because practically I don’t have enough time to do so (or that I’ll miss my bus if I stand in the hallway counting coins a hundred times). And what makes this a logical claim that doubt must stop, rather than an empirical claim that doubt does stop, is the fact that there is a point in the justificatory
process where doubt stops making sense and becomes obsessive and pathological. It would not be accurate to call the person who checked his change a hundred times more careful than the one who checked it two or three. There is something obsessive about their behaviour, and that shows that the doubt is of a different category from what we normally call doubt: it has become irrational doubt. The need to justify a claim must stop somewhere – be it at the realisation that 'This is simply how things are'.

This is a preliminary reminder that to end a chain of justifications is not always lax or premature, but that it is in the very nature of justification that it must come to an end somewhere.

2.3.2 The indubitability of basic beliefs: Instances of ‘Optimal certainty’

Another angle from which Wittgenstein views our practice of justification is by showing that there are some beliefs for which no evidence can be produced, and no justification given, which is more certain than the belief in question. This is made clear with his by now familiar certainty about his having hands.

If a blind man were to ask me “Have you got two hands?” I should not make sure by looking. If I were to have any doubt of it, then I don’t know why I should trust my eyes. For why shouldn’t I test my eyes by looking to find out whether I see my two hands? (OC 125)

And also:

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6 This is not to say that a claim is always beyond the need for justification because it has been sufficiently checked (that is because we have sufficient reason to stop).

7 As Wittgenstein puts it ‘Giving ground, however, justifying the evidence, comes to an end...’ (ibid. 28, italics mine) and ‘[i]n certain circumstances, for example, we regard a calculation as sufficiently checked. What gives us a right to do so? Experience? May that not have deceived us? Somewhere we must be finished with justification...’ (ibid. 29)
Under normal circumstances I do not satisfy myself that I have two hands by seeing how it looks... (OC 133)

Duncan Pritchard fleshes out the position well. He says that doubt needs to be motivated if it is to have any content. It is unclear, however, what could possibly motivate such a doubt [about one’s having hands], given that it concerns [that] which I am optimally⁸ certain about. For example, suppose that I try to motivate the doubt on the grounds that I cannot at that moment see my hands. Presumably, however, I am less certain that my eyesight is functioning correctly than that I have two hands. Accordingly... the former cannot rationally be used as a ground for doubt regarding the latter. This is because the lesser certainty of the ground for doubt will inevitably ensure that it is more rational to doubt the ground for doubt than to doubt the target proposition. That is, I’ve more reason to doubt what I see (in this case that I don’t just now see my hands) than for doubting that I have two hands on the basis of what I (don’t) see. Doubt of that which is most certain is thus necessarily groundless, and hence incoherent. (2011, 527-528)

In short, grounds for doubt must be more certain than the thing doubted. And there are some things of which we are ‘optimally certain’, things like my belief that ‘I have hands’. For this belief, nothing could be brought forward to further convince me. There is no evidence to which I could respond ‘Well, if I wasn’t sure I had hands before I certainly am now.’ And if there is no more certain place from which to gain evidence for a belief, then there is no more commanding position from which to cast a doubt. So doubt is ruled out in such cases, there is no place for it to get started.

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⁸ The term ‘optimally’ here should not be taken to imply that some Wittgensteinian certainties are less than optimally certain. As a class all Wittgensteinian certainties are equally immune to doubt. It is here only meant to pick out the fact that, in the case of Wittgensteinian basic certainties, no evidence could be produce to make us more certain.
be sure there are exceptional instances where we may not be sure about having hands. Such a circumstance, like one suggested by Wittgenstein (OC 23), is if my hands were covered in bandages after an operation and I wasn’t sure if they had been amputated yet or not. But doubt in such exceptional circumstances does not imply we can doubt the existence of our hands in normal, everyday circumstances.

Another example of a belief about which we are optimally certain is the belief that the world is more than two minutes old.9 One would have to bring out some pretty fantastic proofs to try to justify doubt in this case. Maybe I could be shown a (short) film detailing how I was deceived into thinking the world was older than I thought. Or I could hear testimony from someone I trusted implicitly, like a parent or a best friend, or one who had unimpeachable scientific and philosophical credentials. But no evidence could be brought forward that would make it more rational for me to believe the film was accurate, or the testimony true, rather than believe the world was not more than two minutes old. In this case I am optimally certain.10

So if there are beliefs of which we are optimally certain, it follows that the process of justification must necessarily stop with them. They cannot be doubted. And the attempt to justify any belief that can be proved by them must necessarily

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9 This is a more pointed version of G. E. Moore’s example ‘…the earth had existed also for many years before my body was born...’ (1993, 106-7)

10 It is worth noting as an aside that many other philosophical attempts to doubt basic certainties fall foul of this type of argument. For example, the Eleatic arguments to the effect that motion is not possible. According to Zeno and others, the metaphysical Monism that they propose necessarily implies that motion (as a form of change) is impossible. Zeno’s famous arguments against the impossibility of motion aim to further support this Monist position. However, our belief that things move is so fundamental to our thought that it always seems more rational to doubt the philosophical argument than to doubt our belief in motion, of which I am optimally certain. That is to say, it always seems better to conclude that there is something wrong (perhaps as yet undiagnosed) with Zeno’s argument, than to conclude that nothing ever moves (and the same could also be said of philosophical arguments aimed at throwing doubt on beliefs like ‘I have hands’ or ‘I have a body’). Of course one cannot go too far with such a method, as we should be open to radically revising our views based on convincing philosophical arguments. But if there are things about which we can be optimally certain, then there will be limits to the reach of such revisions.
terminate with that optimally certain belief. By definition we cannot go any deeper. By basic belief or basic certainty, I mean just those beliefs about which we are optimally certain.

2.3.3 The indubitability of basic beliefs: Mistakes vs. mental disturbances

We can also see that some beliefs are indubitable by looking at Wittgenstein’s distinction between mistakes and mental disturbances (OC 71). By mistakes is meant errors susceptible of justification, such as ‘I thought Luton was in the Midlands but – I looked at the map – it’s in East Anglia’. Such mistakes are run-of-the-mill parts of normal epistemic activity. But if, for example, I were to ‘believe that I am sitting in my room when I am not’ (OC 195) this is not a mistake but a mental disturbance. Another nice example from Wittgenstein would be being mistaken about my sex, in the purely physiological sense.\(^{11}\) If I were to say I am a woman when in fact I am unambiguously male, and then correct my statement after I had checked, this would be something other than a mistake as just described. As Wittgenstein puts it,

That I am a man and not a woman can be verified, but if I were to say I was a woman, and then tried to explain the error by saying I hadn’t checked the statement, the explanation would not be accepted. (ibid. 12)

It seems right, as Wittgenstein points out, to make a connection here with checking - saying ‘I hadn’t checked’ is an insufficient explanation of the error. Some beliefs we just don’t hold in this way, so that we can become unsure of them unless we check. Their relationship to this type of justification is different, as is clear from the case in hand. We cannot be mistaken about such beliefs and so doubt here is not a mistake

\(^{11}\) Of course one may be unsure as to what gender they are, or even what sex they should be. But this is not the same as being unsure what sex one currently is, physiologically speaking. Indeed, doubt as to whether or not one is the right sex relies upon the certain belief in what sex one actually is at present. Also, cases of ambiguous sex do not figure here. I am imagining, for the sake of clarity, cases where no such ambiguity pertains.
but a mental disturbance. It follows from this that some of our beliefs, those about which we cannot be mistaken, are indubitable and that we have some good reasons for accepting this account of basic beliefs.

2.4 Basic beliefs are foundational

For Wittgenstein, it is clear, our basic beliefs are of a different category from the epistemic activity that they ground. That is, he puts forward a kind of foundationalism, saying that our basic beliefs justify our epistemic beliefs, but are not themselves gained through justification (I will explain exactly how we do come by our basic beliefs in section 2.5). But first to clear up an exegetical matter – that Wittgenstein really was a foundationalist.

According to Avrum Stroll (1994, 142) about one tenth of the remarks that make up On Certainty use explicitly foundationalist language. And in those places ‘the contrast he is drawing is between the language game and the foundation or foundations … that underlie and/or support it,’ and ‘[t]hose passages speak about der Grund [the ground] of the language game and distinguish it from what occurs within the language game.’ (ibid.)\(^\text{12}\) But what separates Wittgenstein’s

\(^{12}\) A few examples of such foundationalist passages should serve to highlight Wittgenstein’s foundationalism. ‘I have a world-picture. Is it true or false? Above all it is the substratum of all my enquiring and asserting.’ (OC 162); mentioning Lavoisier’s experiments he says ‘He has got hold of a definite world-picture… I say world-picture and not hypothesis, because it is the matter-of-course foundation for his research and as such goes unmentioned.’ (OC 167); ‘At the foundation of well-founded belief lies belief that is not founded.’ (OC 253); ‘I might go on: ‘Nothing in the world will convince me of the opposite!’ For me this fact is at the bottom of all knowledge. I shall give up other things but not this.’ (OC 380); ‘To say of man, in Moore’s sense, that he knows something; that what he says is therefore unconditionally the truth, seems wrong to me. – It is the truth only inasmuch as it is an unmoving foundation of his language-games.’ (OC 403); ‘Something must be taught us as a foundation’ (OC 449)

And Wittgenstein speaks elsewhere of ‘hard rock’ (OC 99), ‘bedrock’ (OC 498); ‘the rock bottom of all my convictions’ (OC 248). Though some have doubted the presence of foundationalism in On Certainty it is beyond the scope of this chapter to enter into detailed refutations of those positions. But see the brief reply to Michael Williams in Moyal-Sharrock (2013, 443, note 5). See also
foundationalism from that of Descartes, Locke and others is a rejection of what Stroll terms ‘the notion of homogeneous foundations’ (1994, 141), that the foundation is the same as that which it supports. It is foundationalism, but different to those varieties that preceded it in that the ground is constituted by items of a different category from that which they ground: the former is constituted by basic beliefs for which no justification can be given, the latter by epistemic beliefs which can be justified.

All of our epistemic beliefs may be justified by other more primary beliefs. For example, my belief that my office at home was untidy when I left this morning is justified by beliefs like ‘I remember leaving books everywhere’. But this belief is supported by basic beliefs like ‘My memory is functioning well’ and ‘Books don’t move on their own’. These beliefs (about my memory and about books not moving) are foundational in that they justify those beliefs that rely on them. But for Wittgenstein basic beliefs do not themselves result from justification yet are indubitable – they are the objects of animal certainty. Basic beliefs understood in this way are foundational.

2.4.1 A coherent foundation

We should also get clear about an aspect of the relationship between our basic certainties: they form a coherent whole. That is not to say that basic certainties are justified by their being coherent (a system of belief may be coherent but false, for example, the four elements model of physics), as they are not subject to justification at all. But it is a fact that we do not come by our basic beliefs one by one, but that they form a consistent whole. Consider for example our concepts of property. When, as children, we are inducted into practices of ownership, perhaps by being given gifts or things ‘for us’, it is not just one basic certainty that is inculcated. It is not as if the

Moyal-Sharrock (2005) 75-80. The arguments there, mainly involving showing how foundationalist images can sit alongside the coherentist or holist images Wittgenstein also uses, are I think decisive. 13 Of course this may cease to be a basic belief, but only where pathology is involved, for example when an elderly person forgets their child’s name, or someone with brain damage loses the ability to make new memories.
whole practice of ownership is underpinned by the single certainty ‘people sometimes own property’. Instead, it is a whole range of beliefs and attitudes that become certain for us; beliefs like ‘Property can be given away’, ‘Property can be sold’, ‘Stealing is wrong’ all come together. And they too form part of a larger network of basic beliefs like ‘There are objects’ that can be property, and ‘There are other human beings’ that can own property. It is in part their coherence that allows these beliefs to function as basic certainties for us.

But to say that the coherence of our basic certainties allows them to function as such, is not the same as saying our basic certainties are justified by their being coherent. It is just to state a necessary condition for a belief to become a basic certainty – it must cohere with our other basic beliefs. A set of contradictions can not function to underpin our knowledge, as there would be no way of settling the relative value of competing knowledge claims founded on contradictory basic certainties. There would be no more certain ground on which to adjudicate.\(^{14}\)

Coherence without a justificatory relationship obtaining between basic certainties can be made clearer with a historical perspective. One basic belief may arise later than another, and be possible only once the first is in place. For example, the basic belief that ‘Some people speak English in America’ can only be subsequent to the belief that ‘There is a country called America’. Though one is chronologically prior to the other, both may become the objects of basic certainty. Over time, a coherent set of beliefs become equally indubitable for us, they become basic beliefs.

2.5 Basic beliefs are non-epistemic

Because they do not result from justification, our basic certainties do not qualify as knowledge under the standard definition of knowledge as justified, true belief. We may be tempted to assert that we know them because that is the ‘concept which expresses the greatest degree of certainty on our epistemic continuum’ (Moyal-Sharrock, 2013, 6). But this would be technically incorrect given that basic certainties

\(^{14}\) Although in the case of local moral certainties such contradictions may occur where moral traditions come into conflict, a phenomenon I will discuss at section 6.5.
stand outside of the practice of justification. Instead basic certainties are non-
epistemic, not objects of knowledge but that by which knowledge is tested and
grounded. But if they are not justified beliefs how do we come by our basic
certainties? It will be helpful to give a brief account of that now.

As discussed above (section 2.3) our basic certainties are such that they are
not open to change through direct rational means such as argument or rhetorical
persuasion. They are nonepistemic and arational. But if we cannot be reasoned into
holding a basic belief how do we begin to hold them? We can come by them ‘[i]n
one of two ways: naturally or through nonepistemic assimilation.’ (Moyal-Sharrock,
2005, 104) Here, ‘naturally’ acquired means we acquire them without prompting and
refers to the non-propositional beliefs that come with our being human. By non-
propositional beliefs is meant those enacted attitudes towards the world, that may
be formulated in sentences for the purposes of ‘philosophical analysis or... linguistic
instruction’ (Moyal-Sharrock, 2013, 439), but which are belief-in rather than
propositional belief-that. Examples of this are beliefs like ‘I have a body’ and ‘There
exist people other than myself’. Long before we have language, or even perhaps
before we can be trained we act with a complete absence of doubt in these things.
Before we even have concepts like ‘person’ or ‘existence’ we act towards other
people in a way that demonstrates our certain belief in their existence.15

To gain a belief by ‘nonepistemic assimilation’ means it is acquired either
through training or repeated exposure (ibid. 104). That is to say we are conditioned
not reasoned into our basic beliefs. We gain our most basic beliefs not by being
reasoned into them or shown justifications for them, but are taught them as one is
taught an activity. As Wittgenstein puts it ‘Children do not learn that books exist,
that armchairs exist, etc. etc., - they learn to fetch books, sit in armchairs etc. etc.’
(OC 476) So the way we learn colour words, for instance is a training of this kind. We
are not rationally convinced that a certain colour is called ‘yellow’, we are inculcated
into the belief and that belief then enables, or underpins, our thinking about colour.

15 For a fuller discussion of the non-propositionality of basic beliefs see Moyal-Sharrock, 2005, 31-51.
I will assume the possibility of non-propositional beliefs, or non-propositional attitudes, in what
follows.
So my saying, for example, ‘That orange wall is so light it’s almost yellow’ is hinged upon the basic beliefs about what yellow is that I have been inculcated into.

We also acquire basic beliefs through repeated exposure. By repeated exposure is meant not the explicit repetition that takes place in classroom learning or training, but ‘a kind of natural conditioning effected by repeated occurrence [where] repetition is more subtle and varied than in training.’ (Moyal-Sharrock, 2005, 111) My belief that ‘My name is Neil’ is an example of a basic belief acquired in this way; no one sat me down and told me one day, nor did it form part of regular training. And it should be noted here that acquiring a basic belief through repeated exposure is not the same as believing it on empirical grounds. To be sure, my belief that ‘My name is Neil’ came about through experience, through my being referred to by it countless times, since before I can remember. But now it is something I believe with certainty and I don’t need to reach for any kind of justification. That my name is Neil is now beyond doubt for me, the repeated exposure has hammered it, non-rationally, into the bedrock of my thinking.

So we acquire our basic beliefs not through reasoned argument or rhetorical persuasion, but come to hold them sometimes unprompted and naturally, sometimes through training or repeated exposure. And while they are not justified by experience, they are nevertheless related to experience: we can gain basic beliefs through repeated experience, but once they become basic beliefs they are no longer justified by experience but are part of the framework within which justification (and falsification) takes place. As Wittgenstein puts it, ‘the same proposition may get treated at one time as something to test by experience, at another as a rule of testing.’ (OC 98)

2.6 Basic beliefs function as rules of logic

This leads us to the fourth feature of basic certainties that will be important for this thesis: their logical status. As indubitable beliefs our basic certainties act as rules for what can count as sensible assertions. Let me make clear how this works. Take a knowledge claim ‘P’: if P is the negation of something we hold as a basic certainty – e.g. that there are other people (call this ‘O’) – then P will always be ruled out on
pain of contradiction. That basic beliefs function as rules in this way is discussed by Wittgenstein in his getting to grips with Moore’s claims that he knows things like ‘This is my hand’. There Wittgenstein focuses on the way such beliefs function and concludes that the apparently empirical form here is deceptive, so that

I want to say: propositions of the form of empirical propositions, and not only propositions of logic, form the foundation of all operating with thoughts (with language). (ibid. 51)

And for Wittgenstein, some of what appear to be empirical propositions, or beliefs about empirical facts, are really expressions of rules of thought – grammatical rules. So, for instance, to assert that ‘No other people exist’ is to make a logical error in the sense that the belief that there are other people is such a fundamental part of our everyday thinking and acting (in moving aside to avoid bumping into people, having conversations, arranging to meet someone for dinner etc. etc.), one cannot doubt it and think in sensical ways. We have an attitude of certainty towards other people’s existence such that that attitude functions as a rule for us – acting contra that rule we class as nonsensical.

So for Wittgenstein, basic beliefs function in the same way as rules of logic. His insight here is that some beliefs of the form of empirical beliefs are a part of logic, that despite their empirical form basic beliefs are of a different category to empirical beliefs – they underpin our empirical beliefs and mark the boundary between what counts as sense and nonsense.

2.7 An important distinction: Local and universal basic beliefs

Moyal-Sharrock, in describing and developing Wittgenstein’s notion of basic certainty makes the distinction between universal and local basic certainties (2005, 136-156). Wittgenstein does not make this distinction explicitly but it can be drawn from what he does say in On Certainty. Universal basic certainties are, according to Moyal-Sharrock ‘ungiveupable certainties for all normal human beings’ and ‘delimit the universal bounds of sense for us’ (ibid. 103, italics mine). Some of the examples
of basic beliefs that I have been discussing in this chapter fall into this category. For instance our basic belief that there exist beings other than myself or that I have a body. These are beliefs that logically underlie the actions and thoughts of all normal human beings.

Local basic certainties are those which ‘underlie the framework of knowledge for all or only some human beings at a given time’ (ibid. 102). That is to say, these certainties are indubitable for some groups of people at particular times and places, but not universally. Basic certainties of this type include such beliefs as ‘The earth is flat’, ‘The earth is spherical’, ‘There is an island called Australia’. It is important to remember that I am not saying that these are simply beliefs that those who hold them do not bother to question; but that beliefs like these have, in certain historical communities functioned as logical boundaries within which the rest of that community’s discourse took place. They are historically or geographically localised basic beliefs.

Now it is worth saying something about the different ways in which we may identify these different forms of basic certainty. In identifying local basic certainties, we should look at how a belief functions in its local context. So for instance, if X moral belief functions as a paradigm case of wickedness or goodness in a particular community, and is something certain by which other less certain moral claims are tested, and it is held without the possibility of doubt, then it is a basic moral belief. For example, if the ancient Greek belief that cannibalism was wrong was a paradigm case of wickedness, was used to test other moral beliefs by (e.g. ‘Is X act wrong? Well, it’s almost like cannibalism so yes’) and held without the possibility of doubt for them (as I will argue, in section 6.4, that it was) then it is a basic moral certainty. And if such a moral certainty is not held as basic by all human beings, then that basic certainty must be classed as local to the community in question: it is a local basic moral certainty.

What of universal basic beliefs? Well, in general these beliefs are harder to identify, not because they are difficult or ‘deep’, but because they are clearly visible and something we never think to investigate or consider. They are mostly beliefs

16 These examples are derived from the text of On Certainty, and cited in Moyal-Sharrock (2005, 102).
about what Wittgenstein calls ‘very general facts of nature’ noting that such facts don’t usually strike us precisely because of their generality (PI xii). So universal basic beliefs, such as the belief that human beings die,\textsuperscript{17} or that some killings are wrong,\textsuperscript{18} form part of the framework within which all normal humans think and talk and act. And these ‘observations which no one has doubted... have escaped remark only because they are always before our eyes.’ (ibid. 415) (I will discuss examples of universal moral certainties at length in chapter 5).

But what makes them identifiable as universal basic beliefs are the consequences of doubting them. With our local basic beliefs, doubt means being estranged from the community that holds that basic belief (I will discuss this in more depth in chapter 6). The effect of not holding a local basic belief is itself localized. But when we doubt a universal basic belief we no longer ‘judge in conformity with mankind’ as a whole (OC 156). That is, it is not just localized forms of life from which we become estranged, but we no longer think in a way that any human can recognize as sensical. Indeed, not holding universal basic beliefs (moral or otherwise) is symptomatic of psychological disorder; for example, to assert that ‘Humans don’t have bodies’ or ‘Humans can survive without nourishment or oxygen or sleep’ is to go beyond the bounds of sense. And if beliefs such as these function as rules for rational judgment for all human beings, then we ought to call them universal. Universal, not in the sense that they are held by all human beings (some mentally ill people do not hold them), but in the sense that it is part of what it is to make rational judgments that they be hinged on these beliefs.

In chapters 5 and 6 the local/universal distinction will play a central role as I apply it to our moral discourse. In the course of those chapters, I will give examples of basic moral beliefs that fit into both universal and local categories, and further discuss the nature of doubt for both types.

\textsuperscript{17} Of course some may not agree with this formulation, thinking it imprecise. Plato for instance held the human soul to be immortal and not subject to death, so to say that human beings die is not quite correct. But even Plato will not disagree that we die physically, and that is all that is meant here.

\textsuperscript{18} This is discussed as an example of a universal moral certainty at section 5.2.1.
2.8 Recapitulation

In this chapter, I have given an account of the Wittgensteinian notion of basic empirical certainty that will inform my discussion of basic moral certainty. Basic moral certainties will be discussed as being indubitable and non-epistemic, foundational for our morality and functioning as rules of logic in our moral thought and action. In the next chapter I give an account of what I take to be the source of human morality – a phenomenon I call ‘primary recognition’.
Chapter 3. Primary Recognition and Morality

3.1 Introduction: The moral/ethical distinction

Now that I’ve outlined the notion of basic certainty, and given some reasons for thinking that it underpins our epistemic beliefs, I will move on to talk about basic moral certainty. I will now give an idea of what I mean by morality, and then introduce what I will argue is the source of our moral thinking: ‘primary recognition’.

When speaking of morality I mean broadly that area of thought that deals with thin concepts like right and wrong, good and evil, virtue and vice, and thicker concepts like kindness, respect, deceit, murder, agapic love and the like; though there are concepts that might be more peripherally and controversially related to ‘morality’ (e.g. ‘honour’ or ‘family piety’) these listed I consider as sitting comfortably within that concept. I would also further clarify what I mean by morality by deploying a version of the now familiar distinction between the ethical and the moral. The distinction was most famously defended by Bernard Williams (1985) and, despite some confusion in current debate about how the respective terms should be used, I think it a useful one. The distinction as I intend to use it can be brought out by considering what kind of question typifies the moral on the one hand, and the ethical on the other. Ethical questions tend to be broader and include ‘How is a human being to live?’, ‘What is the good life for a human being?’ or ‘What projects is it good for a person to take up?’ Moral questions tend to be about what things are right or wrong, good or evil, permissible and impermissible etc. and usually involve a stronger sense of ‘ought’; for example the question ‘Is killing in self-defence wrong?’

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19 Hans Fink puts it more strongly saying ‘[s]ome moral philosophers use the terms ‘ethical’ and ‘moral’ interchangeably. Others use only one term... The philosophers who use [both] and try to differentiate between them can muster very little agreement on how the terms should be used (and little consistency in their actual usage)... I find it difficult to discern much order in all of this.’ (in Andersen & Niekerk, 2007, 22-3) I think this lack of terminological consensus sometimes leads also to conceptual confusion. I will discuss this more below at section 4.1.1 (and also with reference to Alasdair MacIntyre at 7.3.2)
or ‘Why ought we not to lie?’ I will give a much fuller account of what I take moral thought to be about in chapter 4, but this preliminary account will do for now.

Now the two areas, morality and ethics, are certainly related. For instance, what is morally good/permisible will effect how we decide what projects are good for a human to take up. For example, given that murdering the innocent is morally bad, learning to be a great hunter of humans in normal peacetime circumstances is ruled out as a suitable ethical project. On the other hand the two spheres have a large measure of independence in that many ethical projects can be chosen without relying on supporting moral motivations. For instance, the practice of philosophy is good for some human beings, good ethically speaking, but is certainly not something that is morally required in that it is not something we ought to do. Also, answering questions about what a morally good life looks like will not, by itself, answer the broader ethical questions of what makes up a fulfilled human life. (Even if the answer to the latter, ethical question turns out to be something like ‘Living a morally good life is what counts as a fulfilled human life’ then the two spheres are still conceptually separate, the moral being deployed to enlighten the ethical.)

So basic moral certainties are those basic beliefs that govern the proper use of moral terms, and form the boundaries between sense and nonsense in moral thought and action. Or to put it another way, basic moral certainties function as logical rules governing the use of moral concepts like those given above.

3.2 The source of morality – Primary Recognition

Where does our moral thinking come from? Why do we think morally at all? These are very broad questions but in this chapter I propose we understand morality as having its source in what I will call ‘primary recognition’. By unpacking this notion I

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20 On the other hand, whether an activity is ethically valuable might effect some moral questions. For instance, we might plausibly censure a talented novelist who neglects their art to spend their life playing video games. The relative ethical worth of the projects might give grounds for moral censure along the lines of ‘It is morally wrong to waste a talent’. Though I think such censure must be underpinned by consideration of the effect of this neglect on others (see the following chapter on the other-regarding nature of morality).
want to show that there is a very strong, I would say an internal relation, between seeing a human and seeing one to whom some moral consideration is due. And understanding primary recognition, that is understanding why we think in terms of right and wrong, good and evil at all will make sense of the bigger picture of moral justification and basic moral certainty I want to defend.

Fundamental to our human ways of being is our ability to recognise ‘others’ as distinct from mere things in the world. By others I mean primarily other human beings. In pre-epistemic ways we modify our behaviour and take into account the needs, and indeed the mere presence of others in ways that we do not for mere objects. For example, we tend to acknowledge the presence of others, respect their physical boundaries (i.e. do not push them over if they are in our way, or carelessly throw things at them, or use them as furniture), and are careful not to casually endanger them. This is not so with mere objects like stones, scrap metal, kitchen utensils etc. Indeed to treat such mere objects as others would be seen as very eccentric, or even insane. Statements like ‘Stop shooting arrows into that children’s nursery, you may harm the brickwork!’ or ‘You just pushed that old banana skin out of the way without any concern’ would be hard to make sense of given that we are talking about objects rather than others. Simone Weil describes this phenomenon well when she says that,

[a]nybody who is in our vicinity exercises a certain power over us by his very presence... [exercising] the power of halting, repressing,

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21 I use the word ‘others’ somewhat against the grain, in that I intend it in the sense of ‘Others like me’, ‘Other mes’, rather than in the sense that highlights the radically different or radically unknowable as philosophers like Buber and Levinas sometimes use it.

22 Though non-human animals may count as others (to what extent they are would be an interesting and useful investigation to pursue) I will be arguing that there is something particular about the way we relate to human others. And in any case, I want to start by discussing the least controversial, paradigm example of ‘others’, that is human beings.

23 Even if someone pushes us aside carelessly, it is not in the just the same way that one moves a bin or a traffic cone.
modifying each movement that our body sketches out. If we step aside for a passer-by on the road, it is not the same thing as stepping aside to avoid a billboard; alone in our rooms, we get up, walk about, sit down again quite differently from the way we do when we have a visitor. (1965, 9)

Our basic physiological responses also evidence how profoundly we are ‘programmed’ to care for the other and not harm them. Experimental evidence shows that even simulating acts of serious wrongdoing like murder is enough to cause physiological stress responses in the aggressor. Fiery Cushman et al (2012) conducted a study where participants were asked to perform pairs of actions, where one involved simulating harming another and the other did not. For instance, participants were asked to smack a broom on a table, and then do the same with a realistic baby doll; or smash a nut with a rock, then simulate smashing a (real) person’s hand. After measuring their physiological responses it was found that ‘people experienced a strong aversive response to performing pretend harmful actions despite the explicit knowledge that no harm would be caused.’ (ibid. 5) This seems to show firstly that our reacting against harming another is very deeply rooted; but also that it is not dependent on ratiocination, as in Cushman’s experiment the response was not obviated by the knowledge that no one would really be harmed.24

Why then do we act like this and treat others in this way, that is, differently than we treat mere objects? We can get a first clue to the answer from the way people explain acts of supererogatory goodness (that is, examples of moral actions that are seen as so good that one can be praised for doing them but not blamed for refraining – what Raimond Gaita calls instances of goodness that ‘invite a capital ‘G’” (2004, xiii)). In cases of supererogatory goodness, those who act often explain their actions by pointing to the humanity of the beneficiary of the act. For example, the person who jumps into an icy river to save someone who is drowning need say no more to explain their actions than ‘Well, they were a fellow human being’, and we

24 I go into the physiological nature of our responses to others at greater depth at section 7.2.
will understand. Instances of those fleeing genocide being sheltered by sympathetic neighbours, like those dramatized in the film Hotel Rwanda (2004), where a member of the Hutu tribe gives refuge to Tutsis, are often justified in just the same way, with reference to the common humanity of the helped over and above their ethnic identity.

The connectedness of our seeing a human and our seeing an object of moral concern is also apparent from the fact that instances of genocide are often preceded by propaganda campaigns aimed at diminishing the perceived humanity of those in the victimized community. The Rwandan genocide in 1994 was preceded by a campaign of anti-Tutsi radio broadcasts where the Tutsis were dehumanized. As Mark Frohardt and Jonathan Temin tell us,

Frequent references to Tutsis as ‘cockroaches’ in the Rwandan media are an example of this phenomenon. As soon as people in the other group are perceived as ‘less than human,’ engaging in conflict with them, and killing them, becomes easier to justify. (2003, 7)

The Nazi propaganda against Jews labeling them among other things as ‘Untermenschen’ would be another example. Recognition of the other as a human being needs to be obscured before our moral concern for them can be diminished. Or put a better way, we need to be given reasons to act as if we did not so recognize others if we are to treat them as being owed no consideration. Primary recognition, I will argue (below at sections 3.4 & 3.8), can never be eradicated in non-pathological human beings but one can be given reasons to act against it. Propaganda campaigns may allow someone to believe, despite their basic perception of the other as a human being, that they are not really as they appear, and so not really owed consideration or concern. But this necessarily leads to trying to live a contradiction, and must in the end lead to deep psychological damage, as will be seen when discussing the perpetrators of the Holocaust. But what is important for us here is that once the humanity, the otherness, of a group is obscured or overruled the recognition that they must be treated with moral consideration is diminished as well.
So there is an internal link between seeing a human being and seeing one to whom some moral consideration is due. I will refer to this phenomenon as ‘primary recognition’. This primary recognition, I will argue, is the central source and necessary precursor to our moral thinking. It is the fact that leads to our having to think morally at all. But before I go into some more detailed reasons why we should accept this account I will say a little more about what I mean.

I call this type of recognition ‘primary’ because it is an unmediated experience. It is a way of seeing certain objects in the world that is not informed by any inference about that object. We can’t see a human, and infer only later that they must be treated with consideration. Rather it is an inseparable part of our experiencing the presence of others. My point is that when we experience, when we ‘see’ another human being, that seeing is morally coloured from the start. That is, it would be as unnatural to say I see a patch of material but do not see it as having a colour, or to say I see a tree but do not know yet if it is a physical object, as to say I see another human being but do not know yet if they may be treated as a mere object. We do not infer one from the other.25

Brendan Larvor says something helpful in this regard in his discussion of the issue of personhood in the abortion debate. In his paper ‘The Owl and the Pussycat’ (1994), Larvor criticises Ronald Dworkin’s diagnosis of the role foetal personhood plays in philosophical discussions of abortion. Dworkin holds that the issue of foetal personhood cannot really play the central role in the debate that both parties think it does. In brief, this is because the pro-life party assert the foetus is a person and yet they allow extreme circumstances where it may be killed (in cases where the mother’s life is in danger or of rape). But if the foetus is a person there should be no cases where we can kill one to save another. The pro-choice party on the other hand assert the foetus is not a person and yet insist that abortions only be allowed if good reasons can be given. But if the foetus isn’t a person why should we need good reasons to abort it? For these and other reasons Dworkin says that foetal personhood cannot be the real issue moving the debate. Larvor however disagrees.

25 As Weil, again, puts it ‘The idea of a person being a thing is a logical contradiction’ (1965, 9, italics mine).
For him the debate will always centre on the issue of foetal personhood but, importantly, for non-rational reasons. For Larvor our psychological propensity to see faces, and when we see faces to see a ‘person’, is what really causes us to return to issues of foetal personhood when discussing abortion. We cannot help but see a foetus as a person because the foetus looks like a person. ‘Looking at [pictures of foetuses], we see faces, rightly or wrongly.’ (ibid. 236) and ‘[o]ur psychological programming is so profound that we shall never be able to help seeing a foetal person in the womb’ (ibid. 238, italics mine). Larvor also convincingly conjectures that this is why ‘pictures of embryos are used so extensively by the anti-abortion lobby.’ (ibid. 236) So even if we can provide telling philosophical arguments in favour of abortion we will never be able to rid ourselves of the discomfort associated with it. Because when we see a face we see a person.

This is useful for us because implied in Larvor’s discussion is the submerged premise (which Larvor doesn’t discuss) that ‘A person is due some level of moral consideration’. Otherwise we could say ‘We see a face, we see a person. So what? We can still kill it.’ But we are not tempted to say that, nor are we tempted to give any justification for the link between personhood and the demand for moral consideration. Indeed, in the abortion debate as elsewhere, establishing the personhood of X is seen as necessary and sufficient for establishing that we treat X with moral consideration. In fact, the two function almost as synonyms. The fact that all parties in the abortion debate rely on this being so, and yet never explicitly acknowledge or defend it shows it sits very deeply in our moral thought. And this implies that at least in phenomenological terms there is no gap between experiencing a person and experiencing one to whom moral consideration is due. The two are identical.

But as Larvor rightly points out, this recognition should not be seen as flawless. We can misidentify persons and experience primary recognition when we shouldn’t. We might for example mistake a scarecrow for a person and apologise for bumping into it. We would have experienced primary recognition but mistakenly. This does not, though, diminish the fact that this seeing a person (rightly or wrongly) automatically triggers a moral response, that the two go together. And once we
realise the scarecrow isn’t a person we realise they are not due the level of moral concern due to persons.26

3.3 Primary recognition and Løgstrup’s ‘ethical demand’

Primary recognition may also be fruitfully compared with Løgstrup’s notion of the ‘ethical demand’ (Løgstrup, 1997), particularly in two features: Firstly, in that the ethical demand is said to be ‘silent’, that is, without specific imperative content (ibid. 22); and secondly, in that the ethical demand is not identical with the expressed demands of the other (ibid. 20-2, 56-63).

26 Incidentally, conceiving of morality as grounded in this immediate response to the other might help us make sense of the problem of moral distance. The problem is well described by Adam Smith where he says

Let us suppose that the great empire of China, with all its myriads of inhabitants, was suddenly swallowed up by an earthquake, and let us consider how a man of humanity in Europe, who had no sort of connexion with that part of the world, would be affected upon receiving intelligence of this dreadful calamity. He would, I imagine, first of all, express very strongly his sorrow for the misfortune of that unhappy people, he would make many melancholy reflections upon the precariousness of human life... [but] when all this fine philosophy was over... he would pursue his business or his pleasure... as if no such accident had happened. The most frivolous disaster which could befall himself would occasion a more real disturbance. If he was to lose his little finger to-morrow, he would not sleep to-night; but, provided he never saw them, he will snore with the most profound security over the ruin of a hundred millions of his brethren. (2009 [1790], III.3.4)

Our concern for others tends to diminish in proportion with the level of direct contact we have with them, so that people starving in another country, whom we have never met, will elicit less of a sense of concern than say, the needs of a friend or colleague with whom we interact daily, but whose needs might be less pressing. If primary recognition at least initiates, or forms the source of, our moral responses, then this would help explain why our moral emotions are less readily evoked by the needs of those we don’t see.
Løgstrup’s notion of the ethical demand is about the care we implicitly owe others by virtue of our being in relationship with them. For Løgstrup, all relationship with others, any meeting between two or more people, is characterised by a basic trust. And, ‘[t]his is true not only in the case of persons who are well acquainted with one another but also in the case of complete strangers... Initially we believe one another’s word; initially we trust. This may seem strange, but it is a part of what it means to be human... Human life could hardly exist if it were otherwise.’ (ibid. 8) So for Løgstrup trust is the fundamental characteristic of all human interaction. But to trust is to ‘lay oneself open’ (ibid. 9), to be vulnerable to attack or rejection or misunderstanding by the other parties in the relationship. And this vulnerability (ensuing from trusting) lays on the other a corresponding obligation, or demand, that they take care of the life that has thus been entrusted to them. This obligation is a key part of what Løgstrup calls ‘the ethical demand’.

Løgstrup’s account of the ethical demand is important in that in it he outlines the necessarily moral nature of personal interaction. As Svend Andersen and Kees van Kooten Niekerk put it,

Against the idea of the rational agent [Løgstrup] set up a description of the interrelatedness of human beings. In his opinion, humans do not have to discover or decide about moral life – our life as such is ordered with ethics already ‘built in,’ so to speak. We cannot encounter others without being confronted with the radical demand to concern ourselves with their lives. Responsibility is a basic feature of human existence. (2007, 1)

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27 We might suspect that Løgstrup is here open to the objection that trusting does not always mean being entrusted. So for example, I may trust someone I don’t know, like a celebrity or a politician, but as we never meet I am not entrusted to them. This would mean we have trust without being put into the other’s hands, and so without the ethical demand arising. But Løgstrup is here speaking of trust in the context of an actual meeting between two or more parties (even if they are meeting in some remote way like over the phone). The parties must be within ‘harming distance’ of each other for the mutual trust, and hence the demand Løgstrup speaks of to come into effect.
There is, however, a problem with Løgstrup’s account in that it makes the ethical demand an *alienable* part of human encounters. In times of chronic social breakdown, so Løgstrup argues, we may encounter others without the possibility of even basic trust. He says that,

> Perhaps a general climate of informing on each other has destroyed the natural trust which people spontaneously have toward one another... Perhaps because of strife in the land, where the land is ruled by men who have no respect for law and justice, people lose confidence in one another’ (1997, 8).

It is undoubtedly true that in such circumstances (and Løgstrup is certainly thinking here of the occupation of his country by the Nazis and his personal experiences with them), that natural trust is put under extreme pressure, and in some cases is impossible. But if the ethical demand were only ever co-present with trust, we would in such cases experience no demand. However, if what I say about primary recognition is true, the recognition that the other is due some level of consideration is a necessary part of *all* human encounters, except in cases of severe mental illness.

There are, however, at least two important features of Løgstrup’s ‘ethical demand’ that resemble the notion of primary recognition. Firstly, as with the ethical demand, primary recognition is ‘silent’. We do not know, simply from recognising the other as one demanding moral consideration, exactly what it is we must do to fulfil that demand. As Løgstrup points out ‘the demand implicit in every encounter between persons is not vocal but is and remains silent... [i]t is of the essence of the demand that with such insight, imagination, and understanding as he or she possesses a person must figure out for him or herself what the demand requires.’ (1997, 22) The fact of recognising that this is an other, one demanding moral consideration, does not in and of itself set down any positive moral imperatives. It is just a fact to which we must respond. To make this clear let’s imagine, for example, being on a walk alone in the countryside and coming across another person. On seeing them I will be bound to react in certain ways; primary recognition will motivate me to respond in some way. But it will be the details of the context in...
which we meet that inform the exact content of that response. If it were in the English countryside in the afternoon and the other was a stranger I would be obliged to acknowledge them with a nod or a generic greeting and walk on. If they were an acquaintance, I’d perhaps be obliged to stop and chat. If it were night-time and they were a stranger I’d perhaps not acknowledge them at all so as not to make them nervous. If they were a stranger but seriously injured in some way I’d be obliged to help them in any way I could. If we were in the countryside of Afghanistan and the other was, for example, an unmarried woman there would be other very specific cultural demands that would shape our interactions. In every case primary recognition tells me that ‘Here is an other that must be responded to within certain moral parameters’, but in each case it is the context and not the recognition itself that informs what precisely that response should be or what those parameters are. Primary recognition is in this sense ‘silent’; it calls me into action but doesn’t say what I am to do (context does that).

The second way in which Løgstrup’s account of the ethical demand resembles the notion of primary recognition, is in his making the ethical demand non-identical with the expressed demands of the other. As Løgstrup puts it ‘The demand which is present in any human relationship is, however... not to be equated with a person’s expressed wish or request... any correspondence between the spoken and the unspoken demand is purely accidental’ (ibid. 21-2). The fact of experiencing some kind of imperative of consideration and concern for the other when meeting them, is not to be confused with the requests or demands they themselves might make. To be sure we will have to take into account people’s expressed demands and take them seriously. If I am presented with a person who says they are hungry in most cases I should feed them! But it is not always or even often possible to read off what I owe the other (or what their real needs are) from their expressed demands. And so those demands cannot be identical with primary recognition. Indeed, responding to the explicit demands of the other, rather than primary recognition, may easily just

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28 This non-acknowledgement is not to actively deny their presence, and so do away with primary recognition, but just to consciously refrain from engaging. My action is still predicated on the fact of primary recognition.
become an unhealthy form of subjugation to another’s will, and that is certainly not morally valuable action. So we are left with the ‘silent’ i.e. unfilled-out demand that we treat the other with whom we are presented with some kind of consideration and concern, that is, we are left with primary recognition.

So primary recognition is logically prior to thought about specific moral demands. That is, if we didn’t have primary recognition we would not be prompted into thinking morally at all, because I would never ask the question ‘How ought I treat this person?’ if I was never aware that I had to treat them some way or other. Primary recognition then is the basis of our moral thinking, prompting us to think in terms of how to properly relate to the other, or what consideration I owe them. And our moral certainties form the boundaries within which we can sensibly fill out the content of that demand in concrete situations.

### 3.4 Primary recognition and ‘Callous carers’

Now none of this is to say that experiencing primary recognition means we always do show consideration or concern. We might consider examples of ‘callous carers’, those who experience primary recognition but show no consideration or concern for particular humans placed under their care. Take for instance Gaita’s description of how orderlies at a psychiatric hospital (himself included) treated the patients there.

In the early 1960s when I was seventeen years old, I worked as a ward-assistant in a psychiatric hospital. Some of the patients had been there for over 30 years. The ward was an old Victorian building surrounded by a high iron fence... There was no grass. One or two scraggy trees provided mean shade. It reminded me of some of the enclosures at Melbourne zoo. When patients soiled

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29 I will also argue, at section 7.2, that primary recognition is not something we learn but that it is a natural part of our humanity. Yes, we learn moral behaviours but the initial impulse to moral concern is not learned.

30 Thanks to Daniele Moyal-Sharrock for this phrase.
themselves, as some often did, they were ordered to undress and to step under a shower. The distance of a mop handle from them, we then mopped them down as zoo-keepers wash down elephants.

(2000, 17)

Firstly, Gaita should be highly commended for the honesty and vulnerability of his account in which he is not the moral hero. I hope it doesn’t go against the spirit of his example here to use this as an instance of ‘callous caring’. But it is an interesting example for our purposes because the patients were not outright abused, but just treated as less than they were. Gaita goes on to describe a nun who also came to care for the patients but who ‘responded without a trace of condescension towards people who were incurably mentally ill and who had been abandoned by friends and relatives, even by their parents.’ (2004, xiii) She would clean and care for the patients, and talk to them as complete equals. And for Gaita

[i]n the nun’s case, her behaviour was striking not for the virtues it expressed, or even for the good it achieved, but for its power to reveal the full humanity of those whose affliction had made their humanity invisible. Love is the name we give to such behaviour.

(2000, 20)

He goes on to explore the nature of that revelatory love displayed by the nun, and what it showed about those patients.

But for our purposes, we need to get to grips with the callous carers, and see if they can be said to have experienced primary recognition, despite the way they treated the patients. From Gaita’s account we might conclude that primary recognition can be diminished, as the affliction of the patients had according to Gaita ‘made their humanity invisible’ (ibid.). I think we should resist going this far, but rather should think of primary recognition as something all normal human beings are endowed with; not to have it is pathological.

This might seem like a strong claim, especially given the story just told about the callous carers, who apparently lack or have a diminished experience of primary
recognition, and the nun whose saintly moral perception sees the worth of the human despite the patina of affliction that has disguised the patient’s full humanity. But instead, what Gaita’s example brings out is the fundamentality of the kind of experience I am talking about. Making clear the difference between Gaita’s and my own aims here will help. The difference might perhaps be thought of in terms of vertical and horizontal. Gaita is keen to explore the saintly, and examples of moral excellence, the vertical plane, thereby to gain insights over the whole field of morality and ethics. I am concerned more with the minimum requirements of a morality, with its most basic movements. I want to make clear that the callous carers are moral agents too, with all the basic beliefs needed in place, even if they are in this instance being less than excellent moral agents.

So did the callous carers experience primary recognition? And if so then what, if anything, did the nun’s behaviour reveal to them? So far I have claimed that seeing a human is seeing one due consideration – there is no phenomenological gap between the two. And I think that the callous carers exhibited this awareness even while treating other people somewhat like lesser humans. I want to go through three ways in which we can explain the orderlies’ behaviour which leaves room for primary recognition.

First of all, we can point to the practicalities of their position. It is not to excuse the psychiatric staff to say that they were doubtless able to give practical reasons why they treated the patients as they did and kept them in the surroundings that they did. That they washed patients with a mop at arm’s length is distasteful. And we can easily imagine telling of an orderly who proceeded on different lines and washed the soiled patients as tenderly and carefully as a parent. But we would be tempted to see such behaviour as supererogatory, and that the orderlies’ behaviour fell short of this does not imply that they didn’t see the patients as human. Indeed, as Pleasants notes, a lack of what are perceived as practical alternatives to a morally bad practice can lead us to think of that practice as morally permissible. Taking a larger institutional wrong, Pleasants talks of slavery and the fact that ‘[t]hose who had passive sympathy for the suffering of slaves qua individuals still usually took for granted that slavery qua institution was morally acceptable,’ (2010, 166) and that this attitude was facilitated by ‘the perceived necessity of the practice.’ (ibid. 168)
We might well say something similar of the orderlies in the psychiatric hospital. And we do not have to agree that their care practices were necessary. But Pleasants’ insights here do give us a way of understanding how they could treat the patients as they did while experiencing primary recognition towards them.

Note that I am not saying that primary recognition means seeing others as susceptible of tender loving care. It only implies seeing them as due consideration, not susceptible of being carelessly killed, or treated as furniture, or as mere objects. This level of recognition may be displayed even by vicious moral agents. And so the callousness of the carers is no argument against them recognizing their patients in this way.

Secondly, we can make use of a distinction made by Sartre between thetic and non-thetic consciousness (cf. for example (1957, 54)). Though he never gives an explicit definition of non-thetic consciousness, one of Sartre’s examples that brings out the concept concerns the phenomenology of counting. He says

If I count the cigarettes that are in this cigarette case, I experience the unfolding of an objective property: there are twelve cigarettes. This property appears to my consciousness… [but not] consciousness of counting them. I do not ‘know myself counting’ (ibid.)

In counting his cigarettes he is not aware of the process, but if asked what he is doing, he is able to say he is counting. Though his consciousness is focused on the cigarettes themselves he has a ‘non-thetic consciousness of counting’ (ibid.) He is directly aware only of the cigarettes, but he has a submerged consciousness of something further, the mechanics of what he is doing. In a further example, Jonathan Webber (2002) argues that such non-thetic consciousness is necessary to explaining Sartre’s notion of ‘bad faith’. As Webber puts it bad faith is ‘the deliberate and motivated project of concealing some unpleasant truth from oneself. It is not simply a mistake, but a form of self-deception.’ (ibid. 4) Being non-thetically conscious of our actions then means that we may be able to give an account of the true nature of that action when asked or realizing its true nature when shown, but at
the same time not being fully conscious of the nature of the action whilst performing it. It is clear to see how this might apply to our callous carers. Even if their behaviour seems to contravene primary recognition we can still impute to them an experience of primary recognition, and a (non-thetic) awareness that they are acting against it, even while showing no care or consideration for their patients. If their behaviour did seem to contravene primary recognition, we could still argue that they are non-thetically aware that those they were thus treating were due greater consideration. In essence we could say that the callous carers were in a state of Sartrean bad faith, ‘concealing some unpleasant truth’ (ibid.) from themselves – the truth that though they recognize these others as due consideration they are not acting in line with it.

The third thing to say in explaining the orderlies’ behaviour as being commensurate with experiencing primary recognition, involves distinguishing seeing people as our equals from seeing them as human beings. What did the nun’s behaviour show the hospital staff?

[T]hat even such patients were, as the psychiatrists and I had sincerely and generously professed, the equals of those who wanted to help them; but she revealed that in our hearts we did not believe this. (Gaita, 2000, 19, my emphasis)

And so we should note the caveat that she also revealed ‘the full humanity’ (ibid. 20, emphasis mine) of the afflicted patients. We should be careful not to read into Gaita’s account that the staff did not see their patients as human - but they did not see them as equals. This again shows up the difference between Gaita’s project and my own – he is interested in our full humanity; I am interested here in the basic constituents of human thought and action. To recognize another as a human being, demanding some consideration does not necessarily mean seeing them as an equal (though I would say it is a deficiency not to make this inference – and I think it can in some cases be an inference). To condescend is not to treat as a mere object. The nun’s behaviour wonderfully revealed the disguised equality between patient and carer, their full humanity. But the basic recognition was never in doubt, though practical and probably other concerns led the more callous carers to treat the
patients less carefully than they perhaps ought to have. (I will discuss below at section 3.8 how acting contra a moral belief, even a basic one, does not entail that one disbelieves it). And so even those who show a lack of consideration, those we have called ‘callous carers’, still experience primary recognition.

3.5 ‘An attitude towards a soul’

Peter Winch’s paper ‘Eine Einstellung zur Seele’ (1981) is also helpful in outlining what I mean by primary recognition. Here, Winch discusses a comment of Wittgenstein’s about how we interact with other human beings

[m]y attitude towards him is an attitude towards a soul [eine Einstellung zur Seele]. I am not of the opinion that he has a soul. (PI iv)

Now neither Wittgenstein nor Winch is affirming here some metaphysical proposition about human beings, about their being ‘ensouled’. What they are trying to bring out is the special quality of our response to other people, as opposed to our responses to inanimate objects. The second sentence ‘I am not of the opinion that he has a soul’ is especially relevant. What is affirmed here is that, as Winch puts it,

[o]ur characteristic reactions to other people are not based on any theory we have about them, whether it is a theory about their states of consciousness, their likely future behaviour, or their inner constitution. (1981, 8)

Our Einstellung precedes such theorising, and in fact provides the starting point, rather than being the fruit of, philosophical reflection. This fits well with what we have been saying about primary recognition. If our seeing others as due moral consideration is not based on any inference, but is pre-reflective and immediate (not merely in the temporal sense, but also in the sense of requiring no inference) then it
follows that primary recognition cannot be ‘based on any theory about [others]’, but can only be something that grounds such theories.

And something else which Winch notes that has been touched on only briefly so far is the relation of this basic attitude to the will. Given that primary recognition is pre-reflective, and so not preceded by inference, it follows that we do not choose to have this attitude to others. As Winch puts it

[t]here is no question here of an attitude which I can adopt or abandon at will... but usually, in given circumstances, it is a condition I am in vis-à-vis other human beings without choosing to be so. (ibid. 11)

We can’t help but see people this way; we can’t help but so act.31

In a similar vein, Stanley Cavell wonders about the appropriateness of seeing another human being as seeing a ‘soul’.

If it makes sense to speak of seeing human beings as human beings, then it makes sense to imagine that a human being may lack a capacity to see human beings as human beings. It would make sense to ask whether someone may be soul-blind. (1999, 378)

The phrase ‘soul blind’ is such an evocative one, it deserves more attention than I can I give it here. In what follows, Cavell is sceptical about the possibility of soul-blindness. In his discussion of slave-owners and whether they see their slaves ‘as human’, he concludes that they must; though for them it might amount to saying ‘indefinitely, that they are a kind of human’ (ibid. 376). And this may mean no more than ‘A kind of human that may be enslaved without incurring guilt’ (ibid.).

31 Treating a person in this way, having such a basic attitude towards them, involves both how we act and how we ‘see’ them. Like for example, the way my attitude towards my pet rabbit involves both seeing him in a certain way (as an animal, as my animal, as an animal I like etc.) and reacting towards him in a certain way (not as I react to a piece of furniture, not running from it as I might from other, wild animals etc.).
True soul-blindness would involve not seeing human beings as human beings, and this would be problematic, Cavell argues, because it would imply that we could notice that human beings are human beings. Consider the slave-owner talking to one of his slaves and saying to himself suddenly ‘I see that they are human after all.’ There is a sense in which this might be comprehensible; if it means something like ‘I see that they feel how I feel’ and that they love like he does or get angry like he does. In this sense we can understand his ‘seeing’. But this is not so much seeing the slave as a human but seeing him as like himself, as a human of the same kind as the slave-owner. It is more a recognition of a kind of likeness (I avoid saying ‘equality’), and using the term ‘human’ here would do no more than express that kind of likeness-to-himself. But if the slave-owner meant by ‘I see that they are human after all’ in the sense that ‘Before I believed they were a mere automaton’ it would be hard to credit his utterance. This would be soul-blindness, but would be seriously pathological if meant in earnest. I’m not sure that even psychopaths experience this level of disconnection from their fellow human beings.

Humans have been mistreated and enslaved throughout history, but this does not imply that their owners suffered a kind of soul-blindness. Indeed, as Cavell remarks,

[t]he anxiety in the image of slavery... is that it really is a way in which certain human beings can treat certain others whom they know, or all but know, to be human beings. Rather than admit this we say that the ones do not regard the others as human beings at all. (ibid. 377)

And we might also consider that in all forms of slavery, ancient and modern, manumission (the formal freeing of a slave) was not thought of as becoming human, but as moving from one state or status (a bad or shameful status) to another. The slave isn’t reborn as a human being but only opened up to the possibilities of life denied them as a slave.
3.6 Levinas and the Face

Another helpfully similar notion to that of primary recognition is Levinas’ notion of ‘the face’ that recurs throughout his work. When Levinas speaks of encountering the face of the other he means, not simply the physical face or body of another person but their wholeness. This includes the hidden, unknowable depths of the person. The face is the sign that another is present though the fullness of that presence can never be known. But, importantly for our purposes, Levinas sees the encounter with the face as a necessarily moral encounter. He says that ‘[t]he face opens the primordial discourse whose first word is obligation,’ and that that obligation is unavoidable (1969, 201). In Levinas’ parlance, I take this to mean that to meet another human is to experience a being that demands some kind of moral consideration, is to be put under an obligation.\(^{32}\) Indeed, the encounter with the face is that which grounds morality as such so that, for Levinas, ‘the face says to me: you shall not kill.’ (Levinas in (Cohen, 1986, 24)). This basic phenomenon of experiencing others as experiencing those due moral consideration is the motivating force behind much of Levinas’ moral philosophy.

But while I agree with Levinas that such moral awareness is built into our encounters with others, he pushes the consequences of this moral awareness too far. He does this by insisting that ‘[t]he ethical rapport with the face is asymmetrical in that it subordinates my existence to the other’ (ibid.). That is to say that the demand to consider the other implies, for Levinas, that my needs must always be subordinated to those of the other. And, even stronger, that ‘[a]ccordingly, my duty to respond to the other suspends my natural right to self-survival’ (ibid.). This is not

\(^{32}\) A perhaps more positive rendering of this notion can be seen in Dante’s *Divina Commedia* where he speaks of the ‘vinco d’amor chef a natura’ or ‘chain of love that nature made’ (*Inferno* 11:56) (or the ‘naturale amistade’, ‘natural friendship’ mentioned in his *Convivio* 3:11:7). This chain of love is seen as a natural relationship of active amity that exists more or less strongly between all human beings (and even between humans and supernatural beings like angels or God). The heart of Dante’s hell therefore is not a place of burning but is frozen solid so that the chain of love is rendered ineffective, in that no chance of movement towards each other, of relationship, is possible.
implied by the fact of primary recognition. To respond to the other as one due consideration does not require such self-abnegation.\textsuperscript{33, 34}

Also, for Levinas in experiencing the face of the other get a glimpse ‘beyond the ‘world’, that is, beyond every disclosure... which transcends all cognition, be it symbolic or signified’ (Levinas, 1996, 59). I do not think that we transcend all cognition when we experience primary recognition. I will argue below (at section 3.8) that primary recognition is a basic moral certainty. And as such it is, like all basic certainties, pre-epistemic. And so it underlies rather than transcends our (moral) cognition.

So in his notion of the face, Levinas affirms the fundamentally moral nature of our meetings with others. But there are at least two ways in which Levinas’ ‘face’ is different from the notion of primary recognition - i.e. in that it requires a suspension of my own right to survive, and that it is an experience that is said to transcend all cognition.

\textbf{3.7 Hegelian recognition}

It should be noted that primary recognition is not to be equated with the Hegelian notion of recognition. Hegel’s notion is involved in his discussion of becoming self-conscious. In order to become self-conscious, and so become a free agent says Hegel, we need to be recognized as such by another. As he puts it in \textit{Phenomenology of Spirit} ‘[s]elf-consciousness exists in and for itself when, and by the fact that, it so exists for another; that is, it exists only in being acknowledged.’ (1997 [1807], 111)

And this is because ‘in the other [it] sees its own self.’ (ibid.) This reciprocal relation of acknowledging one another as selves, whereby ‘[t]hey recognize themselves as mutually recognizing one another’ (ibid. 112) is, for Hegel, necessary for our

\textsuperscript{33} I will go into the relation between morality and self-interest in more depth below at section 4.1.3.

\textsuperscript{34} Levinas’ talk of the suspension of ‘my natural right to survival’ seems to be motivated by his notion that we live at the expense of the other. ‘What is an individual, if not a usurper?’ and ‘[w]hat is signified by the advent of conscience... if not the discovery of corpses beside me and my horror of existing by assassination?’ (Levinas, 1997, 100) For Levinas it is this living ‘through assassination’ that cancels my right to survival.
awareness of ourselves as a self. In short, for Hegel, in order to be a self I need to be recognized as such by someone else.

Hegel’s notion of recognition is a rich and useful one, but differs in several respects from primary recognition. The difference mainly lies in the fact that primary recognition does not involve self-creation. I am not seeing myself in the other when I primarily recognize them, or necessarily seeing them as separate autonomous beings – that is far too conceptually loaded a description. Instead, in primary recognition I am only responding to an other in a pre-epistemic, non-ratiocinated way as one due consideration, one I cannot treat as a mere object.

Another sense in which the Hegelian notion goes well beyond what I mean by primary recognition is in the legal and political manifestations of Hegelian recognition. As Costas Douzinas points out, Hegelian recognition comes in three main forms each ‘associated with a different historical and institutional stage: love with family, legal recognition... and full recognition with what [Hegel] calls the ethical state.’ (2002, 387) Looking just at the second of these stages we see how different this is from primary recognition. For Hegel, an important part of humanity becoming self-conscious is our being recognized as equal before the law. It is not just the intersubjective recognition by another that affirms my selfhood, but legal and political recognition by the state. Whatever one thinks of this notion of legal recognition it is clear that it is far from a description of the reflex, basic, interpersonal recognition I have been describing in this chapter. And so while the Hegelian notion of recognition may be valuable, it has little more than a terminological similarity to what is being discussed here.

3.8 Primary recognition and basic certainty

In this thesis I am defending an account of basic moral certainty. So how is primary recognition related to this basic certainty? I’ve spoken of both as having foundational status, and of primary recognition as the source of our moral thinking. There would seem, then, to be a close relationship between the two. As I have said, to experience primary recognition is what it is to ‘see’ another human being, to see them as a human being. And there are good reasons to think that seeing that ‘X is a
human being’ (even without foregrounding the moral aspect of the encounter) is in normal circumstance something we cannot sensibly doubt. For instance, when giving a paper to an audience I entertain no doubts about the humanity of the audience members, or that there are in fact other humans in the room. Even if they are strangers this is so, but it is mostly clearly the case when I know at least some of those present. When speaking to a group of friends and colleagues, whom I’ve known for some time, can I sensibly doubt that ‘There are human beings in the room’? I think not. Imagine if, during such a presentation I were to sigh and say aloud ‘I doubt there are other humans here to hear this’. Such doubt would be pathological, unless some very special circumstances were present.

And to link this to our discussion of primary recognition we could look at some of the ways that this basic certainty (‘That here before me is a human’) is expressed. It manifests itself for one, in our speaking to the audience as if they had minds of their own and could understand what I was saying, as opposed to being mindless automata or very realistic scarecrows. It would mean I would not be shocked and surprised when one of them asked me a question, or made a comment on the paper, or if they sneezed or got up and left the room. All these responses are part of my being certain that ‘There are other humans in the room’ or ‘These before me are humans’. But there are other forms my certainty takes that show primary recognition is identical with it, or we might say part of the full description of it. For instance, I would also express my certainty that ‘These are humans before me’ by acknowledging their presence, not throwing things at them, or by not throwing down the audience member who tries to leave the room (as I might if I thought they were merely an automaton). In short, I would treat them in ways consistent with primary recognition. And treating them like that is an aspect of my overall certainty that they are human beings. And so it is best to describe primary recognition as identical with my more general, empirical certainty that ‘X is a human being’. It is part of the description of that certainty, only a description that highlights the necessarily moral aspect of it.35 To be sure a description of that aspect of my certainty won’t be required in every situation or on every philosophical occasion. If

35 That is not to say that all basic certainties are necessarily moral. Most are not.
discussing the problem of other minds for example, it won’t usually be necessary to talk about primary recognition, the moral aspect of our certainty that ‘This is a human being (in front of me)’. But that is not to say that primary recognition is not a necessary part of that basic certainty, only that it is not always pertinent to describe it in moral terms.

So primary recognition is an example of a basic moral certainty. And as a basic certainty it does not admit of doubt or justification. But aren’t there instances where the belief that we must treat an other with consideration or concern is doubted, or flat out ignored? Or put a little differently, isn’t primary recognition far too fragile and weak a thing to be either indubitable or the source of our moral thinking? The most obvious cases where primary recognition might seem to fail are cases of extreme evil-doing, like genocide. How do we account for situations where this basic recognition seems to be absent in so many ordinary people who become perpetrators of genocide? Take the Holocaust. To say that it was mass moral madness, where the moral agency of those involved is necessarily impaired is in some sense satisfying in that it would help us make sense of how this was possible, given the magnitude of the crimes. Though in another sense it is deeply unsatisfying, as it might seem to relieve the perpetrators of full responsibility for their actions.

Now it is not my aim to offer a full account of the moral psychology of those involved in the Holocaust, but I do want to give an account of primary recognition that makes sense of both the responsibility of those involved and yet how it was possible for them.

There is some reason to think that those who took part, not just in the killing but in the systematic destruction of Jews and Jewish communal life, were both morally capable\(^\text{36}\) and able to recognise the humanity of those they persecuted (at least at first). In short I suggest that primary recognition was not compromised even in those who took part in the killings. Witness to this are the words of Heinrich Himmler when addressing soldiers involved in carrying out the killings. Himmler told his soldiers that he ‘thought it a sign of weakness to stifle one’s sympathies’ and said

\(^{36}\) This term should not be understood as implying ‘moral health’, but only as opposed to morally insane.
that ‘decent fellows’ retained their feelings for others (including even the Jews) but refused to give way to them when they ran contrary to duty’ (Scarre, 1998, 427). The implication was that even those doing the killing, and Himmler himself, were not able to suppress their naturally reacting to their victims as people, and as those who should not be killed. Indeed the use of gas chambers to carry out the mass murders was brought in to relieve soldiers of the need to shoot their victims, to kill in person, as the latter was found to be too psychologically difficult. It was easier to carry out the killings if the victims were unseen in locked rooms.\textsuperscript{37} The fact that emerges is that even though their basic moral sensibilities remained intact, at least at first, German soldiers and those who worked in the camps were able to act in contravention of those sensibilities. This ability to kill even whilst recognising the moral demand presented by their victims, was supported by several factors that it is not within the remit of this chapter to go into fully. Of course, the fact that ‘the currents of anti-Semitism [that] had long run deep and dangerously in Germany’ (ibid. 431) played a large part, as did the political rhetoric of Hitler and the members of the Nazi party.

As I have said above, dehumanising propaganda was effective in helping the perpetrators of the Holocaust overcome their necessary perception of the humanity of those victimised. And to the extent that they were dehumanised, or to the extent that the German people were trained to ignore the humanity of their Jewish neighbours, the recognition of their moral status was diminished as well. But it remains that morally sane people were nevertheless able to suppress their recognition of the moral status of certain others, taking nationalistic political ideals and racial hatred as more decisive considerations in guiding their actions. Doubtless the moral agency of those involved was injured over time; it is hard to believe that one can take part in extreme evil over a prolonged period and not be desensitized or dehumanised by it. But it seems that those who took part in the Holocaust were unable altogether to suppress their instinctive, unmediated recognition that their

\textsuperscript{37} Cf. Patricia Heberer (2011): ‘In the late summer of 1941, Heinrich Himmler, noting the psychological burden that mass shootings produced on his soldiers, requested that a more convenient mode of killing be developed. The result was the gas van, a mobile gas chamber’ (ibid. 82)
victims were human beings demanding moral concern. But these concerns were overpowered by considerations to which they gave greater weight.

Another related challenge comes from Tom Sorrell’s work on the links between morality and emergency. In his paper ‘Morality and emergency’ (2003) Sorrell speaks of the effect of public emergencies on normal moral behaviour, saying that ‘In extremis ordinary moral obligations either lapse or may excusably be broken’ (ibid. 21) and, more seriously that ‘the link between ‘ought’ and ‘can’ is often strained to breaking point in the case of public emergencies’ (ibid. 22). It is a version of the old complaint that morality is merely skin deep and that, freed from the control and constraints of ordered society, people will do what they will. Public emergencies return us to a Hobbesian state of nature, where the scarcity of resources and the greatness of the risk to life and health, sanction otherwise morally questionable actions (that is, questionable for citizens of a functioning state), and more importantly do away with basic concern for others.\(^{38}\) Given this risk to everyday morality, Sorrell argues, we are justified in giving rather heavyweight powers (and adopting a morally charitable attitude) to governments to help them avoid or curtail such public emergencies. Now, I am not so much interested in the political conclusions Sorrell draws as in his assumptions about the delicacy of ordinary moral behaviour.

Certainties about ‘oughts’ have a different relationship to action than certainty about empirical facts. Acting contra certainties about empirical facts necessarily means a break with sensical ways of judging. If I act as if I can’t drown in water, or as if falling from a great height won’t harm me I already go beyond the bounds of sense; there would be no way of justifying my actions that a sane person would understand. But with basic moral certainty the case is slightly different in that I can do those things that I believe to be certainly wrong without my doubting their wrongness. Or put another way ‘doing a deed does not entail believing in its

\(^{38}\) I will argue against the Hobbesian account of humans as amoral in the state of nature at section 7.2.
rightness’ (Lichtenberg, 1994, 181).\(^{39}\) The contradiction would come if one were to kill in the belief that the killing was wrong, and then acted or spoke in ways that implied the killing was not wrong. If someone committed a murder, a killing they believed to be unjustified, gratuitous and wrong, and showed no repentance, regret, guilt or shame over the killing, or didn’t try to hide it, something would be amiss – their belief that the killing was murder commits them to strongly identify with at least some of the latter moral responses or evasions.\(^{40}\)

So, having a basic belief in the wrongness of an act does not commit the believer to never committing that act. But in the balance of reasons it may appear necessary to a functioning moral agent, to do things they know are wrong given the weight of other concerns, for instance concern for self-preservation or the preservation of one’s loved ones. And of course one can be deeply mistaken in such reasoning, or ignore the weight of moral concerns in one’s deliberations. Nigel Pleasants puts it well, saying

People are motivated by a wide range of interests, and the interest in being morally good, or even morally decent, is only one among them. Moral reasons for acting are of course august and powerful ones... [b]ut we know that people are weak, and they often do not, or are unable to, do what they themselves believe they should.\(^{41}\) (2015, 212)

So even if people are more likely to act in morally questionable ways in public emergencies, that in no way shows that basic moral certainties as such, or primary

\(^{39}\) This is a fact Stephan Rummens seems to miss in his criticism of the notion of basic moral certainty (2013, esp. 144). Nigel Pleasants responds to this criticism along similar lines to those offered here in his paper ‘If killing isn’t wrong then nothing is: A naturalistic defence of basic moral certainty’ (2015, esp. 203-4)

\(^{40}\) I will discuss this further at section 5.2.1 when discussing attempts to doubt that ‘some killings are wrong’.

\(^{41}\) I don’t want to deny the importance of the Socratic question about whether we can knowingly do wrong, but it is beyond my remit to pursue it here.
recognition of others’ moral value, is doubted there.\textsuperscript{42} At most it may show that moral reasons can be suppressed, and the belief that ‘This other demands consideration’ is sometimes apt to become motivationally weak. But that is not for it to become rationally dubitable.

3.9 Recapitulation

I have argued that the source of morality is primary recognition, our necessarily seeing others as due consideration and concern. This primary recognition, and so the moral outlook as a whole, is not something one can choose or opt out of: it is an essential part of how human beings experience others. In the next chapter I will defend a view of morality as other-regarding, in line with the other-regarding nature of primary recognition.

\textsuperscript{42} And there are some instances where public emergency seems to positively encourage concern for one’s neighbour and bring about greater solidarity in a community, like during the bombings of London in WWII and the so-called ‘Blitz Spirit’.
Chapter 4. Morality as Other-Regarding

Now that we have discussed the source of our moral thinking, primary recognition, it is time to fill out our account of moral thought in general. In the previous chapter (section 3.1) I defined morality quite broadly as that which had to do with core moral concepts such as right and wrong, good and evil, patience, kindness etc. Now I want to say more specifically what I take to be the distinguishing feature of these core concepts, that is, what marks them and others out as moral concepts. In what follows I will take morality to be that area of thought and action that is concerned with our relations to the other (sometimes called the ‘self-other model’). So terms such as ‘good and bad’, ‘right and wrong’, ‘virtue and vice’ etc. are moral terms inasmuch as they are about how our actions, intentions, principles and character traits affect or impinge upon the other, in contrast to their prudential or other non-moral uses (e.g. ‘That player scored a good goal’, ‘That’s the wrong way to change a tyre’, or ‘In chess patience is certainly a virtue’).43 This definition is meant to bring out the distinction between acts done for our own benefit, and those done for the benefit of someone or something other than ourselves.

This being so we can understand the scope of ‘the other’ rather widely. As I have made clear in the previous chapter, when I speak of others I usually mean other human beings. This is because I take it that in most cases (though certainly not all) it is other human beings that are the object of our moral behaviour, and also because our reactions specifically to human beings (as opposed to say, other animals) have a special foundational role in our moral thinking. But in terms of our broad definition of the moral we only need to define an other as that which we might try to benefit for its own sake, rather than as a form of self-interest. So for example, being careful about the living conditions of livestock so that they fetch the best price at market is not strictly to treat animals as others in this sense. But being careful about animals’ living conditions out of compassion for the animals themselves is to treat them as

43 I will consider the notion of duties to oneself below at section 4.1.3.
others.\textsuperscript{44} So the latter behaviour counts as moral, that is other-regarding, rather than self-regarding. Of course in real life cases it may be impossible to distinguish moral from prudential behaviour - even the most market-oriented farmer will usually be motivated in part by the welfare of his or her animals. But there is still a clear conceptual distinction here between self- and other-regarding.

Moral action towards the environment is a more complex case. We can, for example, engage in preservation work for the sake of the environment itself rather than in order to maintain it for myself. For example, I may try to take fewer airplane journeys because of the negative impact such means of travel has on the environment. In this sense we are treating the environment as ‘an other’ and our behaviour is moral behaviour, being for the benefit of something other than ourselves. But this is complicated for our purposes. This is because though preserving the environment is rarely ever going to be directly self-interested, not least because I will most likely be dead before the effects of my abusing or not abusing the environment are really felt, treating the environment well is most often motivated by the effects it will have on humans. And so the cases where the environment itself stands as a recipient of moral action (i.e. where it is benefitted or preserved for its own sake) are perhaps rarer than we might think.

And it is well to be clear that I am not saying it is the intrinsic worth of the object acted upon that makes an action moral or not. It is whether the agent acts \textit{regarding that object} that makes it an object of moral treatment. Questions of the object’s intrinsic value need not come into play here. To be sure an agent will have to consider an object of moral regard valuable in some sense in order to motivate their moral action. But this is not to make claims about the intrinsic worth of objects of moral concern, but only about the way people treat them - we do not need to claim that only objects that are valuable in themselves get treated as such.

\textsuperscript{44} My use of the term ‘other’ here is not meant to connote personhood or any related concept. I remain neutral here on the thorny philosophical issue of animal personhood, or even the nature of personhood itself. All I am saying here is that animals can be treated as objects of moral concern, that is, regarded for their own sake.
And given the importance of the motivation of the agent here, the range of possible recipients of moral behaviour is extended to those the agent considers, rightly or wrong, to be an other. So, for example, we would include behaviour towards God or gods as potentially moral in character. This is especially clear in religious traditions, like the Judeo-Christian, where God is conceived of as an other with whom we might relate, for example through prayer or ritual.\(^{45}\) The ontological status of that other is beside the point – one can act to please God, and so act morally in acting in regard for an other, even if one is mistaken about the nature of that other. So my point here is not to establish the ontological status of the other, but just to give an idea of the scope of the possible targets of moral action.

This self-other model is certainly not a new way of conceiving of the moral, but it is one that has come under question recently\(^{46}\) though one I think worth defending. The reasons for insisting on this definition are, i) in the interest of clarity, given the confusion in terminology in the use of the words ‘ethical’ and ‘moral’ in contemporary moral philosophy (discussed at section 3.1), ii) because much non-philosophical usage of moral language tacitly acknowledges its other-regarding sense, and iii) because it can help us do away with some philosophical criticisms (like those of Bernard Williams and others) of what is discussed under the name of morality. I will go into the first two reasons only briefly, the third more substantially as more hangs on it.

\(^{45}\) Of course God’s impassibility, God’s being unable to suffer, is a prominent theme in some strands of Judeo-Christian theology which might seem to disqualify God from being susceptible of moral treatment – if God can’t be harmed then God can’t be wronged. But the point of my definition is not that we must actually benefit or harm the other for our act to be morally evaluable, but that the other is the object of our action, we are acting for them rather than for ourselves. And so even an impassible God can be the object of moral action.

\(^{46}\) For example, by Paul Bloomfield in the introduction to his edited volume *Morality and Self-Interest* (2008) which I will discuss in a moment in section 4.1.1, and also by Kelly Rogers’ in her 1997 paper ‘Beyond self and other’, discussed at section 4.1.3.
4.1.1 Morality as other-regarding: A clarifying definition

The terminological confusion that persists regarding the use of the words ‘moral’ and ‘ethical’ is not just an inconvenience; it leads to significant conceptual confusion. Bloomfield’s summary of the current debate is enlightening in this regard:

There are two conceptions of ‘morality’ currently at play in the philosophical literature and employing them differentially affects how the relationship of morality to self-interest is conceived. The first conception may be thought of as the social conception of ‘morality’. It begins with the question of how one ought to behave toward others... The other conception of morality dates back to the ancient Greeks, and takes as its starting point the question, ‘How ought I to live?’ It might fairly be called the ‘Socratic’ conception of morality (2008, 3-4, italics mine)

Bloomfield goes on to cite various standard disagreements between the proponents of the respective conceptions. For example that the ‘Socratic’

will think that [the social] view of morality is at best merely incomplete for it leaves individualized agents, and the quality of their lives, (more or less) out of the picture... On the other hand, if [the Socratic] turns around and articulates a moral theory in which the prescriptions of morality are sensitive to the particular interests of the agent who is trying to live well by it, [the holder of the social view] will not consider the resulting theory to be, to that extent, a moral theory at all; considering what is in one’s own self-interest is not considering anything that counts as moral. (ibid. 4)

The result, according to Bloomfield, of unconsciously using these rival conceptions of morality is that philosophers ‘end up talking past each other without realizing it’ (ibid.)
Bloomfield’s is a helpful summary, not least because it adds further weight to the claim that there is no agreement about this broad level terminology. But he also perpetuates an unhelpful conceptual confusion. The confusion lies in labelling these two conceptions, the ‘social’ and the ‘Socratic’, as competing accounts of the same ground, the ‘moral’, rather than as descriptions of clearly distinguishable areas of human interest. The relationship between these types of concern is obfuscated by applying the word ‘moral’ to them both, and in seeing them as competing accounts. As a first move, I think it is more helpful to identify what Bloomfield calls the ‘social’ and the ‘Socratic’ conceptions with the moral and the ethical respectively. This way we can begin to get a more nuanced view of what an answer to the Socratic question might look like, and where our relationship with and obligations to the other (what I am calling ‘the moral’) fits into it.47

If, like Bloomfield and others, we take the ‘social’ and the ‘Socratic’ as competing conceptions then, in the interests of consistency, we will be forced to prefer one at the expense of the other if we want a unified conception of the moral. But it is clear enough that the social and the Socratic aren’t competing but intersecting concerns. The Socratic, or the ethical, is concerned with the broader investigation of what makes for a good, fulfilling, flourishing human life. Deciding how we are to treat others is of course centrally important in deciding what a flourishing life looks like; but as an answer to the question ‘What makes a flourishing life?’ it is one concern among many, and we will not get a full picture of a flourishing life, a full account of the ethical, just by working out how we are to treat others. This

47 It may be that most plausible answers to the Socratic question are significantly other-related. But that does not mitigate against the moral and the ethical being conceptually separable categories, or against there being ethical projects whose relation to the other is at best indirect and of peripheral importance. For example, a musician or a mathematician might plausibly pursue their musical or mathematical projects in such a way that they are pursued for their own sake, or for the sake of the pursuer, without a thought for how that project might benefit or relate to others. Such projects can said to be valuable, ethically so and worth pursuing, even if no moral value (no value for others) accrues to them. One might even say that some of the more culturally dominant answers to the Socratic question are significantly other-ignoring. ‘Maximise your potential’ or ‘Have a successful career’ are plausible, and widely credited answers to the question of how to live well, and they are self-regarding and so, in my terminology, purely ethical.
is this case even if, as Aristotle thinks, some kind of relationship with other is an essential part of the good life, as to be essential doesn’t mean it is the whole of it, or that there cannot be aspects of human flourishing investigable without reference to relationship. So moral questions are distinct questions within a larger ethical project. And far from ‘social’ concerns being contrasted with ‘Socratic’ ones, we see they are actually interrelated, yet capable of discussion on their own independent terms too. In order to make this separation clear it is best not to refer to both spheres as ‘the moral’, but to adopt the moral/ethical terminology and begin to think how the two spheres interrelate.

4.1.2 Morality as other-regarding: Conformity with non-philosophical language usage

Using ‘the moral’ to mean that which is concerned with our relation to the other, accords with our ordinary, non-philosophical uses of moral language. Without some connection with such other-relatedness, moral language loses its meaningfulness. For instance, when we say ‘X is a good person’ we might fill that out by saying they are kind, caring, loving, generous etc. All of these are moral predicates. But would it make sense to say of a person that they were kind if by that we meant that they cooked nice meals for themselves every night, rather than, say, doing it for their spouse? Or would we call them generous, meaning they regularly brought gifts for themselves? No, these predicates only make sense, in their moral sense, if used in ways that pick out a person’s behaviour towards others. Even ‘loving’, though we can sensibly speak of good forms of self-love, would lose its moral sense if it were used to describe someone who only loved him or herself.

Now there are some uses of moral language that might seem to go against this. For instance, we might say ‘X is a moral man because he always acts on principle’, thereby identifying his morality with his attitude towards his own principles, rather than his attitude towards others. But though we might be

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48 Saying, for example that ‘[t]o be happy a man will need virtuous friends’ (1976, 307).

49 We find this way of conceiving of the moral in some psychological literature, e.g. in C. Daniel
tempted to agree with this as a proper use of the word ‘moral’ I think there are some good reasons for resisting it. One such reason might be that one can act on principle but be morally evil. We could think of Hitler as a man who carried through a consistent set of principles, but we would not for this reason call him a ‘moral’ man. And to associate ‘principled’ with morality may be an ordinary use of the term, but it is one infected by tacitly accepted philosophical views about the nature of morality, philosophical views we ought to reject. I will discuss this ‘principle morality’ further at sections 4.2 to 4.4.

4.1.3 Morality as other-regarding: Heading off false conceptions

Conceiving of morality as that area of thought and action that is other-regarding brings out a unique aspect of human life, and a set of characteristically human motivations that deserve philosophical attention. Conceiving of morality as merely a form of prudence or of egoism (e.g. Wilson, 1975) or not distinguishing it from the ethical (e.g. Bloomfield, 2008) is to ignore an essential area of our thinking and our human form of life. So conceiving of morality as other-regarding is a worthwhile conception in that it offers philosophical perspicuity; but its virtue lies also in that it describes something valuable in a way that other conceptions miss. It reveals a quality of human life, our propensity to care about or consider the needs of others for their own sake, that other conceptions obscure or play down. And it tallies with our conceptions of moral excellence and saintliness, which we see embodied in agents who act with no thought for themselves, and perhaps at great personal cost, but with only the needs of the other in view. Gaita’s nun, discussed at section 3.4, whom he witnessed caring for the incurably mentally ill might be an example of this.

Batson (et al, 1995, 1043) where he says that ‘The ultimate goal of empathy-induced altruism is to increase the welfare of the person for whom empathy is felt; the ultimate goal of moral motivation is to uphold a given moral principle.’

One might object that I am importing a sense of moral good other than that put forward in the self-other model here. But my point is that Hitler’s being principled is irrelevant to his being moral, that they are separate concepts, and that this is shown by the fact that his being principled cannot help us morally evaluate him.
This is because we would consider her actions less good, less saintly, if we thought she acted as she did partly or altogether from self-regarding motives, for how she might look to others or to herself etc. In this section I want to give us some reasons for thinking that the other-regarding conception really is the best conception of morality. In particular I will contrast it with what might be called ‘principle morality’, where morality is understood as primarily about acting according to or for the sake of general moral principles.

First let’s deal with some general objections to the self-other model. Kelly Rogers offers a sustained critique, calling the self-other model ‘one of our most deeply held dogmas about morality.’ (1997, 2) But her general argument against it seems to be that, thinking that morality is about the other necessarily makes personal considerations immoral, and that this is a bad characterisation of personal considerations. As she puts it,

Asymmetry between self and other seems to arise on the assumption that whereas benefiting others is a lofty occupation, to the degree that we pursue our self-interest, we lead lives that are vicious, materialistic, small-minded — existing in a condition of "permanent holidaying," as Peter Singer has put it. (ibid. 4)

This would indeed be a very poor characterisation of what it is to pursue personal considerations. But such a view does not follow from seeing morality as other-regarding. Rogers seems to pay no mind to acts or intentions that are morally neutral, or praiseworthy in terms other than moral ones. If a friend, who lives alone, tells me they spent the evening decorating their kitchen, it would be un-called for to say they are therefore vicious, materialistic and small-minded because what they did was not other-regarding. It is not a moral action (unless he did it, perhaps, to be better able to offer hospitality), nor an immoral one (unless he did it to annoy the neighbours with the noise), but is morally neutral. To be sure pursuing self-interest might be morally blameworthy, if one pursued it to the neglect of another’s legitimate claims on one’s time or attention. But this is not necessarily so as Rogers implies.
And we can easily imagine situations where one’s self-interest, if sufficiently serious, will outweigh other-regarding interests, if sufficiently trivial.

Rogers also sees a contradiction in the fact that an ‘agent's self-interest is a non-moral end, if he pursues it himself — but also a moral end, so long as it is pursued by someone else.’ (Ibid. 4) and complains that ‘[i]t is not clear, however, why the basic nature of concern should alter with the object of concern.’ (ibid. 13)

But can she really be sceptical about say, the difference between my swimming to safety after falling into a freezing river and someone else’s jumping in to save me? In both cases my interests are served, but it seems natural to say the actions are different in kind, calling the former morally neutral and the latter distinctly moral.

W. D. Falk’s extremely insightful paper ‘Morality, self and others’ (1965) seeks to shed light on the self-other distinction, and in it he expresses a concern similar to Rogers’: that seeking one’s own good not be undervalued in opposition to other-regarding motivations. But Falk rightly sees that that concern is not an argument against the self-other model. For him,

[a] ‘moral’ commitment must not only be validly action-guiding and committing through and through; it must also be incurred on account of others. By this language rule, ‘moral’ is used to mark off the species of social grounded commitments from the genus of validly action-guiding commitments in general. That there is this language rule is not disputed. The sole point at issue is that one should not be misled by it. The rule entails that none but the socially grounded commitments are properly ‘moral’, but only for a reason which does not imply that they alone are seriously cogent, or committing through and through, or that they alone can take precedence in a proper calculus of action-guiding considerations.

(ibid. 242)

51 Williams too expresses this worry where he tells us that, in contrast to morality ‘ethical life… can see that things other than itself are important.’ (1985, 184)
As Falk rightly affirms, there is nothing in the self-other model that necessarily implies a negative view of self-regarding commitments. Instead, we should be careful to see other-regarding commitments as one set among many a person may legitimately attend to, and that self-regarding commitments, if sufficiently serious, may in some cases commit one as thoroughly as a moral ought.

But though we can make clear a conceptual distinction between self- and other-regarding, moral and non-moral actions, this does not mean that it is always easy (or perhaps even possible) to make this distinction in real-life cases. Any one act might have both self- and other-regarding motivations behind it. I might be pleasant to my landlord because it’s good to be pleasant, but it’s also practically worthwhile to be on good terms with your landlord. Or, in more complicated cases, perhaps what we want most from someone is for them to be more self-regarding, to look after themselves. Robert Adams discusses such cases.

If one lives to become very frail, caring for oneself may become... a large part of what other people desire of one... [and that] a healthy concern for one’s own good... can be admired as a broadly social motive. (2006, 106)

We should note though the necessarily social context to such obligations to self-care. Without the presence of others who would be affected by the lack of care of self in say, an elderly parent, the notion that care of self can on its own be a moral motive loses its plausibility. Such cases still fit the self-other model in that the frail person caring for themselves here does so at least in part for other-regarding motives. The frail parent might take care to eat properly, for instance, ‘So as not to worry the children’.

But what about the frail elderly person who has no attachments (no family, friends etc.)? It seems right to say that, despite their lack of attachment, it would be good for them to take good care of themselves, rather than just give up on life. I certainly agree with this intuition, but we need not say here that it is morally good for them to take care of themselves. We could, according to the moral/ethical distinction as outlined at section 3.1, say it is ethically good. If you want to make the
most of life, and make the most of the possible goods available in it, one should take
good care of oneself. And if a person no longer cares for the goods available in life
can we say they are morally blameworthy? Perhaps if we conceive of those goods,
and the good of life itself, as a gift in a theological sense then we might consider
rejecting them morally blameworthy. But this is just to re-iterate the self-other
model, as rejection of the goods of life is condemned in that case as a failure in other
regarding, that is as responding with ingratitude to God conceived of as an other.

The outcome of these examples about self-care is that it is sometimes hard,
or even impossible to know if an act is moral or not. And also that there may just be
fewer truly non-morally sensitive acts, as what affects our welfare will always affect
those who care for us. No man is an island. But this is not to dissolve the
conceptual distinction. We may still evaluate the moral value of such ambiguous
actions based on the extent to which they help or hurt others, and the extent to
which such effects were taken into account by the agent, without saying the act was
wholly self-regarding or wholly other-regarding. In brief, that it may be hard to
decide whether a particular act was moral or prudential does not imply there is no
conceptual distinction between them.

A final significant challenge I want to address in this section comes from the
Kantian notion of duties to oneself. For Kant our duties extend not only to how we
should treat others but also to how we treat ourselves. He says for example, that ‘to
preserve one’s life is a duty’ (1948 [1785], 63). He also argues that to ‘assure one’s
happiness is a duty’ (ibid. 64), though this only ‘indirectly’ as ‘discontent with one’s
state... might easily become a great temptation to the transgression of duty.’ (ibid.).
But if the duties transgressed are other-regarding, the duty to assure my own
happiness can be incorporated into the self-other model without too much trouble,
relying as it does on other-regarding duties. So the Kantian notion will be a challenge
to the self-other model if there are any direct duties to oneself, like the alleged duty

52 In this regard self-harm becomes philosophically interesting. Would we want to regard acts of self-
harm (e.g. cutting or burning oneself, pulling one’s hair out) or even suicide as morally wrong,
because by definition they hurt those who care about the harmer or the suicide victim? Of course, I
would not want to condemn those who engage in self-harm or suicide, but it seems there is a moral
aspect to those behaviours, impinging as they do on others.
to preserve one’s own life.

The notion of duties to oneself has come under some attack, but perhaps most notably by Marcus Singer in his paper ‘On duties to oneself’ (1959). The thrust of his argument is this: duties, like the duty to pay a debt or to fulfill a promise, are incurred between two parties. But, Singer asserts, it is built into the notion of such duties that one may be released from them – I can forgive you a debt or release you from a promise.

But a duty to oneself, then, would be a duty from which one could release oneself at will, and this is self-contradictory. A ‘duty’ from which one could release oneself at will is not, in any literal sense, a duty at all.  

On the face of it this is a powerful argument. But there may be a problem with it. Singer’s description of a duty includes the idea that one can be released from it. However, there are some duties from which one cannot be released, the duty not to murder for example. That is to say, Singer is wrong to take dissolvability as a characteristic of duty per se. And this opens up the possibility of duties to oneself from which one cannot be released, by myself or anyone else. If such duties could be

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53 It might be objected that one’s duty to serve one’s country is a legitimate duty to oneself, and one from which we can release ourselves if, for instance, my country is taken over by an evil dictator. In answer I would say, firstly, that service to one’s country is a duty owed to one’s country not to oneself. Of course I could consider it a duty to myself to respond well to my patriotic duty, but that is parasitic on a duty that is not to myself but to my country. Also, my duty to my country is not something I release myself from when the dictator comes to power, but is a change in my duties caused by the changed circumstances (as for instance would occur on the death of a parent: I had a duty of care to them which ceased when they died).

54 It is not even necessarily the case that the promisee can release the promiser from their duty to fulfil their word. For instance, I promised my wife that I would remain committed to her, but she cannot release me from that promise. And even if one acknowledges that marriage is a legal contract, and even a promise to God for believers, it is also a promise to one’s spouse.
identified then Singer’s argument here will fail.\textsuperscript{55}

But in trying to show the impossibility of moral duties to oneself something else Singer says is more promising. He points to the relationship between duties and rights such that ‘[i]n general, if A has a duty to B, then B has a right against or with respect to A.’ (ibid. 202) So if I owe you money, you have the right to demand it or to expect payment. And this holds even in the case of irrevocable duties because, corresponding to your duty not to kill me I have a right not to be killed. But in the case of duties to oneself this creates a strange state of affairs as it means I would also have ‘a right against myself’ (ibid.) One can imagine some quite schizophrenic internal dialogues where I am forced to assert my rights over myself in view of the failure to perform duties to myself. That it generates such confusions is at least a preliminary argument against the notion of duties to oneself. And if the notion that we have duties to oneself cannot be maintained, then it cannot act as an argument against the self-other model of morality.

A more significant argument against Kantian duties to oneself is that they rely to a significant degree on what has been called the ‘Formula of humanity’ or ‘Formula of the end in itself’ (Kant, 1948 [1785], 90-1). This famous ‘formula’ states that you should ‘Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end’ (ibid. 91). As Lara Denis puts it

Kant himself employs [the formula of humanity] more than any other principle in his explication of, and justifications for, particular duties to oneself and classes of duties to oneself. (1997, 324)

\textsuperscript{55} However, it is no easy task to identify such cases. Even the duty not to kill oneself is problematic. Because it will harm those who care for me, I have a moral obligation, or a duty, not to kill myself. However, though I am the object of the duty (it is a duty to not to take my life), the duty as a moral duty is not owed to me but to those who care for me. And so it is not really a duty to myself but a duty concerning myself. But despite the difficulty in finding examples of duties to oneself from which I cannot be released, it seems inadvisable to argue from a notion of duty that sees them as necessarily dissolvable as Singer does.
So for Kant we have duties to ourselves because we are instances of ‘humanity’, and humanity cannot be treated simply as a means. Though we should note the caveat ‘simply’ here, so that we can treat people as means as long as they are at the same time treated as ends.

The problem for this as underwriting our duties to ourselves is that it is hard to see how not caring about myself in say, not caring about my physical health,\textsuperscript{56} counts as not treating myself as an end. That is, it is hard to see how for example, eating unhealthily counts as not treating myself as an end. I may not care about my bodily health, but even if I am treating my own body as a means of getting pleasure that pleasure is still mine, I am still an end. I am treating myself as a means \textit{and} an end. But I am certainly not caring for myself. I fulfill the requirements of the formula of humanity, treating myself as an end, but without acting well towards myself. So that formula cannot be underwriting the supposed duty here. Or we could take a more severe example, the duty to preserve one’s life. When the person for whom ‘disappointments and hopeless misery have quite taken away the taste for life’ (Kant, 1948 [1785], 63), that is the hypothetical person who can only expect more bad from life than good, when they choose to die rather than live are they not treating themselves as an end in their choice to die? So we can act according to the formula, treating ourselves as ends, at the same time as acting in contravention of a duty to ourselves, the duty to preserve life or health. So the formula of humanity cannot underpin duties to ourselves, and this undermines the Kantian version of those duties. And so Kantian duties to self do not stand as a counter-example to the self-other model of morality.

Duties to oneself are usually conceived of as duties to preserve one’s life, and be concerned about oneself. But we should reject the notion that care for self is a \textit{moral} imperative on the grounds just given. We do not \textit{need} to justify rebuking lack of self-care on moral grounds. Why should I not let myself go, not leave the flat, eat

\textsuperscript{56} We should distinguish here not caring \textit{for} myself in the sense of not looking after myself, from not caring \textit{about} myself in the sense of having no concern for myself, not seeing myself as an object of care. For example, I can still care \textit{about} myself in that I want to be healthy whilst not caring \textit{for} myself by doing nothing to further that aim (e.g. by eating badly, not exercising etc.). I take Kant to be concerned here with not caring \textit{about} myself.
takeaways and play video games? Yes, it would be bad for me, but to call this a moral reason is to beg the question. To give reasons like ‘My loved ones would want me to take care of myself’ have been dealt with above – if I treat myself well for the sake of others, even partially, then it admits of description as other-regarding. What if we say it is a waste, a waste of my life, my talents? This is undoubtedly true, but it is not a moral reason but an ethical one, about the broader question of how one might live well or flourish - it is wasteful to neglect one’s talents but not necessarily morally wrong. To be sure I might try to motivate someone in that situation, that had let themselves go, with moral arguments or moral language, given their intrinsic force. I might say ‘It’s wrong to sit around doing nothing all day, you ought to go out and do something productive’. But this would be to disguise prudence with moral language, not to point to a genuinely moral reason. Or we might say that to let oneself go like that would display a lack of virtue, or a positive vice like laziness. But this doesn’t get us much further as it assumes that the virtue or vice in question (here laziness) is a moral one, rather than an ethical virtue or a virtue of prudence. For example, if a person were lazy in their job so that others had to pick up their slack we could call their laziness a moral failing. But if one were lazy only regarding their own needs, say in not showering or sleeping enough that would not be a moral failing but imprudence. It needs to be established in speaking of virtues if we are speaking of an instance of moral virtue or not.

To be sure we might encourage another to acts of self-care, treating oneself well, using what look like moral reasons. We might say ‘You wouldn’t talk about others so negatively, so you shouldn’t talk about yourself like that either’. But this implicitly relies on the self-other model and treating oneself as if one was an other. To be sure such ways of talking have motivational force, but we cannot draw too many philosophical conclusions from this. It is best to characterize such talk as self-care dressed up as moral care rather than genuinely moral reason-giving.

So we can proceed for now with the self-other model, given the above caveats. Let’s go on to look at principle morality, a conception with some intuitive appeal, and which is discussed under the name of ‘morality’, but which we have

\[57\] Indeed, Michael Cholbi (2015) urges this line against Singer.
good reason to reject.

4.2 Løgstrup and ‘principle morality’

One might object to what has been said, that what makes a thought and action moral is its being other-regarding, because for many it is acting according to a duty or a principle that is definitional of the moral. But there are good reasons for thinking that a conception of morality where duty or principle is the aim or foundation is a distorting conception.

Now the principle morality conception is, I suggest, linked to a misunderstanding of our everyday moral experience – the misunderstanding that moral thought is necessarily about moral principles. This misunderstanding comes from the fact that in our everyday moral lives we often make do with thinking at the level of duty or principle. That an act is stealing or lying is usually enough to establish that it is morally wrong. And so, phenomenologically speaking, our moral thinking often terminates in interactions with principles like ‘Stealing is wrong’, ‘Lying is wrong’ etc. This makes our everyday moral experience apt, if misunderstood, to lead us to characterise morality as fundamentally concerned with such principles. But there are good reasons to resist this characterisation.

Løgstrup expresses well the case against principle morality. He contrasts action motivated by duty or principle with actions expressing, as he puts it, ‘sovereign expressions of life’ (2007, 52 and passim). Sovereign expressions of life are to be understood as ‘spontaneous, other-regarding impulses or modes of conduct such as trust, mercy and sincerity’ (Niekerk, 2007, xiv). So one acts in accordance with a sovereign expression of life when, for example, one sees another in trouble and moves, without thought, to help them or remove the trouble (this is

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58 By duty or principle I mean a statement (usually short) of an objective imperative, or a purported general moral fact that imparts moral value or disvalue to particular actions. For example, I go to war because ‘I have a duty to my country’, or I don’t fiddle my taxes because ‘One should be honest’. There may well be distinctions between duty and principle, but for my purposes they can be treated under the same general category, as theoretical items that tend to act as false ends for moral behaviour. I will expand on this in what follows.
an example of what Løgstrup means by ‘mercy’). There are several reasons why Løgstrup thinks we should prefer this to acting on principle. One that is relevant here is that on this directly other-regarding model nothing is interposed between the agent and the one being helped. That is, with sovereign expressions of life we act directly for the other. In contrast, by taking duty or principle as one’s motivation ‘the individual’s connection to others, to society, and to the world is loosened: the thought of and sense of the rightness of the act are given independent status and are interposed’ (2007, 78, emphasis mine). Also, when we act from duty ‘the motivation is no longer drawn from the consequences that the action will have for the lives of others or for society, but is sought in the individual himself’, and so duty or acting out of principle is a ‘moral introversion’ (ibid. 79).

So Løgstrup is here expressing two criticisms of principle morality. Firstly, that it necessarily involves some level of alienation of oneself from the other; and secondly, that it is a disguised form of self-regarding (a moral introversion).\textsuperscript{59} It seems to me that there is something to the first critique. If we take duty as our final motive for acting in moral matters, we can never do things from purely other-regarding motives. And not only is this an unacceptable consequence for the theory, it also rings false against the way we generally justify carrying out good actions. To be sure it is not unusual for people to appeal to duty or principle in justifying their good actions (‘I helped the robbery victim because I felt it was my duty’, ‘I gave up my seat for the elderly person because you should always respect your elders’), but if principle morality is correct we may never appeal, at bottom, to anything else. So explanations of the form ‘My friend seemed distressed so I gave them a hug and an encouraging word’ or ‘If I’d not have saved them they would have drowned’ become nonsensical as they appeal to the good achieved for the one helped, and not to any further duty or principle. One might object that we can discern unspoken, or tacit principles and duties underlying these justifications, but that would be to add a layer of theory not present in the explanations themselves, and would imply that on their own they have insufficient explanatory value. But such justifications are perfectly in

\textsuperscript{59} As discussed above, I do not take it that self-regarding actions are wrong, only of a different category from the moral. I will discuss where I differ from Løgstrup in this regard in a moment.
order and complete as they stand. I will return to this first criticism, but want to say something of the second before I do.

If Løgstrup is right that principle morality necessarily involves a disguised form of culpable self-regarding, then it is a fairly strong criticism of that conception, as against the self-other model. But we need to be clear what we mean when criticising self-regarding actions. To understand Løgstrup’s point of view it is important to take account of the Lutheran background to his thought. Løgstrup identified with a Danish theological movement called Tidehverv, which drew upon ‘Luther’s view of sin as egocentrism’ (Niekerk, 2007, 62). This led him to criticise forms of morality that focussed upon the notion of self-perfection, thinking instead that one ought to ‘turn their attention away from themselves towards their neighbours, to serve them in love’ (ibid.) Otherwise ‘the motor of the good works is the projected image of oneself as good... [and] we no longer do good as a matter of course; we want to get something out of it’ (Løgstrup, quoted in Niekerk, 2007, 62).

Now we don’t need to take on the Tidehverv notion of attention to oneself and one’s moral state as sinful in order to keep what is valuable in Løgstrup’s thought here. Indeed, it is rather too severe to condemn one for being concerned about being a good person. Even if it were not categorised as a moral concern it is still a legitimate and important one. And one can be attentive to one’s moral state, whilst at the same time not making it the ‘motor of the good works’. Indeed, perhaps the best form of self-contemplation might involve considering whether I am, or am becoming, the type of person who is able to properly respond to others. This seems to me a commendable, and distinctly moral project as it aims ultimately at the other, rather than something to be condemned as self-centred. That said, it seems Løgstrup’s point, that actions aimed entirely at improving oneself for one’s own sake aren’t properly moral, is correct as by definition such acts are best seen as either prudential or perhaps even self-centred.\(^{60}\) Again, I am not saying such prudential

\(^{60}\) It is worth considering in this regard a distinction discussed by John Lippitt between ‘selfishness and self-centredness’ (2015, 115). Although we might be tempted to see these two as merely synonymous Lippitt, by way of a discussion of Adams (2006), elaborates a helpful distinction between the two. Whereas we might think of selfishness as involving ‘a ‘grasping’ or acquisitive quality’ (ibid.) this can not always be said to characterise self-centredness. Indeed, the actions of a self-centred
acts are bad, but they are not other-regarding, and so not technically speaking moral. They are only bad when done at the expense of the other.

So let’s summarise this Løgstrupian critique of principle morality. Principle morality is that type of moral thought that justifies or explains an action based on a duty or principle, e.g. ‘I did X because it was my duty to do so’, ‘I did X because it accords with my principles’. Putting duty or principle in this foundational position is problematic because it directs me away from the other and their needs, and either back towards myself (the image of myself as a good person), or towards abstract metaphysical entities (objective moral principles or some type of ‘moral law’). Neither of these are what simple acts of kindness or generosity or mercy are all about, that is, about helping another, improving their lot, being concerned about them. A conception of morality that doesn’t clutter this fact with theoretical baggage (by positing principles, with which we are concerned over and above the target of our actions), or alienate one from the proper target of moral action (the other), is to be preferred.

4.3 Williams and ‘the morality system’

Another reinforcement for the conception of morality I am supporting comes from an unexpected source. Bernard Williams, and his criticisms of what he calls ‘the morality system’ (or simply ‘the system’) (1985, 6 and throughout, esp. chapter 10) might seem an unlikely place to look for an ally here. But if we read him carefully, we can see that the target of his critique is in fact very close to the kind of ‘morality’ attacked by Løgstrup; that is, morality as fundamentally about principles or duties. In person may be, on the surface, indistinguishable from genuinely virtuous actions. Lippitt relates an example of Adams’ wherein a father plays basketball with his daughter. In the first telling the father thinks only of himself, what a good father he is being etc.; in the second, only of his daughter and how much she is enjoying the game. He acts the same in both cases, but the first is marred by a culpable self-centredness. In the same way we might see such self-mediation, ostensibly for moral reasons (i.e. to become better at responding to others), as open to descending into the same kind of vice of self-centredness (which is to be distinguished from selfishness or acting on self-interest).
brief, the target of Williams’ criticisms is in fact Kant, or a certain construal of him,\textsuperscript{61} rather than morality conceived of as essentially other-regarding. In order to show this I will look first at Williams’ 1973 paper ‘Egoism and altruism’, and then his critique of morality in \textit{Ethics and the Limits of Philosophy} (1985).

At first glance there appears to be a great deal of divergence between Williams’ opinions on the subject of morality in 1973 and in 1985. In 1973 there is no sign of the negative view that morality is something ‘we would be better off without’ (1985, 174), but rather a desire to defend it in face of egoism or amoralism. And that the negative view does not emerge in this earlier essay has everything to do with the way morality is characterised there. That is to say, in ‘Egoism and altruism’ morality is construed as necessarily to do with altruism, with being other-regarding. And so it is contrasted with egoism, the good for the self and only the self. As Williams puts it,

\begin{quote}
I take altruism, in the sense I intend, to be a \textit{necessary feature} of morality. It follows that [ethical egoism]... would not constitute a morality (ibid. 250, emphasis mine)
\end{quote}

and by altruism Williams means,

\begin{quote}
a general disposition to regard the interests of others, merely as such, as making some claim on one, and, in particular, as implying the possibility of limiting one’s own projects. (ibid.)
\end{quote}

And so ‘any morality will regulate the relations of an agent to various groups of persons’ (ibid.). So here Williams is working from some form of the self-other model of morality.

But we also see the seeds of his later critique and that, here already, Kant is the true target. Williams presses against Kant the objection that his universalising imperatives can only provide what he calls ‘external justification’ for altruism (ibid.

\textsuperscript{61} I won’t go into whether or not Williams construes Kant correctly, my aim here will not be to vindicate Kant.
That is to say that, while it might be true that society as a whole needs altruism to function, this is ‘no argument for one who is an exception… that he cease to be so: it gets no internal hold on his position.’ (ibid.) How though does this link to my claim that Williams is really attacking principle morality? It links in that, when Kant is criticised by Williams it is almost always for his tendency to try and move us from the particular to the general or universal; that is, from particular concrete obligations to others, to general principles which Kant thinks authorise or justify those particular cases. The problem, for Williams, is that for Kant it is principles, not the other that act as moral motivators. That this is Williams’ view can be seen most clearly in the final paragraph of the essay where he says that his arguments,

should encourage the view that both in moral theory and also in moral psychology, it is not the Kantian leap from the particular and the affective to the rational and universal that makes all the difference; it is rather the Humean step… from the self to someone else. (ibid. 265)

By the time we get to Ethics and the Limits of Philosophy though, when Williams discusses ‘morality’ it is no longer in terms of the self-other model he affirmed in 1973; and, correspondingly, his view of morality is no longer so positive. By then morality is ‘a particular variety of ethical thought [which]… we would be better off without’ (1985, 174). In this view of morality there is something about its ‘spirit, its underlying aims’ that is troublesome. And now, instead of being necessarily about the other, morality is ‘distinguished by the special notion of obligation it uses’; and ‘[t]he philosopher who has given the purest, deepest and most thorough representation of morality is Kant’ (ibid.).

The spirit of morality, as Williams sees it, is its tendency towards placing general principles, justified in themselves, at the heart of our deliberations.\(^62\) In

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\(^62\) To be sure there are other accusations Williams has to bring against ‘the morality system’ (for instance, that it makes everything into an obligation (ibid. 179-80) or that it relies on unrealistic
morality it is not the needs of others that place a demand on us but general moral principles, which we find ourselves obligated to follow absolutely whether we choose to or not. This is because ‘there is a pressure within the morality system to represent every consideration that goes into a deliberation and yields a particular obligation as being itself a general obligation; so if I am now under an obligation to do something that would be for the best, this will be because I have some general obligation, perhaps among others, to do what is for the best.’ (ibid. 175, emphasis mine)

The movement then is from the particular person, to whom I have particular context-dependent obligations, to the general: I am to act not because of the particular person but because I find myself obliged by a general principle which finds expression in this particular case. So the moral person becomes the one who can identify general moral principles and apply them to particular instances. This is precisely the kind of move Løgstrup’s criticisms are aimed against, one which removes the other from the centre of my moral deliberations. So both Williams and Løgstrup are aiming at the same target – morality conceived of as principle-regarding rather than other-regarding. In both cases our eyes are turned not to the person but to general moral principles.

In Williams’ case it was moving away from the other-regarding view that led him to be so critical of morality. In Ethics and the Limits of Philosophy he mistakenly takes the Kantian conception as the only, or purest, conception and no longer relates morality to altruism. In neglecting the self-other model of morality all he was left with was the problematic version he rightly attacks. For Williams the characteristic outcome of the morality system was feelings of guilt, and the reproach of one’s community, rather than the good achieved for the other. This should make us wonder whether he was right to neglect the self-other conception or whether, in so neglecting it, he has skipped over something of value that makes

notion of agency – the absolutely voluntary (ibid. 194)). But it is not my aim to provide an exhaustive analysis of Williams’ anti-moralism. It is to the extent that Williams characterises morality as equivalent to a kind of Kantian generalism that it is relevant for my argument.
sense of some of our most characteristically human motivations – our being motivated to care for and help others for their own sake.

Before we leave off Williams, I will discuss one more aspect of his critique that will help motivate our accepting an other-regarding conception of morality. One of the aspects of morality Williams finds most troubling is its claim to be about something objective, something outside of us. In its (allegedly) Kantian instantiation, this claim is about the objectivity of the ‘moral law’ and our experience of it. This experience is ‘like being confronted with something, a law that is part of the world in which one lives’ (ibid. 190). But this experience, according to Williams, is misleading and the only sense in which it can properly be said to be about something objective is that the moral law is ‘equally in other people’ (ibid. 191). This isn’t the metaphysical sense required by Kant’s position, but it is part of why the experience takes the form of a confrontation with something objective. Williams further explains that the demands of the moral law ‘[seem] to come “from outside” in the way that conclusions of practical necessity always seem to come from outside – from deeply inside’ (ibid.) Now, though he offers no argument for this last claim, I think there is a way in which it is correct, which I will go into shortly.

This engagement between Williams and Kant obviously has a place in very old discussion about the possibility of objectively grounding morality. Needless to say, if one frames moral objectivity in the way represented here by Kant, some appeal to metaphysics will be, in the end, inevitable and also hard to substantiate. But from what has been said above, about primary recognition and the nature of morality as other-regarding, we can begin to give a less metaphysically committing, and perhaps more convincing account of the ‘objectivity’ of morality.

In short, if we understand morality, or we might say ‘the moral demand’, as originating necessarily from our concept of the human, we can at once see a sense in which it is, properly speaking, objective. It is something we encounter because we encounter it in the person of the other. There is something about our encountering an other which is felt as a demand to treat them with consideration, and not as mere objects, the experience I described as ‘primary recognition’. And while it is encountered outside of myself, in the person of the other, there is also a sense in which Williams is right when he says it comes ‘from deeply inside’. Primary
recognition is a part of our basic attitude towards others. And being about our basic attitudes, it is in some sense true to say that it comes from inside, in this case deep inside. These facts might give us a way to understand both the objectivity and subjectivity of our experience of moral demands – they are encountered in the world, in meeting the other, and so are encountered as objective, but they are also about our basic attitudes, about something in us.

4.4 Sources of the principle morality conception

Why then, are we tempted to think moral deliberation is grounded in duties or principles? One major reason, as I have noted above, is that certain forms of everyday moral decision-making are apt to lead us to this thought. At the everyday level, ascertaining that an act would be stealing is enough to know I shouldn’t do it – my moral judgement has halted with a principle, ‘Stealing is wrong’. I could probably give a few reasons why I think stealing is wrong like ‘Well, I wouldn’t like it if people stole from me’, or ‘My parents taught me it was wrong’, but these would have little philosophical value, and in any case we generally make do with not thinking beyond the level of principle. Indeed, having to go any deeper every time one made a moral decision would require unbearable amounts of time and effort, and so the principles are necessary. But just because we tend to end our moral deliberations with principles is no argument that morality is founded on principles. Here we should remember R. G. Collingwood’s warnings about arguments from casual phenomenology.

Here lies the difference between the desultory and casual thinking of our unscientific consciousness and the orderly and systematic thinking we call science. In unscientific thinking our thoughts are coagulated into knots and tangles; we fish up a thought out of our minds like an anchor foul of its own cable, hanging upside-down and draped in seaweed with shellfish sticking to it, and dump the whole thing on deck quite pleased with ourselves for having got it up at all. Thinking scientifically means disentangling all this mess, and reducing a knot of
thoughts in which everything sticks together anyhow to a system or 
series of thoughts in which thinking the thoughts is at the same time 
thinking the connexions between them. (1998 [1940], 22-3)

We should beware then of reading information about the logical relations between 
thoughts straight from the way those thoughts generally occur to us – that is, though 
moral principles are often prominent in our moral phenomenology, that does not 
mean they are necessary or foundational in our moral thought. Instead we should 
investigate whether these principles, that appear so prominently in our moral 
phenomenology and do the job of enabling quick and easy moral decisions, are 
capable of bearing the load of the whole edifice of our moral thought, that is, 
whether they are foundational or not.

Moral decision-making does not always involve the consideration of 
principle. To be sure some principles may have been inculcated in us, and acting on 
them has become second nature, in that we no longer consider them. We return 
greetings or say thank you without thinking, as the principles of politeness will have 
been inculcated at an early age. But apart from such second-nature, sometimes 
principle-based behaviours there is a class of action based on what we can call first-
nature responses to the need of another. Wittgenstein gives a good account of this 
when he speaks of ‘a primitive reaction to tend, to treat, the part that hurts when 
someone else is in pain’ (Z 540). These behaviours can be comprehended as ‘natural’ 
reactions, without reference to principles inculcated into us.

The way we learn morality is also apt to lead to a principle conception of it. 
Consider, for instance, the ways in which learning morality differ from the way we 
learn our first language. Whereas interaction and being inducted into the practice by 
participation are the norms for language learning, it is somewhat different for 
learning morality. To be sure interaction, and seeing how other people behave are 
essential parts of a moral education. But in learning how to be moral much greater 
stress is often laid on the learning of rules. When learning to speak my parents didn’t 
correct my saying ‘Me want a biscuit’ by telling me a rule (like ‘You use ‘I’ if the 
sentence is about you’). But if I stole something they’d be likely to have told me ‘You 
shouldn’t have done that, you shouldn’t steal’, or just ‘It’s wrong to steal’. And if this
is enough that the child grows up not stealing, or being helpful etc. then it is unlikely that a parent would go on to explain reasons for the rules.\textsuperscript{63} This, it seems to me, might predispose us to two fallacies about morality. Firstly that it is \textit{about} rules,\textsuperscript{64} and the proper deployment of them; and secondly that there need not be any further reasons to support the rules. These intuitions about rules are then expressed in philosophical intuitions about the necessity of principles. This is a conjecture about the root of a philosophical predisposition, but I think it is a sensible enough one.

A perhaps more robust reason we might give for our propensity to consider principles or duties as definitional of morality comes from the way philosophers have discussed moral problems. This reason can be understood by analogy with something Phil Hutchinson says about the debate around the propositionality of thought, specifically what he calls the ‘misbegotten ontologising argument’ (forthcoming, 5). Many philosophers take thought to be necessarily propositional in nature, but this is, so Hutchinson says ‘an artefact of analysis, chiefly Fregean, where thoughts are represented as propositions for the purposes of analysis’ (ibid.). And ‘[w]here the methodological claim was that propositions be employed to represent thought, for the purposes of analysis, that claim’s status becomes transformed through the ‘for the purposes of analysis’ clause dropping out of the picture. What begins as a methodological recommendation, is ontologised’ (ibid.).\textsuperscript{65} So, Hutchinson

\textsuperscript{63} Both could be said to be instances of inculcation into a practice rather than teaching propositional knowledge. The distinction I want to draw here though is between training where rules are often explicitly stated (moral) and training where they are not (learning a first language).

\textsuperscript{64} This is not to say that our moral training always starts with consideration of others rather than with being taught rules. Sometimes the rules come first in training. But this does not show that training is about learning the rules rather than learning to treat others well.

\textsuperscript{65} This argument develops out of comments made in an earlier paper where he says that ‘Saying with Frege that a thought is expressed in a sentence with propositional form, is not to commit oneself to the view that for a person to have a thought is for them to have taken up a propositional attitude toward the world, in the robust sense of them believing or judging that x. It is merely to say that this is how we represent the sense of the thought for the purposes of logical analysis of the mind (as opposed to the study of the minds of individuals). To interpret this stance as entailing that a thought \textit{is} a propositional attitude one is making a move which is neither advocated nor demanded by Frege.’
argues, philosophical practice has led to a predisposition to seeing thought as necessarily propositional, to the extent that it is sometimes simply accepted rather than argued for.  

Something similar can be said of philosophical discussion of morality and principles. Even the strictest particularist, when discussing moral problems, will formulate what is at stake in the form of moral rules or principles - ‘It is wrong to lie’, ‘One should treat people as ends not means’ etc. Such necessities of philosophical practice can easily predispose us to see morality as essentially about such sentences, as about rules or principles. All it takes is for the ‘for the purposes of analysis’ clause to subtly fall out of view.

So there are some facts, about both our everyday and our philosophical practice, that might predispose us to mischaracterise morality as about principles and duties. The recognition of these distorting factors, and the Løgstrupian critique of such a characterisation outlined above, should be enough to move us away from it. In the next section I will argue for the proper place of moral principles being at the heuristic, not the foundational level.

4.5 Moral principles as heuristic tools

In this section I want to sketch out an account of the proper place and status of moral principles in our moral thinking. I will argue in this section that they are not expressions of moral facts (facts about the moral value of kinds of act e.g. that stealing as a kind is wrong) but heuristically-formulated action-guides. It is hoped this will help to conciliate those whose intuitions lead them to place a high value on such principles, by respecting the place of principles in our moral thinking, while insisting on some limitations in the way they might be conceived. Ultimately though, by describing moral principles as heuristics I will seek to undermine the view that

(2009, 23)

Whether or not one finds this argument convincing, it remains the case that coming to the non-propositional view by the means Hutchinson describes would be philosophically suspect. To this extent it serves as an analogy here.
they are foundational and necessary for our moral thought, no matter how much we might happen to use them in practice. To start with though, I will sketch the uses to which we put moral principles in our everyday moral thinking.

Whether or not it is possible to think morally without principles it is clear enough that many if not most people do, at some time or other, make use of them. ‘We found this money together, we should share it out equally’, ‘I have to go, I promised to meet someone’ or ‘I can’t call in sick when I feel fine, that’d be lying’. These particular instances of moral reasoning are all pretty unproblematic; they involve giving reasons most of us would take seriously. And these reasons come in the form of principles (‘We should be fair’, ‘One should keep one’s promises’ and ‘One shouldn’t lie’ respectively). In fact, not only are principles used in these examples, but deliberation is here settled by principles. And I take this to be descriptive of at least some of our everyday moral thinking - it can terminate with moral principles. And in these everyday uses there is no need to subject the principles, which are taken as decisive, to further philosophical scrutiny. Nor does it ring true to suggest that such thoughts demand some subsumed caveat about moral holism (about the principle being a reason here but not in all places), in order for them to make sense. In fact it is their being understood as true in some general sense that makes us able to use them in this way, and them be decisive. And the fact that all of these conclusions could be argued about (e.g. ‘Yes, we found the money together, but I’m the most needy!’) does nothing to diminish the fact that citing principle is a perfectly valid, very common way of coming to a conclusion in cases like these.

67 To apply Wittgenstein’s distinction, with these examples I am thinking of moral reasoning where one follows a rule, rather than where we simply act in accordance with a rule (cf. PI 138-242, or Saul Kripke’s Wittgenstein On Rules and Private Language, 1982). At this point in the argument I am just showing that we do in fact use moral principles in our thinking, sometimes explicitly, and that we do so unproblematically. I will go on to show though that such principles are not essential to, or foundational for, our moral thinking.

68 Indeed, in the examples just given we could easily imagine them being debated through the citing of further principles that trump the one given. E.g. In the first example we may counter with ‘But it’s
However, though we often do use principles in our moral reasoning, there is a way in which particularists like Jonathan Dancy are right when they say that ‘there is no essential link between being a full moral agent and having principles’ (Dancy, 2004, 1, italics mine). The issue though is what we think the place and status of moral principles is. We (probably) all use them, but we get into deep water philosophically speaking when we start to endorse generalist claims that moral principles ‘are statements of general moral fact’ (Robinson, 2006, 332). Now I don’t want to get into a full-on critique of generalism here, but I just want to say enough to show that moral principles cannot play any foundational role, or be the aim of our moral thinking. In particular I want to look at Luke Robinson’s version of generalism, as it fares best against the common arguments against it; but I will show that even this most defensible version of generalism by necessity drastically reduces the importance and power of moral principles.

So, in this chapter I am trying to support a view whereby moral thought is necessarily other-regarding not principle-regarding. Now I certainly think there is an important place for moral principles in our thinking, and moral principles can be other-regarding, but any form of generalism that makes moral action essentially about acting according to principles, or that takes principles as explaining the moral value of a particular act is mistaken. It is to this extent that I will disagree with the moral generalist. In particular I want to object to their ontologising of moral principles, but I will say more on this below.

In his paper ‘Moral holism, moral generalism and moral dispositionalism’ (2006) Robinson seeks to defend generalism (especially W. D. Ross’ ‘prima-facie obligations’ version) from some common objections. I will rehearse two of those objections here, and Robinson’s responses, that will be important for our purposes. Firstly, he considers the objection that moral generalism ‘makes the existence of moral principles contingent on the enumerability of the conditions under which the moral valences of factors are invariable… [and that] There is no a priori reason to think that the conditions under which every, or even any, factor’s moral valences is more just to distribute according to need’; in the second we might say ‘A promise might be broken if something very important comes up’ etc.
invariable are enumerable.’ (ibid. 349) Or, put another way, general moral principles are just open to too many counter-examples, or require too many caveats, for them to function as kinds whose members have a consistent moral value. Secondly, he articulates the objection that being a member of a kind cannot, on its own, explain the moral value of particular members of the kind; or ‘[t]hat all members of a certain class (e.g. the class of promise-keepings) possess an attribute (e.g. rightness) is utterly irrelevant to why any particular member of that class possesses that attribute’ (ibid. 351).

But instead of refuting these arguments, Robinson concedes that moral principles, understood as ‘deontic laws’ or ‘regular associations of right making-factors and either prima-facie rightness or overall rightness’ (ibid. 350) are indeed ruled out on these grounds. What we need to realise, he says, is that moral principles only dispose members of a kind towards a certain moral value (hence ‘moral dispositionalism’). And their power to so dispose an act is mitigated by many contextual factors. So for instance, being a lie always disposes an act to be wrong, but on some occasions, say if the truth will be dangerous to tell, that disposition or tendency can be defeated. And it can be so defeated that the moral valence of the act can be reversed, and become the opposite of what it is disposed to be (like a lie becoming right even though as a member of its kind it is disposed to be wrong). The central move is when he says that,

[o]n this account, the fact that [e.g.] homicide is wrong is the fact that homicide is dispositionally wrong (i.e. is disposed, or has a disposition, to be wrong), rather than the fact that homicide is occurrently wrong. (ibid. 341)

General moral principles then, do explain the moral value of particulars, but only inasmuch as they express dispositions of kinds towards a moral valence. By conceiving of moral principles in this way, Robinson hopes to explain why such general principles admit of so many counter-examples, and are even potentially valence-reversing.

This account of moral principles though, falls far short of what they need to
be to play a foundational, or even an adequate explanatory role in moral thinking. In order to survive particularist critiques Robinson has had to qualify the nature of moral principles beyond recognisability. Indeed, for Robinson’s generalism to work he finds it necessary to disavow certain paradigm examples of moral principles saying,

[m]any assume that moral principles are or would be... statements such as ‘An action is right if and only if it maximizes utility’, or ‘All promise keepings are prima-facie right’, or ‘That an act would involve keeping a morally permissible promise that was elicited from you without coercion or deception always counts morally in favour of your doing the act’... But this is a mistake. (ibid. 350)

But these are precisely the kinds of things we mean when we talk of ‘moral principles’. It should be a sign of trouble for Robinson that his account can’t accommodate at least some of these examples.69

So if moral principles are only defensible as dispositions of kinds then they can’t play the kind of role generalists usually assigned to them in moral thought. That is, they can’t explain the moral value of particulars. Robinson concedes that, understood as ‘deontic laws’ moral principles lack this explanatory value. But it is hard to see how conceiving of them as dispositions helps in any way. For example, if I were to ask why a particular act, say my taking money from a friend’s wallet, was wrong the moral dispositionalist must answer something like ‘Because it is stealing, and as a kind those acts are disposed to be wrong (and here there are no defeating factors acting against that disposition being realised)’. But we are still owed an explanation as to why stealing as a kind so disposes an act towards wrongness. And this explanation cannot make reference to some further level of generality, some further kind like ‘Stealing violates rights, and right-violating tends to wrongness’, as this just pushes the need for an explanation up a level (why then, does being right-

69 The principle of utility is harder because of the ‘If and only if’ clause. The other examples though should surely be examples a defender of moral principles can work with?
What drives this regress is, I suggest, a desire to find a place where moral justifications can legitimately terminate. And the generalist move is that simply being a member of a kind disposed to a particular moral valence provides a justificatory stopping point. But as we have seen this begs the question. This is one reason why moral principles, even as dispositions, don’t have what it takes to function as explanations of moral value, or to ground moral claims.

Not only this, but using moral principles in this way also leads us away from explanations of a properly enlightening kind. If asked why it was wrong to take money from my friend’s wallet one could answer, because it violated his trust, because he’d earned the money and I had no right to take it, because it left him without, because he was going to buy food for his family with the money, and so on. And all of these are more satisfactory, more informative explanations than saying that the act belongs to a particular kind, unless we say why that kind of act is disposed to wrongness. And such explanations of kinds would have to refer to these other-regarding factors to be satisfying. If an explanation at the level of kind (e.g. that the act was wrong because it was stealing) were all that was necessary, all further explanations would become redundant (except as showing no defeating factors were present). But further explanation is not redundant here but rather informative. So, pressed into service as explanatory principles, moral principles serve poorly. This should make us suspect whether that is their proper place and function in our moral thinking. But if they do not serve as explanatory principles, or do not ground the wrongness of particular acts, what better characterisation can we give of how moral principles function in our moral thought?

I propose we understand moral principles, like those given in the examples above, as heuristics. Heuristics, as Eric Mandelbaum puts it,

are posited as cognitive shortcuts. Roughly, the idea behind heuristics is that the tougher the computational task, the more apt one is to use a heuristic (assuming one is available). If the problem one is dealing with is too computationally demanding (e.g. making a probability judgment), then one typically does not engage in the
Moral principles then, according to this account, act as ‘cognitive shortcuts’, as rules for helping one to work out what one ought or ought not to do in a given situation. Now heuristics are not water-tight ways of determining the facts of the case, nor will they in every case give us answers that will stand proper philosophical scrutiny. They are not meant to. They are meant for occasions where such scrutiny is unnecessary, because the potential consequences don’t warrant, or time doesn’t allow the effort of sustained and intense deliberation. For example, if I were deciding whether to help my elderly neighbour bring her shopping in from the car I might think ‘I should help the elderly’, or just ‘It’s good to help people: therefore I should help her’, thereby deploying a principle as a heuristic to help make the decision. And in almost every case that would be the right decision. Such heuristic-based reasoning doesn’t aim at philosophical rigour but at being action-guiding at the level of deliberation warranted by the case. Now of course, whether or not helping my neighbour really was, all things told, the best thing to do might be a more complex question. If, for example I was in a rush to get to an important meeting I would have to balance helping my neighbour with my other obligations. It might even be the case that it is important for her to feel independent and that my helping her makes her feel frail and therefore vulnerable and so, psychologically, my act was more damaging than helpful; perhaps I should have left her to her independence. And I could also legitimately investigate the validity of the principle itself (‘Is it always good to help people?’). Precisely because of such considerations as those just rehearsed the rule ‘It’s good to help people’ is open to many clarificatory caveats, and its usefulness turns out to be quite context dependent. But the point is that as a heuristic tool

70 One might argue that the principle ‘It is good to help others’ is still guiding my action even if I do leave my elderly neighbour to her independence. You might say I am helping her in a way by leaving her to it, but that seems to stretch the sense of the principle as stated. Yes, I’m doing what is ultimately better for her, but is that helping in this sense? To make this line of argument work I think we’d need, at the least, to reformulate the principle as something like ‘It’s good to do what is, in the long-run, best for people’. But that is very little help in determining what that good is – that is to say that formulation acts as a starting point rather than a deciding factor in my deliberations.
the principle ‘It’s good to help people’ is perfectly fit for task. Indeed it would be neurotic to subject each and every morally sensitive decision to the kind of scrutiny just described. The principle is good enough, here and in myriad everyday cases, to guide action.

So a first reason why we might prefer the ‘moral principles as heuristic tools’ account is that they are unambiguously suited to use as heuristic tools. Used as such these very general moral principles – we might cite ‘Stealing is wrong’, ‘Tell the truth’, ‘Don’t hurt people’ as further examples – serve us well. When the situation at hand is straight-forward and does not require much thought, these rules can decide the case and we would be epistemically responsible in using them as such. Even in cases requiring greater thought, the application of proper principles to the cases at hand can help us to render subtle and insightful moral judgements.71 And the fact that these principles don’t work in every case is nothing we wouldn’t expect – they don’t need to be flawless to function heuristically. And there are some situations, perhaps very complex ones, where moral principles cannot be decisive. An example of this might be the discussion about the proper limits of free speech in a democratic society. Deciding exactly how free ‘free’ speech ought to be in our society is so complex that no general principle can decide it. Considering general moral principles may aid our deliberations, but they cannot be decisive in the way they are when used heuristically. The very fact that their usefulness has a limit helps establish the fact that they are not foundational in our moral thinking.

A further reason we might have for preferring this account is, as I have said, that it requires very little (if any) metaphysical backup. We are not drawn into questions of the nature of moral facts that underpin these principles, nor need we engage in ontologising them (assigning them some positive ontological status). As

71 To this extent Robinson is right when he says that ‘Moral principles play important roles in diverse areas of moral thought, practice and theory: including moral deliberation... moral discourse and argument; moral learning and education’ (ibid, 331), as long as it is understood that such (heuristic) principles are rooted in observations of general trends of kinds towards certain moral valences. Though it should be remembered that there are some cases where moral principles are not used at all, e.g. in first-nature responses like reaching out to tend the pain of another, mentioned above at section 4.4.
heuristic tools moral principles become *cultural* artefacts rather than metaphysical objects; they become rules we are taught as we grow up that help us make moral decisions. Like rules of prudence, or principles for making a good fire, or of building a strong relationship, or of doing well at one’s job, moral principles serve as guides and rules-of-thumb in succeeding in a particular aim or project (in the case of morality that of relating well to others). And some are the fruit of generations of experience. Looked at from this perspective, they become grounded in the concrete realities of human nature and culture: because we are creatures that are mortal, vulnerable, relational etc. certain ways of treating us can harm us, or work against our interests. And it is experience of these types of fact that leads people to formulate, pass on, and take seriously these general principles for behaviour. Being so general they lack the subtlety necessary to make them flawless (as right-making principles should be), but being based on such general facts means they work in many/most cases – they are effective action-guides. We should note though that their not being flawless in this sense means they are not indubitable (e.g. there are many instances where we can doubt the rule ‘Stealing is wrong’). And given what we have said about the indubitability of our foundational basic beliefs, this is another good reason why we shouldn’t take these moral heuristics as being foundational.

We should also note that explanations of the reasons for certain moral beliefs in no way goes against my main contention that such reason-giving terminates somewhere, that they are underpinned by basic moral beliefs that do not admit of further justification. Indeed, the notion of basic moral certainty is meant to be an account of that which stands at the foundation of our moral reason giving, and so assumes that such reason giving goes on at the epistemic level. The next two chapters will explore examples of moral reasons for which no further justification can be given, and so are more basic than those at the epistemic level.

None of this is meant to outlaw metaphysical explanation as such, but only to

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72 With some rules of prudence and some moral principles there comes a point where we no longer need them, as the behaviour they have helped inculcate becomes second-nature. I hesitate to say that this is the case with all moral principles. Though not stealing, for example, may become second-nature (through inculcation of the moral principle ‘It is wrong to steal’), other principles like the Golden Rule often stand explicit use in moral reasoning even in mature moral agents.
express a preference for non-metaphysically committing explanations where they are easily available. And explanations with fewer metaphysical commitments recommend themselves at least in terms of greater simplicity, in that they do not ‘multiply entities beyond necessity’. Understanding moral principles as a kind of heuristic tool for working out how to relate to the other, or what one’s obligations are, offers such an explanation. Putting moral principles in their proper place, as heuristic tools and not at the foundation of morality, we clear the way for seeing needs of the other as the proper end of moral thinking. And we do this in a way that better situates the place of moral principles in our everyday moral thinking.

4.6 Some implications

As I hope is already clear, none of this need imply that one must jettison all thought of moral principles and come to every moral decision armed only with the question ‘How must I relate to this other?’ Such untrammelled immediacy would be intolerable and unlivable, coming to each new situation, or each encounter with another person completely devoid of the everyday tools one uses for dealing with moral encounters. Nor does it have to strip someone so inclined of a deep connection to a particular moral tradition, with perhaps well-worn ways of approaching how to live well in the world and with others. In their proper place and used in the proper spirit of course such traditions can be life-enhancing and properly action-guiding, and can act as an essential part of one’s identity. What it does imply however, is that when they cease being other-regarding, such principles or traditions become something other than moral guides. Perhaps they may still function to shape one’s life in a more general, ethical way.

On this account then excellence in the moral life, moral goodness, is embodied not in the person of principle, who knows how to apply knowledge about kinds of moral action well to particular cases (though such knowledge, properly understood, is not to be despised), but in the person who properly relates to the

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73 Conversely, accepting the other as the proper end of moral action demotivates us to look for that end in general principles.
other. That is to say, the moral person is the one who ‘with such insight, imagination, and understanding as he or she possesses’ (Løgstrup, 1997, 22) acts for the other.

4.7 Recapitulation

Morality itself then, is defined as those thoughts and actions that are other-regarding. This does not, however, imply a negative evaluation of self-interested action. I have also argued that moral principles, which play an important role in moral thinking, should be understood as heuristic devices, passed on through one’s culture or gained through experience, for guiding other-regarding action. In the next chapter I will discuss how our other-regarding thought and action are grounded in ungrounded basic moral certainties, giving attention to those that are universal, and showing how they shape the content of our moral claims.
Chapter 5. Universal Moral Certainty

5.1 The possibility of universal moral certainty

Moral questions are questions of how to treat others; we may make use of moral principles, or other abstract moral notions like duties, but if these never touch other people then they've been cut adrift from what gives them meaning (cf. section 4.1.2). So the global moral sceptic must doubt the validity of any such relational thinking, rather than just doubt more abstract notions like the existence of a moral realm. And given the nature of primary recognition (discussed at section 3.1), we are unable as human beings to jettison such concerns, that is our concern for others, without becoming pathological. To see others as due consideration or concern, that is to see the world as morally coloured, is a necessary part of how we see the world. It is something we can’t give up without giving up our ability to think like human beings.

But even if global moral scepticism is reframed in this less intuitively attractive light, as scepticism about our need to consider other people, there remains a form of moral scepticism of a more particular kind: scepticism about the validity of particular moral judgements. If we are happy to concede that moral questions as such have value, we may still be unconvinced that any particular moral claim can be established with any certainty – can we ever be sure that this action X is right in Y situation? And if no particular moral claim can be established we are

74 Even if we accept what I’ve said in chapter 3 about primary recognition the problem in this form still stands, given that primary recognition does not tell us what we have to do, only that we must do something. No particular moral claims follow directly from it (see section 3.3). It is true that certain responses are ruled out by the nature of primary recognition, in that one must act with concern, and help rather than really harm. But that is not the same as establishing what is to be done. Certainly no general moral directives follow from this, as even to hurt someone might in the end be the right thing, so that even the claim ‘Do not hurt the other’ rendered so generally is not implied by primary recognition. For example, in cases of mercy killing we may even be morally required to kill the other. One might object that at least we cannot ignore the other, that primary recognition implies at least that specific demand. But we can imagine cases where to ignore someone’s suffering, perhaps to save
again forced into a more general scepticism, as it were by the back door. The aim of this chapter is to show how moral judgements are justified, and that such justifications are grounded in just the same way as are our other kinds of judgement, such as empirical or prudential ones. That is to say that, I will argue that moral judgements are grounded in basic moral certainties in the same way that empirical judgments are grounded in basic empirical certainties. I will do this in order to argue against the kinds of moral scepticism just mentioned, and also to add further plausibility to the notion that moral knowledge can be properly justified (against, for instance Alasdair MacIntyre (2007 [1981]), who thinks modern moral thought lacks proper foundations – see section 7.3.2 for further discussion of MacIntyre’s position). So in what follows I will put forward a picture of moral knowledge that is analogous in important ways to empirical knowledge: it is truth-apt, based on reasons and open to doubt and re-evaluation - and grounded on basic certainties.

In particular I want to argue in this chapter that some of our basic moral certainties are indubitable beliefs for all moral agents. As discussed at section 2.7, to do this I will extend a distinction, made by Moyal-Sharrock, between universal and local basic certainties to the moral realm. I will spend a few moments reiterating the content of Moyal-Sharrock’s important distinction.

In *Understanding Wittgenstein’s On Certainty* (cf. 2005, 102, 136-56), Moyal-Sharrock notes that, of the many examples of basic empirical certainties given by Wittgenstein, some of them are basic for all humans (for instance, the certainty that one has a body), while some are specific to certain historical communities (for example, the certainty that ‘Australia exists’ is limited to members of communities

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75 It should be borne in mind that empirical certainties are not derived from experience, in the sense that they are not justified by experience, though they are conditioned by it. See section 2.5 above or for a more extensive discussion Moyal-Sharrock, 2005, 82-5. Also, it should be remembered that though empirical and moral thought are grounded in basic certainties, those basic certainties are themselves ungrounded.
that have heard of Australia). So while all of these beliefs are basic certainties for those that hold them, there is an important distinction to be made in that some are held universally\(^76\) and some only locally. And so Moyal-Sharrock proposes that we understand local basic certainties as those beliefs that ‘constitute the underlying framework of knowledge of all or only some human beings at a given time’ and that are ‘culture-variant’ (ibid. 136); while universal certainties are basic beliefs that are ‘not linked to specific cultures’ but are ‘bounds of sense that are internally linked to our concept of a human form of life’ (ibid.).\(^77\) Examples of local basic certainties might be the certainty that ‘Napoleon existed’ or that ‘Trains normally arrive in a train station’ (ibid. quoting OC 163 & 339); while universal certainties include ‘There exists at present a living human body, which is my body’ and ‘The earth had existed... for many years before my birth’ (ibid. 149, quoting G. E. Moore (1925)).

If this distinction holds, and holds particularly in the moral realm, it is valuable in that it promises us a way of understanding deep local variations in moral belief, whilst at the same time making room for the contention that some moral beliefs are necessary for all moral agents as such. That is, it will allow us to make sense of the possibility of cross-cultural moral agreement existing alongside interminable disagreement\(^78\) - some basic moral certainties are shared, some are not. This means that we should expect some cross-cultural moral disagreements to be irresolvable.\(^79\) But before I argue for the position that there are in fact some

\(^{76}\) Except in cases involving pathology.

\(^{77}\) There is some exegetical controversy over whether Wittgenstein used the term ‘*Lebensform*’ or ‘form of life’ to indicate a singular human form of life or a plurality of human forms of life. I will here work on the assumption that it is possible to speak of both (see Moyal-Sharrock 2015, 26-32 for a defence of this view), and hope that my discussion of examples of universal and local moral certainties adds further plausibility to that assumption. The issue has been very fully discussed in a special issue of the *Nordic Wittgenstein Review* (2015) (in which Moyal-Sharrock’s paper just cited features).

\(^{78}\) I will discuss the existence of interminable cross-cultural disagreement on moral matters at section 7.4.1.

\(^{79}\) That is, irresolvable as long as the relevant, contending local moral certainties remain in place. I will say more about the possibility of changes in local moral certainties in section 6.5.
universal moral certainties (as distinct from local ones), I want to discuss some in-principle objections to the claim.

Stephan Rummens expresses scepticism as to the possibility of universal moral certainties. In his paper ‘On the possibility of a Wittgensteinian account of moral certainty’ (2013) he tries to show that basic certainty cannot function in the moral realm in the same way it does in the empirical. His scepticism rests on a distinction he makes between what he calls ‘hinge certainty’ and the more heavy duty ‘basic certainty’. In explaining this distinction Rummens says,

I propose to use the term ‘basic certainties’ in reference to basic certainties simpliciter and use the term ‘hinges of the language game L’ to refer to basic certainties as relativized to the language game L. (ibid. 141)

The consequence of this is that, if there are indeed basic certainties then, ‘they cannot be meaningfully doubted in any framework or language game’ (ibid.) But Rummens casts doubt on whether there could be such basic certainty in the moral realm. While accepting that there may be moral hinges, moral beliefs that remain indubitable within certain moral systems, he thinks it much more difficult to establish that there are certainties that ‘cannot be challenged from within any

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80 It can be hard to keep up with the different uses of the terms, like ‘basic certainty’ and ‘hinge certainty’, as various commentators use them as technical terms, each in their own way, sometimes distinguishing between the two sometimes not. It seems to me more perspicuous to follow Moyal-Sharrock’s usage of taking ‘basic’ certainty and ‘hinge’ certainty as synonyms, and adding qualifiers such as ‘local’ and ‘universal’, ‘personal’ and ‘linguistic’ (ibid. 117-35) etc. It should also be noted that Rummens’ ‘hinge certainty’ is close to but not identical with Moyal-Sharrock’s ‘local moral certainties’. For example Rummens’ ‘hinge certainties’ are bounded within a practice or system, whereas local moral certainties are also sometimes bounded more widely within historically located communities.

81 For our purposes we don’t need to explore too deeply what Rummens says about hinge certainty – his claim in that regard is that there are certain beliefs that cannot be doubted from within a practice e.g. that one cannot do arithmetic as we do if one doubts things like 2+2=4. While not wanting to accept his distinction, this half of it is not the most problematic or pressing for our purposes here.
alternative moral language game’ and so we cannot ‘effectively preclude the possible existence of a plurality of radically incompatible moral language games.’ (ibid. 143) In this way Rummens expresses scepticism about the possibility of moral certainty in any non-relativist sense: We may well have moral hinges, relativised to particular moral systems, but not moral certainties that function across all forms of morality. Such is his position. But though Rummens is clear that he doesn’t intend to offer a cast-iron refutation of what he calls ‘moral certainty’ (what I will call ‘universal moral certainty’), he does offer three distinct arguments against it that I will examine briefly.

In his first argument Rummens points out that certainties about ‘oughts’ have a different relationship to action than certainty about empirical facts. Whereas we cannot act against our certainty that ‘Humans can’t fly’ by actually flying, we can act against our certainty that killing is wrong by killing someone. I have dealt with this objection at section 3.8 (citing Pleasants (2015, 203-4)), but I would just reiterate that to be morally certain is to have an attitude towards what one ought (or is permitted) to do, not towards that which is physically possible. So instances of murder are no sure sign that the wrongness of killing has been doubted.

Rummens’ second argument is that the relativistic picture ‘of a plurality of incompatible moral language games’ that his and other similar accounts imply ‘seems prima facie to conform to our actual moral practices.’ (ibid. 145) Indeed there is some prima facie plausibility to that picture. And prima facie it conforms to our actual moral practices. There are though, other plausible, logically possible accounts and Rummens needs to tell us why this plausible account should be preferred.

The third argument is more substantial. In it Rummens attempts to head off a potential Davidson-inspired counter whereby one might suggest that ‘communication not only presupposes a significant set of shared truths, but that it equally presupposes a significant set of shared values.’ (Ibid.) And if this were the case then in order to understand alternative moral systems, which we can and do, some shared moral values must be present within those differing systems. Against

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82 I will offer, and argue for, such an account at section 7.4.
this however, Rummens urges the point that

 [a]lthough it is indeed true that a disagreement can only meaningfully appear as a disagreement against the background of some wider agreement, the background agreement needed to allow for moral disagreement does not necessarily also have to be moral itself. (ibid.)

Instead, says Rummens, we might rely upon shared empirical certainties to bridge the gap between alternative moral viewpoints. And so,

[t]he fact that we (necessarily) agree that sticking a knife in the person tied up to the altar will lead to the death of that person allows for the possibility of deep disagreement about whether or not this is something that we are allowed to do. (ibid. 146)

This would mean that moral certainties simpliciter (moral certainties that acted across different moral viewpoints) were not necessary to explain cross-cultural moral understanding. And this would take away an important motivation for positing such certainties.

There is however, a conceptual confusion embedded in this last argument; but it is one that helps show up the necessity of moral certainties that function beyond the boundaries of individual moral systems. It seems to me a conceptual confusion to think that two concepts could be comparable or cross-cultural equivalents if they had shared no content. If certain central examples of what we would call moral or immoral actions played no role in a potential cross-cultural analogue, what would motivate my calling that concept analogous? Imagine, for

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83 It is worth noting that Rummens’ discussion seems to presuppose a view of moral systems as having more or less impermeable boundaries. Perhaps in some very isolated contexts there can be a more defined boundary between one culture’s moral system and those surrounding it, but I suspect that in most cases such boundaries are more fluid and permeable than is generally acknowledged.
example, holding a discussion with a person from a different culture who insists that a concept of theirs, which they call ‘zir’, is equivalent to our ‘immoral’. To see if we really are talking about the same thing I might present examples of our concept ‘immorality’ in use. For instance, I might say ‘When I say ‘immoral acts’ I mean things like randomly killing children, or lying for no reason’; and they replied ‘Yes, I think I know what you’re getting at, but it wouldn’t occur to us to use those types of examples in discussing ‘zir’. Instead we consider planting seeds in winter zir, or climbing up a ladder in the rain.’ Why would we consider ourselves to be talking about the same concept (unless we could find some underlying thing which linked these examples)? In order to establish that we were both talking about morality we would need to find at least some significant grounds for comparison. And this can’t be just that the form of ‘zir’ statements may resemble that of ‘immorality’ statements (perhaps in that they can both take the form of negative prohibitions), because moral statements might be formally identical to other types of normative statement (e.g. statements of prudence like ‘You ought to clean your teeth’ or ‘Don’t cross the road without looking’). We would need some agreement in content in order to identify the cross-cultural examples as examples of what we call ‘the moral’. And this is not to deny that deep moral disagreement is possible. I can still hold human sacrifice as morally wrong, while being able to understand why someone in a certain culture might disagree. But such disagreement can only go so deep if we are to be talking about the same thing. If none of my paradigm cases of wrongness were in any way similar to theirs we would have no reason to think we were talking about the same thing. There is a difference between disagreement and mutual comprehensibility, and some shared certainties about values are necessary if I am to understand other moral systems as moral systems (as opposed to, say, a series of rules of prudence). Imagine for example that rather than ‘the moral’, my cross-cultural friend and myself were discussing the concept ‘jobs’ (perhaps they have an identical word in their language and we want to see if they mean the same thing). If I gave as examples of our concept ‘job’ farmer, blacksmith and soldier, and they gave as examples pencil cases, planets and cows, could we say the concepts are analogous? No, without some agreement in content no analogy could be established. So with the moral, of course there will be disagreement, some deep
about moral norms; but if there is no similar content we’ve no grounds on which to identify a cross-cultural concept with the moral.\textsuperscript{84} Disagreement can only go so deep before we’re just not talking about the same thing.

So Rummens is wrong to think that shared empirical certainties alone are enough to establish cross-cultural moral understanding. There must be some similarity in moral content (rather than just in form) between moral systems that make them mutually comprehensible. If these similarities in content come at the level of basic certainty, then we open up the possibility of moral certainties that function across all moral systems. That is to say, we open up the possibility of there being universal moral certainties. So, in the light of the gaps in Rummens’ position it seems worthwhile to pursue the possibility of universal moral certainties, and see if Moyal-Sharrock’s universal/local distinction holds in the moral realm as well. To do this I will argue for two examples of such universal moral certainties, leaving examples of local moral certainties until the next chapter.

5.2 Two examples of universal moral certainties

I will be defending two examples of universal moral certainties. I will outline these examples and then provide some reasons why we ought to accept them as universal certainties. The first is the belief that ‘At least some killings are wrong’ (hereafter referred to as ‘K’), the second the belief that ‘Some acts are more wrong/right than others’, or to put it another way, the belief that there is some hierarchy between morally evaluable actions (hereafter ‘H’).

5.2.1 Example one - ‘At least some killings are wrong’ (K)

To say, as I do, that K is a universal moral certainty, is to say a) that it isn’t open to sensical doubt, and b) that believing it is necessary for a functioning moral agent to

\textsuperscript{84} In the moral case, it might be helpful also to talk in terms of having similar dispositions. I know both my cross-cultural counterpart and myself have the same concept (which I call ‘morality’) if we are disposed to react in similar ways to certain instances of wrongdoing or goodness (e.g. we both react to the killing of innocents with horror rather than joviality).
qualify as such. I should reiterate here a little about what I take as necessary conditions for doubt. As with belief, we should count as legitimate instances of doubt those for which a reason can be given, and those for which there is a suitable context to deploy them. If, for example I said ‘I believed that there are cows living on the dark side of the moon’, but was unable to give any reason for my assertion (not even something like ‘I’ve just got an intuition’, or ‘My mum says so’) I could not be properly said to believe it, even though I uttered the sentence. So with doubting a reason is needed. If I were to say during a presentation ‘I doubt whether this paper I’m reading to you exists’ but was unable to offer any reason for my utterance, it would be hard to credit me with having really doubted my paper’s existence. Genuine doubt, also, should not be confused with pathological or ‘obsessive doubt’ (as Moyal-Sharrock puts it (2005, 162)). There is, I affirm, a difference in kind between doubting whether it will rain today, and doubting that my hands exist, checking that they are still there during dinner etc.: one is reasonable, the other pathological.

Now, getting back to K there are some initial objections I would like to head off at this stage. Firstly, it might be objected that K is rather thin on content and doesn’t say much, and that as it says so little it is virtually useless in settling moral questions. There is truth in this, but it misses the point. In discussing difficult moral problems like, for example, the problem of abortion, deploying K will do no good at all. In fact stating K in a debate about the permissibility of abortion will positively arrest the discussion, being something both sides are already certain about. No party in the abortion debate argues that abortion is not wrong because no killings are wrong, and for good reason. Such hard problems of first order ethics require subtle and probably quite complex solutions, and K is neither subtle nor complex. But that is the point. Moral certainties don’t come into play at some point when moral discussion is already under way or has reached an impasse; they have their place at

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85 In fact, Stephan Rummens made just this objection to a slightly more contentful version of the certainty (‘That killing (per se) is wrong’) in response to a paper given by Nigel Pleasants at the conference Wittgensteinian Moral Philosophy in Leuven, 2013.
the bedrock making the whole discussion possible.\textsuperscript{86} K and other moral certainties function to get moral thought under way in the first place. They act as rules for the whole enterprise. So while it is true that K is not deployable at the epistemic level in order to solve certain hard problems in moral philosophy, it does play a part in enabling the whole practice of moral thought. So, far from being useless, moral thought as such is not possible without K. That will be my contention at least.

Also, some might think this formulation of the certainty ‘At least some killings are wrong’ far too reticent. Nigel Pleasants for example puts forward our belief in ‘the wrongness of killing’ as a basic moral certainty (2008b & 2009). Pleasants’ formulation is much more substantial and if correct surely a step up on the rather tentative seeming K. The problem is that basic moral certainties must be\textit{ indubitable} to function as certainties, as rules for moral thought. And there just seems to be too many cases where the wrongness of particular killings is legitimately doubted. In fact there are well-worn cases, which Pleasants acknowledges (2008b, 256), where it seems it is not wrong at all to kill, cases like killing in self-defence, killing an oppressive tyrant, killing in war etc. Though these killings aren’t\textit{ good}, in that the outcomes of such killings are always in some sense bad or regrettable (not least for the one killed), they are not always morally blameworthy, they are not always wrong. To be sure, Pleasants anticipates this kind of response. He gives an example (of basic empirical certainty) where our ordinary conviction, our basic certainty, that we have hands is not undermined by of the existence of ‘(extraordinary) circumstances in which someone might be mistaken in the claim to be in possession of their hand – in the turmoil of battlefield carnage, for example.’ (ibid.) And in the moral case, argues that,

[t]he fact that in some (special) circumstances... killing [is] not wrong, does not undermine the basic certainty of [killing’s]... wrongness in most circumstances.

\textsuperscript{86} That is to say, first-order moral discussions. The nature of moral certainty can of course be discussed at the meta-ethical level (as I am doing here).
And,

killing is only not wrong (perhaps) when done to save others from being killed. So, [the] basic certainty of... [the] wrongness of killing is itself an essential condition of those special circumstances in which particular deaths may not be bad and particular killings may not be wrong. (ibid. 262)

Now I agree with Pleasants that the existence of these special circumstances often proves the rule, rather than undermining it. But it seems to me that he is here defining ‘wrong killing’ as ‘killings undertaken in any except special or extraordinary circumstances’. He also (tentatively) makes such cases identical with cases where we kill to avoid other killings. But this tentative argument (that killings may be justified only to avoid other (presumably less justifiable) killings) faces some difficulties. Take abortion for example. For those who argue for its permissibility it is not generally taken to be justifiable only in instances where the mother’s life is in danger, i.e. when not aborting would be to kill another. That is, for those who argue for the permissibility of abortion, that permissibility is not based on the act being carried out to save another life. But if Pleasants’ is correct we ought to be certain about the wrongness of abortions which do not avoid the death of the mother, and we are not. Whether or not such abortions are permissible it is not nonsensical to claim that they are.

Also, our lack of basic certainty over the wrongness of abortion calls into question Pleasants’ caveat about ‘special circumstances’. He claims we may only doubt the wrongness of killings carried out in special or extraordinary circumstances. Abortion however does not fit this characterisation, and yet we may doubt its wrongness. It is killing which is not certainly wrong but which is carried out in circumstances which are sometimes neither special nor extraordinary; at least in circumstances not analogous to ‘the turmoil of battlefield carnage’. It may be hard to discern exactly where to draw the line between extraordinary and ordinary circumstances here. But in my judgement it seems that potentially justifiable killings like abortions take place in circumstances that are, if not exactly everyday, at least
not extraordinary in the sense Pleasants requires.

Similarly, we might not condemn one who, for example, assassinated a tyrant. We do not have a basic certainty about the wrongness of such killings.\(^{87}\) One might object that such assassinations are usually carried out to save innocent lives (the lives of the oppressed populus), but this is not necessarily so. Even if a tyrant sought only to enslave her nation, but without actually killing any of her citizens, we could plausibly claim it is not wrong to assassinate her. And so such killings do not count as the kind excepted in Pleasants formulation of the certainty about wrong killing – they are not carried out to prevent less permissible killings.

So there are many circumstances in which we doubt the wrongness of killing broadly construed. So the belief in ‘the wrongness of killing’ is not always indubitable. However, the wrongness of some particular killings is certain (for instance, the wrongness of killing a baby at a football match because one is bored),\(^{88}\) and so it is best to characterise our certainty with respect to killing in a slightly more restricted sense (saying that some killings are certainly wrong), and not quite as generally as Pleasants has it.

Others might object in another direction – ‘K seems rather too particular, and not general enough to be a rule of (moral) thought’. But that is the case with many basic certainties, be they moral or empirical. One of the steps forward the later Wittgenstein makes in On Certainty is his showing that sentences that appear to be empirical propositions about particulars are sometimes expressions of logical rules, rules of thought (see section 2.6). Beliefs like the one expressed in the sentence ‘I have hands’ or ‘There are external objects’ have the form of empirical sentences but are in fact expressions of logical rules. The worry about particularity is rooted in the deceptive empirical form of certain expressions of logical beliefs. But their logical

\(^{87}\) In both of these examples, that of abortion and the assassination of tyrants, I aim to show that neither our moral intuitions, nor our moral practices are hinged on a certainty about the wrongness of killing per se – the question of their wrongness is an open one.

\(^{88}\) This example comes from Jonathan Dancy, given during an interview on the radio programme Philosophy Bites where he was explaining, in line with his moral particularism, that there were no acts about which the moral value is unchangeable. He gave this as a possible (for him presumably somewhat isolated) counter-example.
status is confirmed, despite appearances, by looking at the function of those beliefs. If they function as necessary rules for our thought and practice, they are part of the logic of our thought and practice. This goes for moral, as well as empirical basic certainties. Though they may look discomfortingly specific (we may expect a certain generality of our rules of logic), that they are to be categorised as logical can be established by examining their function, rather than their presenting form. K, though it may look rather too specific (for a rule of logic), functions as a rule of moral thought and so should be thought of as a basic certainty.

A fourth initial objection I would like to address is the objection that the choice of some killing, rather than some other serious crime like rape for example, seems arbitrary. Why defend ‘Some killing...’ specifically as an example of a universal moral certainty? In answer I would say that I certainly think that the wrongness of other serious crimes, rape for example, would stand up as examples of moral certainties. But there is already a longstanding debate in the literature about wrong killing (and why it is wrong), and so I prefer to link this investigation of basic moral certainty with that existing debate. Also, my purpose in this thesis is not to list all the possible examples of evils about whose wrongness we are universally certain. That would make for a rather grim project. And besides, there is no telling how long such a list could be, perhaps myriad basic moral certainties underpin our thought about evil. It will be enough to defend two examples, only one of which deals with a specific moral prohibition. My next example of a universal moral certainty deals with certainty about the necessary structure of moral thought.

5.2.2 Example two - ‘Some acts are more wrong/right than others’ (H)

This belief amounts to acting as if, or believing that, some wrongs are more serious than others, or thinking some acts more praiseworthy than others.\(^{89}\) This belief

\(^{89}\) There is some reason to believe that morally good and morally evil are not simply flip sides of the same coin, but are conceptually distinct. Some findings on psychopathy (Blair et al, 1995, 746-8) suggest that an inability with the concept ‘wrong’ does not necessarily imply a corresponding inability with ‘right’ or ‘morally good’.
manifests itself, for example, in our judging that cheating in a tennis match is less wrong than killing a child; or that giving all one’s money to the poor is more praiseworthy than holding the door open for a friend. This doesn’t mean that moral agents have to, or indeed regularly do, subscribe to some well thought out taxonomy of rights and wrongs where the relative seriousness of each item is known and catalogued. It does imply though, that to treat morally evaluable actions as having differing worths is logically basic. And H also implies that the believer believe in some sort of (context acknowledging) consistency and stability in this hierarchy; what is a serious moral wrong for me today will not, ceteris paribus, tomorrow become something of negligible moral importance or vice versa. For instance, if it is wrong to steal money from my grandmother today I can’t simply wait for tomorrow to see if it is still wrong, given everything else remains as before. Of course most moral agents will still display some level of inconsistency in their moral judgements (perhaps by judging acts more leniently when they commit them than when others do). But this does not imply a complete lack of ability to differentiate between the wrongness of particular acts. So when I say a belief that ‘Some wrongs are more serious than others’ is a basic moral certainty, I mean just that, with sufficient attention to context, some ability to differentiate between the moral seriousness of particular moral acts is necessary for moral agency.

Both K and H are, I say, necessary parts of any moral thought, that is any moral system recognisable as such. That is to say they are necessary beliefs for all

90 This does not mean one’s evaluation of a morally sensitive situation might not change given new information. For instance, if I find out millions have been stolen from a charity I think it seriously wrong. But if the next day I find out that those millions were going to be embezzled, and were stolen so that the money could be used to feed the poor I think the stealing a good thing. The moral value of the act hasn’t changed but what I know about it has. If things were as I initially believed I would still consider it wrong.

91 That is not to say that it is always possible to so differentiate - in many cases this is extremely difficult to decide. But overall, if a person never so differentiates, especially in unambiguous cases (e.g. whether it is more wrong to kill a child or steal a penny), then they lack this certainty H (and this lack is pathological).

92 I will use the phrase ‘moral system’ to refer not just to well worked-out first order philosophical systems, but also to any framework exhibiting tolerable levels of consistency, held by any practicing
moral agents, and in this sense they are *universal* basic moral certainties. I will now go on to outline some more extensive arguments as to why K and H should be understood as such.

### 5.3.1 Argument from psychopathy

We can see that some moral beliefs, and specifically K, are universally necessary from looking at psychopathy. Psychopathy is a personality disorder that involves, among other things, a lack of ‘empathy... genuine guilt or remorse’ (Hare, 2003, 1); and the psychopath ‘functions without the restraints of conscience.’ (Hare, 1993, 2) That is to say that the psychopath has an inability or pathologically diminished ability to use moral concepts – they cannot tell right from wrong. This lack fundamentally undermines or cripples the psychopath’s moral agency. And so if it can be shown that doubting a particular belief (X) renders an agent psychopathic (i.e. unable to function morally), that belief is a good candidate for a universal moral certainty (as moral certainties are those things necessary for the functioning of moral thought). So the claim is:

- (X) will be a *moral* certainty because it is necessary for moral agency, and a (basic) belief specifically about moral value, and

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moral agents. That is, by moral system I mean the interconnected collection of thoughts a moral agent has about moral and meta-moral issues.

93 There is a distinction between primary and secondary psychopaths, where ‘[p]rimary psychopaths are characterised by their lack of guilt’ and ‘[s]econdary psychopaths are characterised by being more likely [than primary psychopaths] to experience guilt’ (Blair *et al*., 1995, 750). Throughout I will take ‘psychopath’ to mean ‘primary psychopath’.

94 It should be noted that we have basic beliefs that play a part in our moral thought but that are not themselves about moral value. That is to say, not all basic certainties that underpin morality are themselves basic *moral* certainties, for example, the basic certainty that ‘Humans feel pain’. I will discuss those basic certainties that underpin only our specifically moral ways of thinking.
(X) will be a universal human moral certainty because doubting it undermines any form of morality recognisable as such, and constitutes moral madness. (This is because to be psychopathic is, not just to be unable to think morally like a Pashtun, or an Ancient Jew or a modern middle-class Englishman, but to be unable to use moral concepts to any significant degree at all.)

So does doubting K mean someone is psychopathic? If we look at one standard distinction that psychopaths cannot make then I think we can see that it does. In psychological testing part of what marks a subject out as psychopathic is an inability to make the moral/conventional distinction (R. J. R Blair et al 1995 & R. J. R. Blair, 1995). The distinction is between acts that are wrong because an authority figure or a rule says they are wrong (conventional), and those that are wrong because they do harm to others (moral). Psychopaths show an inability to judge between these two categories (Blair, 1995, 16-7). That is to say they have no sense of moral wrongs.

95 I say ‘human’ moral certainty because the wrongness of some killing could conceivably drop out of the morality of a race of immortal invulnerable beings, so K cannot be universal in an absolute sense, but only universal for human beings.

96 There are some complications here. In Blair’s findings psychopaths do not make the moral/conventional distinction but, against Blair’s expectations (1995, 13), this is because they judge all wrongs (conventional and moral) as moral wrongs. This might make it seem as if psychopaths over moralize, rather than doubt moral certainties. However, looking at the criteria for judging a wrong moral we see that it is morality rather than conventionality that is misunderstood by the psychopath. Blair’s study shows that while psychopaths identified even conventional wrongs as moral wrongs, they justified their claims on the fact that they were all ‘authority dependent’. Thereby they demonstrated that they equated ‘morally wrong’ with ‘authority dependent’ (i.e. that X is wrong because an authority figure says it is). And as Blair says ‘[t]hese subjects were all incarcerated and presumably motivated to be released. All wished to demonstrate that the treatments they were receiving were effective. They therefore would be motivated to show how they had learned the rules of society… The psychopaths manifest this desire on the authority jurisdiction criterion judgment, by suggesting that all transgressions are authority independent. I suggest that this is because the psychopaths lack [the ability to see others’ suffering] and thus are unable to identify the distinguishing features differentiating moral and conventional transgressions. This inability, coupled with a desire to demonstrate adherence to societal rules, results in their judgment of all the
(where ‘moral’ is about our relations with the other - see previous chapter). It follows from this that psychopaths are unable to recognise particular, unambiguous cases of murder as cases of moral rather than conventional wrongs. This shows that they either (pathologically) doubt, or lack the belief K. And this implies an inability with moral concepts per se.

But how can the inability with one moral belief imply an inability with the wider concept of morality? After all, even psychopaths often show signs of some moral agency in that they can be kind to animals or protective to relatives etc. Firstly though, there may be some doubt as to whether these ‘good’ actions qualify as moral at all and do not, in the case of psychopaths, represent forms of self-interested behaviour; or perhaps better to say behaviour that is not other-regarding but self-regarding even though another is acted upon to that end (e.g. a person might protect a family member because their being harmed reflects badly upon the protector, involving a loss of face perhaps). But for arguments sake let’s accept that such acts are moral actions even in psychopaths. Doesn’t that mean that psychopaths are morally capable after all? I would respond that, being uncertain about an unambiguous instance of a concept implies an inability with the concept as a whole. Let me give some examples. Sufferers with Cotard Syndrome (Cotard, 1999

transgressions as authority independent.’ (ibid. 23) Essentially, the results showed that ‘psychopaths are significantly less likely to justify items by references to the victim's welfare’ (ibid. 18, Italics mine). This correlates with our definition of morality as other-regarding thought. Psychopaths are demonstrated to be morally pathological by this study in their inability to use moral concepts understood as an inability to reason about the importance of the well-being of the other.

To doubt in action in this case would be the same as lacking the basic belief. If I show hesitation, that is if I show doubt, in responding to cases of unambiguous murder as murder, I already demonstrate a pathological lack. If someone sitting next to me at a football match were to stick a knife into a baby, my hesitating to intervene, through doubting its wrongness, would be equivalent to not intervening at all in that both would demonstrate pathology. At this point in the argument I only need to show that not responding as if I held K with certainty is enough to demonstrate an inability with moral concepts per se. So we might state the argument like this: Psychopaths lack K, this lack demonstrates an inability with morality per se, doubting K is logically identical with lacking K (in that both are pathological), therefore doubting K too leads to an inability with morality per se, therefore holding K indubitably is necessary for moral agency per se, therefore K is a basic moral certainty.
[1880]), a severe form of mental illness, experience symptoms such as believing that they are dead (ibid. 269 & 272), and believing that they do not need food (ibid. 270). In this they pathologically doubt beliefs we hold as basic. But despite these severe delusions, this pathological doubt, some empirical certainties remain. Despite believing that they are dead or that they have no organs but ‘just skin and bones’ (ibid.) they are still able, for instance, to talk and be certain about the meaning of their words. But though they retain these vestiges of empirical certainty, still their interactions with the empirical world are fundamentally interrupted while the doubt persists. For example, Cotard patients often interpret even minor physical abnormalities, like a lack of sensation in the extremities, as demonstrating the fact of their being either dead or having no body\textsuperscript{98} - they cannot interpret the empirical world correctly. So those with Cotard Syndrome, whilst retaining some signs of empirical competency, have had that competency in general undermined by their doubting some particular instances of it.

Or imagine an analogous case involving competency in identifying colour. Say a person was able to identify patches of yellow, blue and green as instances of colours but, when shown a patch of red insisted that this was not a colour at all but something else, like a smell. Would we be able to say that such a person understood the concept ‘colour’? I don’t think so. Despite being able to identify some instances, their doubting of an unambiguous case must cause us to doubt whether they understand what we mean by colour at all. So, with our ability with the concept of colour, and in the Cotard Syndrome cases, doubting an unambiguous example of a concept (that is ‘Red is a colour’, or that ‘I am alive’) implies an inability with the concept in general. And so we can sensibly assert that doubting K might imply an inability with morality as such, if K were judged an unambiguous instance of a moral belief.

I suggest that K is an unambiguous instance of a moral belief, and we can see this by looking at how we might teach the word ‘morality’ to a non-English speaker. Imagine I was trying to teach someone the word ‘morality’ by giving them examples

\textsuperscript{98} One of Jules Cotard’s (the doctor from whom the syndrome is named) original patients, ‘Miss X’, experienced such a lack of sensation (1999 [1880], 275).
of morally right and wrong acts. I might say ‘When we say ‘morally right’ I mean things like being honest, kind, faithful to one’s wife etc. But by ‘morally wrong’ we mean things like murder (that is, wrong killings). If they understood the rest of the words in the sentence then that would probably be enough to explain the meaning of ‘morality’. But imagine that, during my teaching, I said ‘I’m not sure if murder counts as morally wrong’. This would make my teaching the word impossible. And this is because murder is such an unambiguous instance of ‘morally wrong’ that it would be hard to understand a category called ‘morally wrong’ that excluded murder. It would be much like trying to teach the word ‘animal’ whilst pointing to my pet rabbit saying ‘I’m not sure if this is an animal’. Just as rabbits are (in a British context) unambiguous instances of ‘animal’, so the wrongness of murder is an unambiguous instance of a moral belief. And just as there are many ambiguous instances we wouldn’t use in teaching the word ‘animal’ (animals who look like plants for instance, or *pyura chilensis*, a sea-creature that looks like a rock), so there are ambiguous instances we wouldn’t use in teaching the word ‘morality’ (the wrongness of eating fish on a Friday for instance). But that we can use murder, I suspect even on its own, for teaching the words ‘morally wrong’ shows it is an unambiguous instance of a moral concept.

So, murders are unambiguous instances of moral wrongness. Inability with unambiguous instances of a concept, in this case morality, implies a lack with the concept as a whole. So doubting K on its own is enough to show someone is psychopathic, that is, pathologically unable to understand moral concepts. So K,

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99 There is a conceptual/definitional relationship between ‘morally wrong’ and ‘murder’, but ‘Murders are instances of the morally wrong’ is not a tautology like for example the sentence ‘Unmarried men are instances of bachelorhood’. It is true that the concept ‘murder’ defined as wrong killing already includes the concept ‘morally wrong’. But we *could* explain the concept ‘morally wrong’ without speaking of murder (using less striking instances of moral wrongness like telling a white lie, or stealing an apple). The point here is that because some killings are indubitable instances of wrongness, those kinds of killings can be used to identify the concept ‘morally wrong’. That is, they can be used to teach a non-English speaker the English words for that concept.

100 Here I mean teaching someone who already has a comparable concept of morality the English words for that same concept.
being necessary for moral agency as such, is a universal basic moral certainty, necessary for all moral agents.

5.3.2 Argument from moral nonsense

Basic moral certainties also rule out certain sentences as nonsense. In this way they function like rules of logic (see section 2.6). By way of analogy, the law of non-contradiction rules out sentences like ‘X is and is not the case (in the same way at the same time)’ as meaningless; and so our basic moral certainty that some killings are wrong rules out the belief that ‘Killing is never wrong’ as moral nonsense. It is not a legitimate contender for a moral truth, or something a functioning moral agent can sensibly assert.

And so if doubting a particular belief means certain types of moral nonsense are not ruled out, we have good reason to think that that belief is a universal moral certainty. Using this way of testing potential basic moral certainties gives us good reason to think that H is such a certainty. Consider the following three examples of what I will call moral nonsense, moral beliefs or statements which no functioning moral agent can accept as true.

- The man who smashed my favourite mug is equally as culpable as the man who intentionally smashes a child’s skull.
- Why bother prosecuting me for murdering my next-door neighbour, after all many people break speed limits when driving and they aren’t all prosecuted?
- A person from the next village stole my newspaper, I think it is right that we burn down their village.

The person that can, in all seriousness, aver these propositions is fundamentally defective in their moral thinking. They are moral nonsense, and couldn’t be sensibly
deployed in any moral discourse, (except as philosophical examples to demonstrate nonsensical sentences). But the belief H stops us averring these propositions.  

If we accept that rules of logic serve to delineate sense from nonsense, then we should accept that H functions as such a rule. Here it stops us from averring these morally nonsensical propositions.

5.3.3 Argument from moral reasoning

Not taking H as a certainty also destroys our ability to give reasons for any of our moral judgements. This is because without H we lose the ability to differentiate between the differing value of moral actions, and therefore to give reasons why one morally sensitive act should be preferred to another. The ability to give such reasons is, I take it, central to our moral thinking. Take Kant’s famous axe-murderer example: you shelter a person fleeing from an axe-murderer, and when the potential murderer comes to your door and asks after the potential victim you must decide whether to lie about the victim’s whereabouts or not. What makes the thought-experiment interesting is the supposed clash between two moral imperatives, which we might characterise as ‘Don’t lie’ and ‘Don’t cause (or collude in) acts of murder’. Now, what drives most people’s instinctive reaction (‘Lie to protect the victim’), and what makes us uncomfortable with Kant’s solution (‘It is never OK to lie, even here’) is precisely the belief H. It seems that, even if it is wrong to lie in this situation, it is still the right or preferable thing to do precisely because it would be much more seriously wrong to allow or partake in murder than to lie. That is to say, the practice of trying to make a moral judgement here, no matter which conclusion you reach, turns on the belief that some wrongs are more wrong than others. Indeed, in Kant’s (rather weak) attempt to justify his conclusion he doesn’t try to show that all wrongs

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101 These are well-formed sentences and have uses somewhere (i.e. as philosophical examples, or jokes), but they can’t be properly affirmed in moral discourse.

102 And also, as we have seen reason-giving is essential to rational doubt. So if doubting H destroys our ability to give reasons for our moral knowledge then without H no moral knowledge can be rationally doubted, and therefore none can be meaningfully asserted either.
are equally wrong. According to Kant,

[a]fter you have honestly answered the murderer's question as to whether this intended victim is at home, it may be that he has slipped out so that he does not come in the way of the murderer, and thus that the murder may not be committed. But if you had lied and said he was not at home when he had really gone out without your knowing it, and if the murderer had then met him as he went away and murdered him, you might justly be accused as the cause of his death. For if you had told the truth as far as you knew it, perhaps the murderer might have been apprehended by the neighbors while he searched the house and thus the deed might have been prevented. Therefore, whoever tells a lie, however well intentioned he might be, must answer for the consequences, however unforeseeable they were, and pay the penalty for them in a civil tribunal. (1949, 347)

And so it is not because lying is as serious as murder that Kant says we may not lie here. It is because lying will probably cause the murder. So Kant tacitly acknowledges that of course lying is not as wrong as murder, but that the seriousness of lying's wrongness is, in this case at least, parasitic on the seriousness of murder’s wrongness. And so even here, the fact that some wrongs are more serious than others is never doubted, but is treated as the irremovable fact which both parties to the debate must deal with.

So in the axe-murderer debate we are giving reasons for our moral judgement in terms of the differing seriousness of the wrongs involved. And this type of reasoning pervades our moral thinking. We can see this in the way we deal with moral dilemmas (a situation where no response is unambiguously right or wrong). In such cases, where some wrong has to be committed, the only recourse left to us is to work out which option would be less wrong and do that. With Williams’ ‘Jim and the Indians’ thought experiment (Smart & Williams, 1973, 98-100), for example, we ask ‘Would it be less wrong to kill the one or to allow the many to be killed?’ But if debates about moral dilemmas were not hinged on H they couldn’t even get going. If
H did not go without saying a legitimate response would be to flip a coin, without bothering to think about the pros and cons of either action. If no action is any more wrong than any other, why debate it? And, more fundamentally, if we doubt H then flipping a coin would be a legitimate procedure in making any moral judgement, not just in cases of moral dilemma. Apart from the bare categories of right and wrong there would be nothing to decide between courses of actions. On the one side we’d have all the permissible actions and on the other the impermissible with no differentiation. Murder, rape, telling a white lie, neglecting to pay one’s phone bill, would all sit as equally blameworthy. The practice of punishment relative to the crime would become nonsensical too, as would the distinction between supererogatory and ordinary acts of goodness. We could say, ‘Yes, Mother Theresa spent her life serving the poor and she should be praised for that; but I gave a penny to a tramp earlier today, where’s my recognition?’ In showing the error here we need go no further than to express H. It is true that we could perhaps try and outline the relative benefits of the good acts to the parties concerned, and establish their differing value that way. But that would end up resting on H too. We could say something like ‘Mother Theresa helped thousands, you only helped one (and that negligibly so), and it is morally better to do something that benefits another more’. But the second clause in this sentence is no more than a restatement of H. So ‘Helping thousands is more praiseworthy than giving a penny’ makes sense only because ‘Some acts are morally better than others’, that is, because of H. And because it underpins any morality recognisable as such in this way, H acts as a universal moral certainty.

5.6 Recapitulation

In this chapter I have proposed that we distinguish between moral certainties that are local and those that are universal in scope; that is, between those that are necessarily held by those within a certain community, and those necessarily held by all moral agents. I’ve argued for two examples of universal moral certainties: that (1) some killings are wrong (K); and (2) some wrongs are more serious than others (H). In the next chapter I will argue for the other side of the distinction - for local
moral certainties, of which I will offer three examples. By showing that moral certainty operates at both the universal and the local level, I hope to make comprehensible both the underlying similarity or mutual recognisability between human moral systems, and the deep, perhaps interminable disagreements that also exist between ways of understanding the moral.
Chapter 6. Local Moral Certainty

6.1 Universal and local moral certainty

In the previous chapter I argued that there are some moral certainties that are universal, in the sense that they are necessary for all moral agents. And this is a logical rather an empirical claim in that holding certain beliefs indubitably (in particular the beliefs K and H) is part of what it is to be a moral agent – it is a definitional claim, not an exercise in head-counting. In the same way in this chapter I want to argue that holding some particular local moral beliefs with certainty, is definitional of membership in certain epistemic communities - to think like X tribe, religious group, community etc. is to hold certain moral beliefs without doubt. In this way in this chapter I am making a logical and not (just) an anthropological claim. In what follows I will argue for three examples of local moral certainties.

Before I get into the examples I want to note an important difference between universal and local moral certainties – that is, what the consequences of doubt are in each case. In brief, I find the difference to be one of scope. Doubting universal moral certainties fatally undermines one’s moral agency per se. Whereas doubting local moral certainties undermines one’s ability to think like a particular group or community. So doubting local moral certainties leads to an inability to think, for example, like a Pashtun, or like an ancient Greek, or a 21st century Englishman, or a Second-Temple Jew. I will argue that the framework within which each of these groups encounters the moral world, the world of their relationships with and obligations to others, is underpinned not just by universal moral certainties that we all hold, but by basic moral certainties that have arisen in their particular historical and cultural situations. And further, it is the peculiarities of each historical and cultural situation that hold local moral certainties in place (I will go into this in more detail below). That at least is my claim, which I hope will be demonstrated through my three main examples of local moral certainties. These three examples will be: The wrongness of pig sacrifice in early Judaism, the goodness of certain types
of hospitality among the Pashtun tribes of Afghanistan, and the wrongness of cannibalism in ancient Greece.

6.2 Examples of local moral certainty - The wrongness of pig sacrifice in early Judaism

A promising place to begin to look for local moral certainties might be in communities with a worldview containing very localised but, to them, centrally important beliefs. In this first example, I will look at some strands in what is known as ‘Second Temple’ Judaism (that is, the forms of Judaism practiced between 515 BC and 70 AD) as the beliefs of ancient Judaism are sufficiently well-attested to allow for firm conclusions, and the community sufficiently different from our own to harbour basic moral certainties which we do not share. In particular ancient Jewish beliefs around animal taboos look to be promising candidates for basic moral certainties. But it is necessary to get some background about these practices in order to make the case.

In Second Temple Judaism the sacrificial system was central to the lives of the inhabitants of ancient Israel. When a child was born the appropriate offerings, in the form of animal sacrifices, were offered and at regular festivals throughout the year, animal or agricultural offerings were made. These sacrifices involved the killing of certain prescribed animals and the use of their carcasses and blood in cultic activities such as sprinkling on an altar or anointing specific persons, and the meat for the upkeep of the priesthood. They were carried out at local cult centres throughout the land, but the nominal centre of Jewish religious life in this period was the Jerusalem Temple. The importance of the Jerusalem Temple for religious Jews was such that it was simply called ‘The Place’, and some apocalyptic literature of the latter part of the period goes as far as to designate it as the centre of the world, and viewed as an earthly representation of the highest heaven in which God Almighty had his court. Even the Talmud and Midrashim (which are Jewish sacred texts) compiled after the final destruction of the Temple in 70 AD (and thus after the death of the sacrificial system), speak in the present tense of the regulation of the sacrifice
which went on there. Such was the importance of the Temple in ancient Jewish thought, even after its destruction.

The Temple itself was split into areas of varying sacrosanctity, but the most sacred place, that in which was said to dwell the very presence of the god of Israel, was the Holy of Holies. It was here that the most important rituals of ancient Judaism were performed; yet entry into the Holy of Holies was tightly regulated. Once a year, after much purificatory sacrifice one man, the High Priest, was allowed to enter the Holy of Holies and perform sacrifice there. One man, once a year. And for those involved, such was the seriousness of the rite that they feared for the very life of that one man. Indeed, bells were sewn into the High Priest's garments so those outside could hear him move, and know he hadn't been struck down for improperly performing the ritual. A rope was tied around one of the High Priest's legs so that, if he were struck down by the deity in the performance of his duties, his body could be recovered without any unauthorised person having to enter the Holy of Holies.

More evidence of the sanctity of the Temple in the eyes of ancient Jews, and so of the moral wrong involved in its desecration, can be gained from the historical work 1 Maccabees. In a lamentation for the city of Jerusalem the writer of 1 Maccabees describes the outrages suffered in the lead up to the Maccabean Revolt of 167 BC:

On every side of the sanctuary [the Jerusalem Temple]
they shed innocent blood;
they even defiled the sanctuary.
(1 Macc 1:17)

The shedding of innocent blood, that is the killing of women and children, is set alongside the defilement (the religious desecration by, for example, improper

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103 In Hebrew poetry of the period, ideas rather than similar sounding words are ‘rhymed’, so that the poem is composed of lines expressing two or more similar, mutually amplifying notions. E.g. in Psalm 18:4-5: ‘The cords of death encompassed me/ the torrents of perdition assailed me.’
sacrifice) of the Temple as being comparably morally blameworthy. In fact the better reading, I suggest, would be that the defiling of the Temple is, for the writer, more morally wrong than the killing of the innocents (‘they even defiled the sanctuary’).

The same kind of reverence for the sacrificial system itself can be seen in the story of Hophni and Phineas found in the Biblical book, 1 Samuel. In 1 Samuel Hophni and Phineas are the sons of a priest called Eli, and the story goes that while Eli was a righteous man his sons were very wicked. As sons of the priest it was their duty to help their father with the running of the cult and the performance of the sacrifices. But the sons abused their position by sleeping with the young women who came to sacrifice, and by taking beyond their due from the sacrifices presented. Now the story ends with the god of Israel judging and striking down the two sons. But the reasons the writer cites have nothing to do with abusing their position through sexual promiscuity. Instead the writer says, ‘Thus the sin of the young men was very great in the sight of the Lord; for they treated the offerings of the Lord with contempt.’ (1 Sam 2:17, my emphasis) The text then makes clear that it was for this crime that they were judged. The writer takes the sons’ promiscuity to be very wrong, but abusing the offerings was seen as a crime worthy of death.

These sources enable us to see that the treatment of the Temple (particularly the Holy of Holies), and of the sacrificial system, were matters of great moral seriousness for Second Temple Jews. In this context pig sacrifice particularly was held to be abhorrent. The prophet Isaiah speaks of ‘presenting pigs blood [in a cult setting]’ as an archetypally evil and impious act on a par with murder. In a poem condemning religious hypocrisy and reasserting the kind of worship that the god of Israel requires, he says:

\[
\text{Whoever slaughters an ox is like one who kills a human being,}
\]
\[
\text{whoever sacrifices a lamb, like one who breaks a dog’s neck,}
\]

104 It is worth noting that this does not hold for all Jews of the period. Those of the Qumran community (famous for their scroll collection the ‘Dead Sea Scrolls’) actively boycotted the Temple system in the latter part of the Second Temple period, seeing it as hopelessly corrupt and ripe for God’s judgment. But theirs was certainly not the majority view.

105 That is the unnamed writer of Trito-Isaiah.
whoever presents a grain-offering, like one who offers swine’s blood
(Isaiah 66:3)

Without engaging in any deep exegesis here, we can draw out the seriousness with which the writer considers the use of pig’s blood in a cult setting: it is indubitably wrong, a basic moral certainty. In accordance with the rules of Hebrew poetry the notion of ‘offering swine’s blood’ is here ‘rhymed’ with the killing of a human being.\(^{106}\) That makes it a very significant part of the framework of Second Temple Jewish morality.

The story recounted in another piece of Second Temple literature, 2 Maccabees, is an even more pointed example. In the story a mother and her seven sons submit to being tortured to death one by one, in increasingly elaborate ways, rather than act impiously by eating pork. That the story may have a good deal of legend worked into it doesn’t lessen its attesting to how seriously the pig prohibition was taken by the writers, and also by those who accorded the book authoritative status. Indeed, a more concrete manifestation of the seriousness with which such laws and prohibitions were taken, is the fact of the holy war undertaken in part in response to Hellenising attacks on such observances. The Maccabean Revolt of 167-160 BCE (an uprising of pious Jews against the Seleucid king Antiochus IV Epiphanes) was sparked to a large degree by the threats to Jewish ancestral law (including those laws around cultic sacrifice). Antiochus, after conquering Judea and aided by certain native factions, pursued a policy of Hellenization whereby the religious practices of the Jews would be replaced by Greek practices. This meant, for pious Jews, the introduction of prohibited cult practices like the worship of idols and the sacrifice of prohibited animals such as pigs. The wrongness of such practices was felt to be so serious that it led a certain priestly family to revolt against Antiochus’ rule, and call all those who were ‘zealous for the law and support the covenant’ (1 Macc: 2:27) to

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\(^{106}\) The second rhyme about one who ‘breaks a dog’s neck’, may be a reference to further prohibited forms of animal sacrifice, or simply to the unnecessary and innate cruelty of the act.
join him. The ensuing struggle became national, and led to the reinstatement of the Temple cult and to independence for the nation.

So it is clear that, for a Second Temple Jew, the eating of pork, and more so the use of pork in a cult setting was unthinkably impious. Its wrongness was, I will argue in a moment, a basic moral certainty for them. Now one might object that, given the self-other model of morality I defended, this hardly qualifies as a moral matter as none of this has to do with relations to an other. These are, if anything religious certainties. But, as Old Testament scholar Martin Noth put it, the practices of the sacrificial system are the ‘provisions which seek to ensure the... relationship between God and people, between Yahweh and the Israelite tribes.’ (1966, 51, my emphasis) And so, as the Israelites conceived it these religious institutions were highly regulated interactions with their god, understood as a concrete other. Whatever we might think of such a view it is the one they held - they conceived of themselves as interacting with God. And on their conception God was personal; and though transcendent, he was one with whom one could interact through prayer, prophecy and even through occasional epiphany, as well as through the sacrificial system. For the ancient Jews God was an other, and in relating to him they believed they were relating to an other. And so their actions are to be categorised as moral as well as religious.

So to make clearer that there is moral certainty at work here, let’s put this into a concrete context. We could say, for the Second Temple Jew, ‘To sacrifice a pig on the altar in the Jerusalem Temple would be certainly wrong’. It would be so impious that its wrongness would be indubitable. So the Jew who did such a thing would have to be thought of as an infidel or a heretic. For a Second Temple Jew, to deliberately sprinkle pigs-blood on the altar of the Jerusalem Temple, would have been in the same moral category as murder.107

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107 I am here taking Isaiah’s words as expressing a generally held attitude among Jews of the time (though that belief is not held by many modern Jews who would not consider eating pork wrong at all). And that this attitude was literal rather than hyperbolic (i.e. that they took cultic use of pig’s blood as literally morally equivalent to murder) is shown by stories where transgressors against the cult were slain, the most severe form of punishment, rather than fined or given some lesser punishment (we could cite the story of Hophni and Phineas in 1 Samuel mentioned above, or
Proof of the certainty of this belief can be seen from the sources just cited. The text from Isaiah quoted places the use of pig’s blood in the cult within the same conceptual sphere as murder. And the writer does not go on to say ‘And murder is certainly wrong’ – that both are certainly wrong is taken for granted.

The reason it is important to discuss the pig prohibition in a Second Temple context, has to do with the particular way the prohibition was justified in that context as opposed to other times. The prohibition on the use of pigs in the cult is now generally seen to have arisen out of the conflict between early or proto-Israelite religion, and that of the Canaanite city states existing in Palestine at the time of the tribal migrations of the Israelite tribes into the land. Perhaps motivated by a desire for cultural distinction, or by an abhorrence at some of the practices of the Canaanite cults (e.g. ‘sacred’ prostitution and child sacrifice), the early Israelites sought to distinguish their religious practices from those of the established city-states. This fact can account for the idiosyncratic nature of some of the prohibitions found in the Hebrew Scriptures, some of which have their origins in oral traditions passed down from the time of this cultural/religious antagonism. For instance, the prohibition on boiling a young goat in its mother’s milk\(^\text{108}\) and the prohibition discussed here against the use of pigs in the cult, have their origins in a movement to separate from the Canaanite cultic practices. At the time the prohibitions were developed, the context provided clear cultural and religious reasons for them. That is, at this time the belief was grounded on further justification, and therefore the belief in the wrongness of using pigs in the cult was not always a basic moral

\[\text{Mattathias Macabee's slaying of a Jewish priest for cultic violation in 1 Maccabees 2:15-26 as examples).}\]

It should also be noted that I imply an equivalence between immoral and impious here. But for Second Temple Jews there was, in general, no great distinction between religious/cultic transgressions and moral ones. Cf. the story of Uzzah (in 2 Samuel 6:1-7 and 1 Chronicles 13:1-11) who was struck down by God for carelessness about obeying the Mosaic instructions for the transportation of the Ark of the Covenant. Though, as Trito-Isaiah testifies, ignoring moral injunctions was thought to empty the cultic acts of significance.

\(^{108}\) Given at Exodus 23:19, and 34:26, and in Deuteronomy 14:21.
certainty that went without saying. In an earlier time it was *justifiable*, reasons could be given for it in terms of cultural separation and religious purity.

By the time we get to the Second Temple period though, things had changed. The conception of the Law (with a capital ‘L’) had developed into something more absolute, and floating somewhat freer from its historical origins. The importance of context in justifying these prohibitions had been superseded by a sense of their eternal validity, regardless of context. In the Second Temple period it is characteristic to see the Mosaic laws as simply right in themselves, a way of living revealed by God to his people and eternally valid. By this time the religious practices of the community had become such a fundamental part of national identity, that to respect certain religious scruples was just ‘what it is right to do’ as Jews.  

Indeed, this lack of any further justification for these prohibitions prompted the same kind of philosophical work amongst Jewish thinkers that the lack of further justification for the wrongness of murder has amongst modern philosophers (cf. Pleasants, 2008b, 257-261). Exactly the same kind of discomfort which some philosophers feel at the ungrounded nature of the belief in the wrongness of murder, was felt by thinkers like Philo of Alexandria (and much later by Moses Maimonides) about the hinge nature of the belief in the pig prohibition. Philo, a Second Temple Jewish philosopher, sought to resolve the apparent problem of the pig prohibition’s lack of any kind of rational justification. He said that Moses had included the pig prohibition in the Law firstly because pork was the tastiest meat, and that we should beware of indulging in it, lest we develop a craving for excess and luxury. Secondly, Philo argued that as pigs are carnivorous (feeding even on human flesh), those who eat pig may well inherit some of its savage qualities, and so for this reason also we should stay away from it (1993, 625-6). Philo does not explicitly state that these dietary reasons also render the pig unsuitable for use in sacrifice, but it seems that for him the inference is a natural one.

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109 In this section, I follow the historical reconstructions of Gerhard von Rad in his *Old Testament Theology: Volume One* (1975) (for the notion of Law in the Second Temple period see particularly 85-92), and of Martin Noth’s essay ‘The laws in the Pentateuch: Their assumptions and meaning’ in *Laws in the Pentateuch and Other Essays* (1966, 1-107).
Another attempt to make up for the lack of rational justification for the pig prohibition can be seen in the *Epistle of Barnabas*.\(^{110}\) This epistle comes from an early Christian writer, writing under the name of the Apostle Barnabas. In that epistle the writer discusses various Jewish laws and offers an allegorical interpretation of them. The prohibition on pork, so the writer argues, is not a literal prohibition on eating pigs. Instead Moses, when he wrote that law, meant it to be taken in a ‘spiritual’ sense to mean ‘You are not to consort with the class of people who are like swine, inasmuch as they forget all about the Lord while they are living in affluence, but remember Him when they are in want – just as a swine, so long as it is eating, ignores its master, but starts to squeal the moment it feels hungry…’ (Staniforth, 1968, 206).

Now, whether or not it is good advice to abstain from the company of ‘swinish’ people, that is certainly not the reason for the pig prohibition as it appears in the Hebrew Scriptures. Nor is it the reason most pious Jews at the time would have given. For the community at large, to abstain from pig was just how Jews act - it would be certainly wrong to eat pig or use it in a religious context. And so Philo and ‘Barnabas’ are acting in just the same way as modern philosophers like Don Marquis (1997, 96) and Leonard Sumner (1976, 162) when they try to offer philosophical explanations for the wrongness of murder. Philo and ‘Barnabas’ give us not informative explanations but ‘gross pseudo-explanations’ (Pleasants, 2008b, 260). In the same way that modern philosophers’ failures to produce a philosophical justification for the wrongness of murder, point to the fact that they are handling a basic moral certainty, so failures to provide convincing justifications for the pig prohibition, point to the fact that no such justifications existed in the Second Temple period, or were necessary for those who held it.\(^{111}\) Philo and ‘Barnabas’ were dealing with a local moral certainty.

\(^{110}\) Technically speaking the Epistle is not a Second Temple source, being written a few years after the destruction of the Temple in 70 AD. But it is sufficiently close (from the early second century at the latest) to be a valid witness to contemporary thinking.

\(^{111}\) Taking note of the historical sequence by which the pig-prohibition moved from justifiable moral belief to basic moral certainty might tempt us to see a difference here with universal moral certainties like those around killing. That is, we might want to say that whereas with my examples of local moral
It is interesting to note, in closing this section, that the prohibition on pork has, for many Jews today, been dislodged from its place in the bedrock of Jewish identity. And that is not to say that the prohibition is not taken seriously as it is, indeed, taken very seriously by some. But I suspect few today would, like Mattathias the Maccabee, slay their fellow Jews in fit of zeal for improper use of pig meat (1 Macc 2:15-26). Less so would such an action be approved by the Jewish community at large (as it must have been for the readers of 1 Maccabees). One can only speculate as to the reasons for this shift. I think though, that it must have started as far back as the destruction of the Temple by the Romans in 70CE, and as the Rabbis regrouped and began to redefine Judaism in the following generations. From that point on the Temple cult could no longer play a part in the life of religious Jews, and significant parts of Mosaic law (those pertaining to Temple sacrifices) became impracticable. And as the centre shifted towards Synagogue worship and the study of the Torah, transportable practices that could continue throughout the geographically dispersed Jewish community, perhaps the pig prohibition with its cultic background seemed less relevant. Perhaps the growing secularisation of culture in the last 200 or so years has played a large part as well.

In any case, we can trace the history of the pig prohibition from the second millennium, where it originated as a belief for which its holders could give justifications and reasons; to the Second Temple period where, through long practice and aided by certain shifts in theological thought, it had become a belief which ‘went 

certainties, there were justifications until those moral beliefs became part of the bedrock, universal moral certainties were never justifiable moral beliefs – that is, we were never able to give a justification for e.g. the wrongness of murder. I want to tentatively resist that move because the materials for comparison are lacking. We have documented instances of shifts in our local moral certainties (see especially the case study at section 6.5 below) whereas the process by which our ancestors developed a basic aversion to murder is not open to view. That said, Mary Midgley (1991) convincingly argues that the precursors of our moral thinking probably existed in our pre-human ancestors. And this makes it likely that things like a basic aversion to killing was already a part of our nature by the time we evolved into modern humans. But again, the materials for comparison between more recently emerging local moral certainties and more ancient, perhaps pre-human, universal moral certainties are lacking, and so we should remain agnostic on this point.

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without saying’; to the modern period where its place as a local moral certainty has been eroded and it has ceased to be part of the religious and moral bedrock of many Jews.

6.3 Examples of local moral certainty - Melmastia in the Pashtunwali

My next example of a local moral certainty is the belief in the goodness of showing hospitality among the Pashtun people of Southern Afghanistan and Northern Pakistan. It is true that the goodness of hospitality is held in all sorts of cultures, including our own. But I will argue that, within traditional Pashtun society, its importance is such that it qualifies as a local moral certainty.

Most cultures have some concept of hospitality. Most cultures consider it a good thing to show some level of welcome to a guest. In the culture I grew up in for example there are some not very strict or well-defined rules about such things. In my parents’ house a visitor had to be known to the family, and the visit pre-arranged to gain access. Once in, depending on the purpose of the visit, a guest could expect a brief conversation just inside the door or, in appropriate contexts, the offer of a seat and a cup of tea. Only family and close friends were invited to dinner and this well ahead of time. Complete strangers never made it past the door.

This understanding of hospitality is not unusual in late 20th/early 21st century middle-class English culture. To a greater or lesser extent our neighbours, and those in our part of the world generally, recognised this way of practicing hospitality. Hospitality is something we believe in but something we don’t take too seriously. It is central neither to our identity nor to our moral framework. Should someone in our culture never let anyone through their door, and never show hospitality, though socially engaged outside the home, we wouldn’t consider them morally mad or eccentric. Indeed, it would not be incompatible with seeing them as morally good people. But this is not so in all cultures. Historically speaking, in certain middle- and near-eastern cultures, hospitality has been considered centrally important and its

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112 The tribal name is variously transliterated as Pashtun, Pushtun, Pukhtun and other ways without much consistency in the literature.
practice imbued with great moral gravity. And it remains so today. To take our particular case, the Pashtun tribe are renowned for the seriousness with which they hold the practice of hospitality.

Pashtun society is governed by an unwritten code of practices called *Pashtunwali* (‘Way of the Pashtun’). This code is ‘a central element of Pashtun identity. Indeed, it is said that to be a Pashtun is to observe the Pashtunwali’ (Ginsburg, 2011, 89-90). The *Pashtunwali* lays down some basic principles by which to make moral decisions, and sets out some specific duties incumbent upon the individual Pashtun. An exhaustive survey is not necessary here. But one of the central notions within the *Pashtunwali* is the practice of *melmastia*, or hospitality. This, however, is not hospitality as one might experience it in suburban England. The Pashtun and his village are expected to entertain anyone who comes to their door or to their territory, be it friend, stranger or even enemy. Guests must be welcomed at once, warmly, and as generously as one’s resources allow. The bond of hospitality is considered inviolable and to welcome guests is ‘symbolic of both ... political loyalty and ethnic identity. For hospitality whether individually or collectively expressed, is one of the major cognitive, tangible and coherent symbols of ‘Pukhtunwali’ to the [Pashtun]’ (Ahmed, 1980, 58-59). In practical terms, to be on the receiving end of *melmastia* means to be brought into the home of the host, or into the village *hujra* (a common room kept by the village for the purposes of communal meetings and hospitality), and given either a cup of tea, a little something to eat or a huge meal, depending on the means of the host. While under their roof one is under the personal protection of the host, and in some cases this protection is extended so that the host is obliged to escort the guest safely to the edge of their tribal territory, when they are ready to leave. Such is the seriousness of the obligation that there are even stories of Pashtun hosts entertaining personal enemies responsible for the murder of close family members.\(^{113}\) This may seem very severe to non-Pashtun, but

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\(^{113}\) For example, this from the Economist (December 19\(^{th}\), 2006): ‘Near the village of Saidkhail, in the Zadran tribal area of eastern Khost province, a wandering Islamic student, or *talib*, killed a man with a knife, recounts Mohammed Omar Barakzai, the deputy minister for tribal affairs. The *talib* knocked on the nearest door and said to the woman who opened it: ‘I have killed a man. Shelter me.’ She let him in. And sure enough, to trim an elegantly told tale, the murdered man was the woman’s son. ‘I am a
their concept of hospitality and shelter demand it. Indeed, a recent case involving a wounded US soldier in Afghanistan makes the point well too. In 2005, after engaging local Taliban forces, US soldier Marcus Luttrell was separated from his team and left very seriously wounded (cf. Luttrell & Robinson, 2007, esp. chapters 9-12). After escaping the battlefield he was discovered by a group of Pashtun villagers and (after some initial nervousness on both sides) taken into their care. In particular a man named Sarawa took him under his protection and cared for him in his home. During this time the Taliban forces came several times to the village demanding Luttrell be handed over, but the rules of the Pashtunwali absolutely forbade this and obliged the whole village to come to the defence of the guest. Even though Luttrell was a foreigner and despite the pressure from the Taliban, Sarawa and the villagers sheltered Luttrell until he could be picked up by US forces. To this day Sarawa suffers harsh reprisals for sheltering Luttrell. But such is the seriousness of the hospitality obligation he still considers it right and binding.

So it is safe to say that hospitality is very important for the Pashtun. And it is important in way very different from how many other cultures practice it. Indeed, it would not be overstating the matter to say that instances of well-practiced hospitality could serve as paradigm cases of honourable, good, pious behaviour amongst the Pashtun. From all this it follows that there are things which people in my community would not consider very wrong, or not even wrong at all, which a Pashtun would consider unshakeably, indubitably wrong. That is, the rightness of the hospitality obligation is a local moral certainty for the Pashtun.

I will make the local nature of the certainty clearer with an example. Say I’m sitting at home reading the paper of an afternoon and I hear a knocking at the door. I don’t get up to answer. I’m pretty happy reading my paper and don’t really care to

_‘Take him to safety.’_ http://www.economist.com/node/8345531?story_id=8345531. Now the fact that the husband and brothers wanted to kill the man does not tell against the fact that they knew it would be wrong, or un-Pashto to do so. The fact that all the wife had to do was declare their tribal identity (‘I am a Pashtun’) in order to end the discussion, and convince the husband and brothers to take personal responsibility for the murderer’s safety, shows the power of the Pashtun hospitality obligation for them.
be disturbed right now – whoever it is can go away or come back later. There comes another knock at the door. Still I continue to read my paper, I’ve made my decision now and intend to simply wait for the person knocking to go away. Then the knocker calls through the letterbox: it is a friend of the family whom I have met once before. I remember that they don’t live nearby. They say, through the letterbox, that they were just passing through and thought they would visit. But I persist in not answering, and even keep very still so they don’t realise I’m home. For me that might have been a little rude. But say I had just got home from a conference and was very tired, or I was nervous about making conversation with the near stranger, or I didn’t really like the person when I met them and didn’t want to talk to them. Given any of these or similar reasons, I might well argue that it was morally justified and not wrong at all for me to refuse hospitality to the unasked-for guest. Whether or not I am right, I can sensibly question my responsibilities here, and not suffer any ill effects or pointed fingers from my community at large.

But for the Pashtun it is very different. Such an action would be an example of a serious moral wrong. The fact that the potential guest was a family friend, and one you had personally met makes it even worse. No self-respecting Pashtun could countenance such behaviour. Hospitality is taken so seriously that ‘the reproach to an inhospitable man is that he is devoid of Pakhto (Pashto), a creature of contempt.’ (Jan, Munir & Ur Rehman, 2011, 292).

So, given the place hospitality, even to one’s enemies, has in the Pashtunwali certain types of inhospitality are, for them, indubitably wrong. To refuse to entertain a guest would be according to the Pashtunwali, a paradigm example of wrongness. For a Pashtun to suggest that such actions are morally defensible would represent nonsense for them, moral nonsense. Such actions committed by a Pashtun must appear mad or reprehensible. From the other side, the showing of hospitality could serve in this context to teach the notion of moral goodness, being a paradigm, unambiguous example of it. That is, it functions as a basic moral certainty. For us though, doubting the wrongness of inhospitality is possible, and so the Pashtun notion of the seriousness of the hospitality obligation is a local moral certainty.

From this discussion we get a clearer picture of the different consequences of doubting local and universal moral certainties. Whereas universal certainties tend to
be of such a nature that to doubt them would, as Wittgenstein puts it ‘seem to drag everything with it and plunge it into chaos’ (OC 613), this does not seem to be the case with local moral certainty. The effect of doubting local moral certainties is to undermine one’s ability to reason morally like other members of the community. So whereas to doubt universal certainties is to be outside of the community of rational thinkers as such, to doubt local certainties has consequences only within the context in which they are held certain. For example, to doubt the rightness of melmastia means you cannot be a Pashtun, you have no place in their moral or epistemic community; one’s place in that community, ‘seeing the world like we do’ is at stake. And this kind of epistemic estrangement of doubters of local moral certainty is exactly what we should expect. After all, the consequences of doubting local empirical certainties are the same. What do we think of one who, in the modern world doubts that the earth is spherical, or believes that rain dances bring rain, or thinks the scientific method is not valid? We simply do not think in the same way as them, they are an epistemic outsider.\textsuperscript{114}  

It is important here to show why hospitality is so important in this particular context – it will help us draw some more general conclusions about the nature of local moral certainty. As with all local certainties (empirical as well as moral) it is the peculiarities of the community’s particular situation that hold them in place. They form what I referred to as a coherent foundation (see section 2.4.1). For example, if one of my friends were to tell me that she doubts there is really such a country as America I would be perplexed. That is because in our context there is really no room or reason for such a doubt, myriad factors speaking for the fact and none against the

\textsuperscript{114} Modern ‘Creationists’, Christians who take the first chapter of the book of Genesis as a literal account of the creation of the cosmos, are an interesting case in this regard. While doubting facts that are well established for many of us, for example the great antiquity of the cosmos or the fact of (macro) evolution, they usually attempt to harmonize their beliefs with a version of the scientific method. They might claim, for instance, that though fossils appear to be millions of years old this is only one interpretation of the data, which interpretation they reject (sometimes for supposedly scientific reasons). But it seems to me that such people are not quite epistemic outsiders in that they accept some version of the scientific world-view and the scientific method, even if it is inconsistently deployed.
existence of America. Such is our history and constant contact with that nation that its existence is certain for us – in our context the fact is indubitable. But that is not so in every place and time. When America had just been discovered, and foggy reports of this new land began to filter back to us in Europe, one might have been quite justified in doubting the veracity of the stories. In any case doubt would not be impossible. In the latter context doubt is possible, in the former it is not. And so it is the context, not the content of the fact itself (as in both cases the content of the belief is ‘America exists’) that decides whether a particular belief is held as a certainty or not. It is just the same with local moral certainties. In the case under discussion, the Pashtun certainty about the rightness of hospitality is held in place by the particularities of their wider historico-political situation.

The Pashtun people live in an area that covers some of southern Afghanistan and northern Pakistan. The Pashtun territories are not subject to any central government, but the area is almost entirely self-governed according to tribal codes like the Pashtunwali. As Tom Ginsberg puts it

Pashtun customs... form the primary normative rules in force in the region: governments in both Pakistan and Afghanistan have tenuous reach into the areas where many Pashtuns live and in some cases have no contact at all with these populations. Afghanistan has never really had a central government with effective reach throughout the country, and Pakistani criminal and civil law does not apply, even nominally, in the so-called Tribal Areas of the Northwest Frontier Province. (2011, 90)

And so even practices like punishing serious crimes are dealt with not according to

115 And that is not to say that I am sure of the existence of America because I’ve checked the records and looked into the history. Such checking would be nonsensical as in our British culture the existence of America is a (local) basic certainty.
state law and by some central government, but according to tribal customs.\textsuperscript{116} These customs provide stability and a form of justice for those within the society. In such a context, where one’s personal security is not guaranteed by the state (for instance in the form of a permanent, paid police force), mutual hospitality obligations become very important. How could one travel from one place to another, unsure of how one will be received in the next village if no recourse to law, or confidence in state police is possible? Add to this the potential consequences of wrongdoing, and the importance of respecting guests becomes even more urgent; by injuring or killing a member of another family one risks starting a blood-feud that can last for generations. In Pashtun society badal, or the obligation to avenge the killing of a family member, is one of the core values of the Pashtunwali. This system of revenge has the built-in tendency to escalate and so it is important to avoid the initial infraction that might engender such a feud. This helps explain how the practice of hospitality has gained the importance is has in that context, and why it is so deeply respected.\textsuperscript{117} In Pashtun society this is the best way for people to live together. In this context the moral impulse takes the form of serious hospitality obligations, and is so ingrained that it is thought constitutive of identity as a Pashtun. As quoted above, for the Pashtun ‘an inhospitable man… is devoid of Pakhto’ (Jan, Munir & Ur Rehman, 2011, 292), and ‘it is said that to be a Pashtun is to observe the Pashtunwali’ (Ginsburg, 2011, 90). That this institution is ‘man-made’ is no argument against its being the object of basic moral certainty. For the Pashtun it forms part of ‘the inherited background against which I distinguish between true and false’ in the moral realm (OC 94). And so the Pashtun does not justify practicing melmastia in terms of the practical or societal benefit but, as in the case of the woman who

\textsuperscript{116} Murder is punished according to the custom of badal, or revenge, whereby it is considered a duty for the victim’s family to seek to kill a member of the aggressor’s family. In the absence of a centralised justice system, this duty to revenge acts as an effective deterrent against murder (cf. Ginsburg, 2011, 103-4). Seeing revenge as a positive duty, a positive moral response to murder, is not limited to the Pashtun but is common in tribal societies. See below (section 6.5) for a discussion of this obligation in ancient (Attic) Greek society.

\textsuperscript{117} In fact these customs act as checks and balances that work together to produce a relatively stable society. As long as the Pashtunwali is respected the various families can coexist.
sheltered her son’s murderer, simply cites it as part of what it is to be a Pashtun.\textsuperscript{118} There is no justifying this local moral certainty, it is a necessary part of the Pashtun moral framework.

So we see that for the Pashtun the rightness of hospitality is a local moral certainty, and to doubt its rightness is to cease to think like a Pashtun. And it is elements of the larger political context, that of being in an essentially stateless society linked with local notions of revenge-obligation, that hold this certainty in place.\textsuperscript{119} In this way we can understand that this basic certainty being local is not accidental but intrinsically linked to the Pashtun \textit{Sitz im Leben}.

\textbf{6.4 Examples of local moral certainty - Cannibalism and the ancient Greeks}

My third case of local moral certainty comes from the ancient Greeks. There are good reasons for thinking that eating the remains of the dead was considered unshakeably wrong for the ancient Greeks. I want to present two main pieces of evidence that they held such a belief and then show that that belief was indubitable for them. One piece of evidence comes from Herodotus, one from Homer.

In moral philosophy, the anecdote in Herodotus about Darius I’s conference between some Greeks and an Indian tribe called the Callatiae, in which the proper disposal of the dead is discussed, is a well-known study in moral differences. For the purposes of clarity I will rehearse the scene one more time. Herodotus says, in Book 3 of his \textit{Histories}:

\begin{quote}
One might recall, in particular, an anecdote of Darius. When he was king of Persia, he summoned the Greeks who happened to be present at his court, and asked them what they would take to eat the bodies of their fathers. They replied that they would not do it
\end{quote}

\textsuperscript{118} That is not so say that a Pashtun person might not praise the practices for their benefits, only that they do not justify \textit{melmastia}.

\textsuperscript{119} That context shapes or conditions but does not justify basic moral certainties was discussed at sections 2.4.1 and 2.5.
for any money in the world. Later, in the presence of the Greeks, and through an interpreter, so they could understand what was said, he asked some Indians, of the tribe called Callatiae, who do in fact eat their parents’ dead bodies, what they would take to burn them. They uttered a cry of horror and forbade him to mention such a dreadful thing. (1972, 219-220)

Herodotus’ draws the lesson for us: That ‘custom (nomos) is the king of all’.

This first piece of evidence shows that the Greeks believed that eating their dead parents was wrong, very wrong. That they are not willing to do it under any circumstances, suggests this is not negotiable for them. Even if, as may be implied, these Greeks are mercenaries under pay to the Persian king, they wouldn’t take all the gold in Asia to do something so outrageous. Indeed, we are to understand, by analogy, that the Greeks experience a similar moral disgust to the Callatiae, who cry out in horror and forbid mention when it comes to burning the dead. These are all signs that what was suggested was the commission of a morally nonsensical act.

It is worthwhile also, to briefly explain the term nomos. In this context it is rendered as ‘custom’, perhaps because for English readers it carries a less absolute sense than the more common rendering ‘law’ (to translate as ‘Law is the king of all’ would carry quite a different sense and would obscure Herodotus’ point). But for Herodotus ‘nomos’ is the common Greek word that designates the set of laws and customs by which a city-state is run. So a well-run city with a good constitution is blessed with Eunomia; a lawmaker is called a nomothetes. So the word is broader in meaning than our ‘custom’. But nomos does include some things we would call customs like, as in the case at hand, burial customs. In fact, the way Herodotus uses the term may be rendered more fully as ‘way of life’. And so, Herodotus’ point is perhaps best expressed as ‘each nation’s way of life seems right to them’.

\[120\] And this conclusion stands even if we think, as some do, that the scene is Herodotus’ invention. It is clear from the story that Herodotus’ readers, his fellow Greeks, were meant to react as the Greeks at Darius’ court would react: with moral disgust.
The implication of Herodotus’s lesson about nomos being the king of all is that such practices lacked justification for those whose nomos it was. The Greeks could not tell you why cannibalism was wrong, only that it certainly was (for them). And this moral belief was local to them in that others, both then and now don’t share it121 – and so it is an example of a local moral certainty.

To show more clearly just how seriously wrong cannibalism in general was held to be by the Greeks, and why it should be classed a basic moral certainty, we should look at the ways it is treated in the Homeric Iliad. In particular the final exchange of words between the two main protagonists, Achilleus and Hektor is informative for our purposes. In book 22 Achilleus and Hektor have just fought their climactic duel and Achilleus has dealt the deathblow, driving his spear through Hektor’s neck. And as he lay dying Hektor tries to negotiate with Achilleus about the treatment of his corpse. He says:

I entreat you, by your life, by your knees, by your parents, 
do not let the dogs feed on me by the ships of the Achaeans 
but [...] give my body to be taken home again, so that the Trojans 
and the wives of the Trojans may give me in death my rite of burning.
(22:338-39, 342-43)122

To which Achilleus replies:

No more entreating of me, you dog, by knees or parents. 
I wish only that my spirit and fury would drive me 
to hack your meat away and eat it raw for the things that 
you have done to me [...] 
no, but the dogs and the birds will have you all for their feasting.
(22:345-49, 354)

121 The Fore people of Papua New Guinea have, in recent times, practiced endocannibalism (the eating of parts of deceased family members). Cf. Whitfield et al (2008)
122 All quotes from the Iliad come from Richmond Lattimore’s translation (1951).
As soon as Hektor is dead the other Greeks rush in and desecrate his body by repeatedly stabbing it. Then Achilleus hitches the body up to his chariot, and drags it around the city of Troy in front of Hektor’s parents, wife and extended family. Homer makes it abundantly clear that Achilleus has no pity for Hektor’s corpse. In fact it is only by the supernatural intervention of the gods that the body is kept in a fit state to be repatriated and given back to Hektor’s father. This is relevant for our purposes in that it shows that, even in this extreme, dramatic context, and after all he has done to Hektor’s corpse, there is something which Achilleus cannot do: he cannot eat the dead.

To be sure he wants to: ‘I wish that my spirit and fury would drive me...’ For the character of Achilleus his anger is a strong driving force. It is in a very real sense the main subject of the iliad. It motivates him to stay out of the fighting, even when it goes badly for his side, it motivates him to desecrate Hektor’s body, but it won’t motivate him to go beyond the pale and eat human flesh, even in this advanced state of passion and even though in his anger he wants to. There must be some definitively strong taboo holding him back at this point. That is that to eat human flesh would be moral nonsense. To do so would turn Achilleus from a heroic (though flawed) character into a madman in his community (and this would seriously damage the effect of the poem). Even here it would certainly be wrong to eat human flesh.

As Charles Segal says, this scene is ‘the climax of one of the main elements of the story, the hero’s grief at the loss of his companion.... Hence [Achilleus’s] language throughout this speech must be appropriate to the immensity of passion and to the status of the greatest of heroes.’ (1971, 39) But the threat of eating Hektor’s body is enough to show the depth of Achilleus sorrow and rage. He cannot actually do it, even in this context. Segal also reminds us of other occurrences of the theme of eating human flesh (homophagia), threatened or otherwise, in ancient Greek literature. In books 9 and 10 of the Odyssey both the Cyclops’ and the Laestrygonians are depicted as actually eating human flesh. But importantly both

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123 In the opening invocation the poet asks the Muses to help him ‘sing of the wrath of Achilleus’, thus signalling the subject of the work to follow.
groups are characterised as monsters that can’t even be classed as human, let alone Greek. And in Hesiod’s *Works and Days* ‘abstention from cannibalism is the *distinguishing feature* separating men, who have *dike* [justice], from ‘fish and beasts and winged birds’ who ‘eat one another’’ (Segal, 1971, 41, citing *Works and Days* lines 276-80; italics mine).\(^{124}\)

And there are two more references to cannibalism in the *Iliad* itself that are worth discussing. The first occurs during a council of the gods where the fate of Troy is being decided. After experiencing Hera’s unquenchable hatred towards the Trojans, Zeus says to her that:

> If you could walk through the gates and through the towering ramparts and eat Priam and the children of Priam raw, and the other Trojans, then, then only might you glut at last your anger.
> (4:34-36)

But this only a hyperbolic description of Hera’s anger which is never acted out. And in any case the Olympians can’t be said to exist within the same moral framework as mortals in Homer’s poems.

The only other reference to cannibalism in the *Iliad* comes not long after Achilleus’ threat discussed above. Hektor’s mother, Hekabe, in a mourning speech to her husband tells him of her desire for revenge, and that

> I wish I could set my teeth in the middle of [Achilleus’] liver and eat it. That would be vengeance for what he did to my son.
> (24: 213-14)

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\(^{124}\) In fact, Hesiod’s contrast between animals and humans amplifies that of Achilleus, where he allows that the dogs and birds may eat Hektor, though he himself may not.
But again, no one actually does eat human flesh. And the severity of the threat can be accounted for by the severity of the grief. Hekabe’s grief is deep and unrestrained, and this is in part in order to bring out more fully the dignity and pathos of Priam’s grief, expressed in his imminent visit to Achilleus to ransom back Hektor’s body.\(^{125}\) In contrast Achilleus had the opportunity, the motivation and a deep desire to eat Hektor’s flesh. Yet even in that context, it was beyond the bounds of moral sense to do so. This reflects the belief of the audience, the ancient Greeks, that the wrongness of eating human flesh was indubitably wrong. For Homer, that any of his human, Greek characters would resort to cannibalism is never a possibility, it is morally ruled out for them. So both Herodotus and Homer testify to the certainty with which the Greeks held the wrongness of cannibalism. And as this moral belief is not universally held it is a local moral certainty.

I have tried to show above that both the pig prohibition for the ancient Jews, and the hospitality rules of the Pashtun, could only emerge and then become a part of the moral bedrock of those cultures because of wider contextual factors. So the same holds for the Greek belief in the wrongness of cannibalism. In this case there are particular empirical beliefs\(^{126}\) about the notion of ‘pollution’ that provide the framework within which such local moral beliefs could grow. Contact with the dead, for the Greeks exposed one to a form of pollution they called ‘miasma’,\(^{127}\) which was an unseen force apt to cause either sickness or misfortune in those polluted. This miasma could be passed from person to person through physical contact and

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\(^{125}\) It may be tempting to see here an example of the Greek/barbarian contrast-theme attributed to Homer by later writers, with the Greek hero holding off from cannibalism and the barbarian queen restrained only by circumstance. But Oliver Taplin’s arguments (1992, 110-115) against Homer maintaining such a negative contrast between Greeks and Trojans, mainly through citing Homeric descriptions of ‘Greek’ behaviour in Trojans, are I think decisive.

\(^{126}\) I call these pollution beliefs ‘empirical’ because they are about the physical world as the ancient Greeks saw it. I don’t mean to imply that they were arrived at through empirical investigation, though they are used to explain physical phenomena like bad weather or crop failure.

\(^{127}\) As classicist and historian Robert Parker says in his book *Miasma: Purification and Pollution in Early Greece* ‘[t]he two natural pollutions most often referred to in Greek sources are those of birth and death’ (1983, 33).
could only be removed by ritual purification. But it is not to be thought of as moral pollution, or as a kind of guilt for wrongdoing; incurring guilt and being polluted by miasma were conceptually separate. As Robert Parker says, ‘these rules [of pollution] were essentially as amoral as... natural processes’ (1983, 34).

And we should also take account of the Greek belief in the continued influence of the dead in the lives of the living. The spirits of the dead were believed to live on, and had to be treated with proper respect by the living. So for example, these spirits had to be ‘appeased with food and drink and the performance of the ritual proper to them’ (Maidment, 1960, 40-1). And this continued obligation to the dead was not just a matter of simple ritual but extended to matters of justice too, so that, for example, ‘the spirit of the man whose life had been taken from him by violence... demanded blood, the blood of his slayer; and until he had received satisfaction, his curse lay upon the living.’ (ibid. 41) And this is not to speak figuratively but literally of the dead person as having a will and active influence in the world. So a continued relationship, characterised by obligation, existed between the living and the dead. It is not hard to see how such a belief might form part of the complex of beliefs, wherein the treatment of the corpse of the dead was hemmed in by various serious obligations and prohibitions. The dead person remained an other, capable of being harmed, honoured or dishonoured.

It is these elements of the Greek world-view, their animism and their beliefs about pollution, that allowed their belief in the wrongness of cannibalism to emerge and in time become a local moral certainty. The certainty with which they hold its

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128 Although one could contract miasmic pollution through wrongdoing like murder. However, the link here between murder and miasmic pollution does not make miasmic pollution a moral concept as there are many instances where one can be polluted but not be guilty of wrongdoing e.g. through giving birth. Indeed, that guilt and miasmic pollution are separate can be seen from the fact that in Aeschylus’ Oresteia (which I will discuss below), Orestes is tried for murder even after he has been ritually purified. That is, even though the matter of his pollution (from killing his mother) is settled (as he has been purified), the matter of his guilt remains open. The link between murder and miasmic pollution probably has something to do with it involving proximity to death.
wrongness is a function of the wider picture of the world they hold, where forces like *miasma* must be guarded against, even in law.\(^{129}\)

All this is not to say that the prohibition against cannibalism is *justified by* the *miasma* belief or a belief in spirits. As noted, the concept of *miasma* is itself a non-moral one. And for it to function as a moral justification for the wrongness of cannibalism one would have to be able to say cannibalism is wrong because incurring pollution is wrong (rather than just prudentially bad, regrettable or dangerous). Instead cannibalism is just something that is paradigmatically wrong for ancient Greeks. It is, for them, one of the factors that distinguish us from paradigmatically evil monsters or from animals that have no moral sense. Yes, certain particular beliefs about the forces present at death or in corpses certainly helped give rise to such a basic certainty, but those beliefs aren’t deployed in order to justify the wrongness of cannibalism. They act only as a sort of *anthropological* explanation (a third person *explanation*, rather than a first person *justification*) of why such a local certainty might have arisen here.

### 6.5 Case study of a shift in local moral certainties – Revenge obligations in ancient Attica

In order to bring out more fully the nature of the link between our local moral certainties and the wider context, I want to introduce a case study where a shift in cultural context causes a local moral certainty to lose its status as a certainty. In this section I will look at the shifting status of revenge obligations in ancient Attic society, to show how closely conditioned local moral certainties are by non-moral, cultural factors. This will help to establish, not the truism that as culture changes so do moral norms, but to give a model of how particular local moral beliefs enter and leave the bedrock of our moral thinking. I will start by giving some necessary details of the

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\(^{129}\) Cf. Anton Powell (1988) p. 386 where he discusses Athenian laws relating to murder trials, where ‘in some circumstances a man accused of murder had to plead his case offshore in a boat, to a jury on land, to avoid contaminating Attikē.’ The notion of contamination here is that of contamination by *miasma*. 

historical situation in ancient Attica (the area of Greece later dominated by the city of Athens).

In Attica in the Archaic period (before about 650 BCE), the area was split into many small communities and villages, much like the Pashtun communities in Afghanistan, over which the city of Athens exercised a limited centralised influence. And, what is important for our purposes, issues of justice and retribution for crimes were therefore administered by the local community, and more specifically led by the families involved. In cases of murder, responsibility for effecting retribution fell on the victim’s family (again like the practice of *badal* for the Pashtun). And this was not seen, as we might see it, as ‘taking the law into our own hands’, but as responding well to a serious moral obligation. It may seem

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130 Where I touch on some historical factor about which there is no strong consensus I will note it in the footnotes, and try to leave the main text free from anything not directly relevant to the arguments. There is some controversy among historians over the date of the synoecism of Attica, that is the time at which Attica became politically unified under the city of Athens. But the precise date of the synoecism is not decisive for our discussion as the Attic synoecism did not imply strong central control by Athens. Indeed, after Attica was politically unified most of the day-to-day life and institutions of the non-city dwelling inhabitants remained locally focused. Even Robert Parker, who argues for a very early date for political unification (1996, 10) is happy to say that ‘even after the synoecism, most of life’s important activities for most inhabitants of Attica were probably still played out in the local community... And if no synoecism ever needed to occur (because the townships were never independent), we doubtless have still to imagine a society that was strongly decentralized in most of its habits of life.’ (ibid. 16) And so the official synoecism should be seen as distinct from the process of increasing investment in polis life I will go on to describe, though of course the former will have played a part in the latter. In any case it is clear that in matters of revenge obligations at least, centralised control was a late occurrence (see note 131).

131 Cf. Raphael Sealey (1983) who speaks of the pre-Classical period responses to murder as characterized by ‘self-help and retaliation, in which the relatives of the victim avenged themselves on the killer or accepted compensation in valuables, without approaching a court or public authority’ (ibid. 286) and says that ‘until the time of Draco [around 630 BCE] homicide was a private matter, to be settled between the families by retaliation or eventually by reconciliation in return for compensation.’ (ibid. 293) And Michael Gagarin tells us that before Draco ‘[t]he pursuit of a killer was traditionally the task of the victim’s relatives’ (1979, 304). The practice of family-led retribution is seen as the accepted system in the earliest surviving witness, the Homeric poems, which reflect Greek practices from the pre-Classical, and possibly even Dark-Age and Mycenaean periods (that is,
strange to us to consider revenge killing as a moral obligation. For us in modern Western culture, when a crime is committed we call the authorities to deal with it. The police arrest the perpetrator, the courts judge them and the penal system punishes them. Most of us would think it very wrong to take matters into our own hands, and exact punishment on criminals ourselves. This is particularly so in the case of murder.\textsuperscript{132} We may still find revenge killing understandable, but we generally don’t see it as morally right. And as we don’t think of revenge killings as even permissible, it is very hard for us to understand it being a positive moral obligation to carry them out. It would strike a very discordant note to us to hear someone we considered a moral authority demanding, in response to a murder, that we gather the men of the family and go out to kill the culprit, using the language of justice and moral right to urge us on. And yet, as we will see below, this is exactly what occurs in the Attic context. But though it may be hard to put ourselves in their position, we must remember that their times are not our times. Recourse to an independent state system of trial and punishment had, as far as the Athenians of the Archaic period were concerned, not been invented or even conceived of.\textsuperscript{133} It was not an option to be considered. Nevertheless the need for some kind of justice, on both a practical and moral level, was felt. And so recourse was made to the family unit to which one’s most serious and immediate duties were directed. Of course such revenge-based systems are seriously flawed, containing the inherent potential to demand acts of extreme violence; but we should bear in mind that in a particular

\textsuperscript{132} Of course, we would consider it understandable for the family of a murder victim to feel a deep desire for vengeance; such feelings would be perfectly appropriate and natural. Indeed, cases where a murderer is forgiven by the family of the victim are usually seen as instances of supererogatory goodness. But all this doesn’t mean we approve when a family member does act in vengeance, and does seek to kill the killer.

\textsuperscript{133} Technically this is an argument from silence, but the fact that before Draco the potential for state controlled punishment of murder is never even expressed (for instance in Homer or Hesiod), strongly implies that it was not a conceptual option. Indeed, even when the state did begin to intervene the family still had to be given a primary place in the new prosecution procedure and the old revenge system, personified in the Furies, be given a place of honour (see this section below).
context they may represent the best possible response to the demands of justice, and the best way of ensuring a level of protection and safety for members of the community.

In order to show that the rightness of the revenge obligation was a local moral certainty in ancient Attica I want to look at a contemporary witness – Aeschylus’ trilogy of plays, the *Oresteia*. However, these plays bear witness not only to the old moral certainty, but also to the shift to a new moral belief in regards revenge killing. The *Oresteia* was first performed around 450 BCE, and centres on two killings: that of King Agamemnon by his wife Clytemnestra, and then that of Clytemnestra by their son Orestes. The plot leads up to the trial of Orestes in Athens, where it is debated whether his killing of his mother is to be considered culpable or not. On the one side, it is argued, Orestes has killed a close family relation and so the killing must be wrong, it is murder. On the other hand it is urged that Orestes was obligated to avenge his father, no matter who the killer happens to be. In the end Athena, patron goddess of Athens, steps in and decrees that a jury of elders be appointed to decide. And that jury acquits Orestes (by the narrowest possible margin) declaring the killing not culpable, though in future it will be the state and not family members like Orestes that must kill the killer in cases of murder.

Now for our purposes there are three main things I want to draw out. Firstly, that the revenge obligation was seen as strongly moral in character; second that the belief in its rightness was such that it even licenced matricide (at least in this fictional context); and third that this belief had recently *lost* its status as a basic moral certainty. I will briefly discuss these three points.

Given the strangeness of revenge obligation we might be tempted to try to understand it not as a moral imperative, but as a practical or merely legal obligation or a psychological need dressed up as moral. But I think such a move can only be motivated by our modern convictions about the wrongness of revenge, which were not shared by the ancient Athenians. Aeschylus gives clear witness to the moral nature of the Attic conception of revenge obligations. This is very clearly shown up in the scene in the *Choephoroi* (the second play in the *Oresteia*) where Orestes mourns at his father’s tomb, attended by the chorus of servants. There he struggles to come
to grips with the revenge obligation, but the chorus clearly restates its validity and moral force,

The spirit of Right
cries out aloud and extracts atonement
due: blood stroke for the stroke of blood
shall be paid... So speaks
the voice of the age-old wisdom.
(1953, 104)

This need for atonement is also characterised as ‘the turning of Justice’ (ibid.). And later, the Chorus express the traditional view immediately after Orestes has killed his mother,

his hand was steered by the very daughter
of Zeus: Right (dike) we call her
(ibid. 127)

And Orestes is clearly seen as blameworthy if he neglects the obligation, when Apollo threatens him with the punishments due the wicked if he doesn’t go through with it.134

So we have here an obligation discussed with reference to concepts like justice, right, blameworthiness and punishment. This puts it firmly in the conceptual category of the moral. And that we are dealing with a moral belief that, until recently, had been a moral certainty can also be seen from the way it is handled in the plays.

We should remember that even though a new system for dealing with murder is instituted at the end of the story, the old way is never criticised or its rightness doubted. Indeed, its rightness is loudly trumpeted and reaffirmed at every

134 This is also affirmed at Choephoroi lines 273-4 ‘[Apollo] proclaiming afflictions chilling to my warm heart’s blood, if I avenge not my father...’ (Weir-Smith, 1952, 187)
opportunity. And though the Furies accuse Orestes of wrongdoing in this instance they never doubt the rightness of the revenge obligation itself. In fact, it is telling that in pressing their accusation against Orestes they never denigrate the revenge obligation, but only insist positively on their own place in the Athenian moral framework. This points towards the fact that the belief in the rightness of the revenge obligation was still very strong for Aeschylus’ audience. In fact, the obligation of the family to seek justice is given a central place in the new state led institution for dealing with murder in that ‘Athenian law enjoined that only family members... must prosecute for the murder of a family member.’ (Visser, 1984, 194)

The obligation of the family to kill the killer had been transformed into an obligation to prosecute.

How are we to understand these seemingly conflicting facts, whereby the revenge obligation was conceived of as just, yet its implementation curtailed? I suggest that the best way to understand them is that a basic moral certainty had recently undergone a shift, its status as basic certainty being forced out by social and political changes. Its power still remained, being a non-ratiocinated belief not affected by reasoned doubts about its propriety. It took a long period (some generations) of training and conditioning before state controlled punishment was felt to be the proper norm. But the fact that, in the old system, the revenge obligation was unquestionably right is shown by its lingering air of sacrosanctity, which writers like Aeschylus sought to placate.

The changes that caused this shift were a move towards centralisation of power in the region of Attica towards the city of Athens itself and, essentially, a corresponding loosening of the importance of family obligations in favour of obligations to the polis. This process would lead eventually to the establishment of a democracy and to full state control over the prosecution and execution of murderers.135 As the political, cultural context of the people shifted so did their local

135 I don’t want to clutter the main text with historical detail but it will be worth just noting the major events in the process of both political centralisation and state control of previously family-led institutions. As we’ve seen above, before the 8th century BCE family-led institutions prevailed; in 621/0 Draco instituted his famous law code in which the state first began to legislate about revenge killings and imposed some very basic controls on it, for instance making it illegal to kill a murderer
moral certainties. The local moral certainty was held in place by the beliefs and the context that surrounded it. It was reliant not on some objective principle (or at least not exclusively so), but on particular aspects of their culture. We can see this from the fact that not all moral certainties changed, nor even all of those related to wrong killing, but only those directly linked to the changed elements of the culture. To return to the *Oresteia*, we saw two moral imperatives at play: i) the obligation to revenge and ii) the especial prohibition on killing immediate family. Now, whereas (i) the revenge obligation had to go because of shifting political emphases, there was nothing in the emerging situation that necessitated a rethinking of (ii) the special prohibition. And so the prohibition remained untouched – it remained part of the moral bedrock.

who has escaped into exile (perhaps to guard against inter-state conflicts). In terms of greater political centralisation, around 590 BCE Solon established the Council of the People, a body of 400 representatives including those from Attica at large, thereby increasing enfranchisement of country-dwellers. In around 510 BCE Attica was rearranged into new geographical groups called *demoi*, and a democracy established whereby all free Attic males were given the vote. These *demoi* then, rather than the old family unit ‘became the focus of citizen’s loyalties and attention’ (Jones, 1984, 9). By 350 BCE Demosthenes is able to speak of the revenge obligation as a thing of the past saying ‘only the laws and the appointed officers have power over the man for punishment. The prosecutor [prosecuting family member] is permitted to see him suffering the penalty awarded by law, and that is all. Such are the prosecutor’s rights.’ (1935, 261). Of course the fact that there was such a law against revenge killings, and that it had to be reaffirmed here, shows that the pull of the obligation had not gone away – we only legislate against things people actually do.

136 We might think that the wrongness of killing family members is a candidate for a universal moral certainty rather than a local one as it is treated here. But it isn’t a universally held belief, as in some cultures such obligations can be overcome by obligations to the state. Consider the contrast between Greek and Roman views as expressed in the morally pointed stories of Agamemnon and Iphigenia (especially as told by Aeschylus) on the one hand, and Manlius Torquatus and his son on the other. In the Greek story, Agamemnon is represented as seriously culpable for killing his daughter, Iphigenia, though the killing was for the good of the ‘state’, in order that the Greek fleet could sail to Troy. In contrast Torquatus, who while Consul had his son executed for disobeying military discipline was seen, all in all, as doing the right thing, subordinating family obligations to those to the state. The latter’s act was seen as a harsh and regrettable but necessary and correct moral judgement (cf. Livy, *Ab Urbe Condita*, 7:10-8:8).
The play ends with a new moral situation. Orestes is acquitted, the killing declared not wrong, but future revenge killings by family are outlawed. Now it is the state that will punish murderers. The plot of the Oresteia mirrors and retells the actual historical shifts in beliefs about killing among the people of ancient Attica. The power of the local moral belief about avenging family members lost its place as a basic certainty. But its effect was still felt for some generations. As E. R. Dodds puts it,

The liberation of the individual from the bonds of clan and family is one of the major achievements of Greek rationalism, and one for which the credit must go to Athenian democracy. But long after that liberation was complete in law... minds were still haunted by the ghost of the old solidarity. (1951, 34)

It took the Athenians a long time to unlearn their belief in revenge obligations to the family, even after it had lost its place in the bedrock of their moral beliefs. 

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137 An example of the tension between the old and new conceptions of justice, one probably more familiar to philosophers, can be found in Plato’s Euthyphro. There Euthyphro is prosecuting his father for murder. The legal situation is this: Euthyphro’s father had ‘arrested’ a labourer who had killed a slave. He bound the killer and left him in a ditch while he went to go fetch the authorities (citizen’s arrests were legal); while he was bound and left untended the labourer died; Euthyphro initiates a prosecution against his father for killing the labourer. Essentially, Euthyphro represents the new, polis-centred conception of justice and the father the old, family-centred view. Under the old view killers could be killed, and one’s primary obligation was to the family. Under the current law though the father had detained the killer in an illegal manner: killers could be arrested but not in any way abused or maltreated; but here the labourer was bound and starved. So the father was acting in accordance with the old ways (under which his son was acting very impiously!), and the son the new. This makes sense of Socrates’ concern in the dialogue to establish a standard against which these opposing views could be judged. It also shows that the old revenge beliefs were still alive, though by no means basic moral certainties.
6.6 Local moral certainty and moral conservatism

One might well ask if the notion of local moral certainty entails a type of strong moral conservatism. If there are beliefs within one’s inherited moral framework that cannot be doubted at risk of epistemic exile, what space can there be for radical social reform by those within a particular society? What of the Pashtun who wants to move away from the cycle of revenge killings, or the ancient Jew who thinks the pig prohibition an encumbering irrelevance, and a politically dangerous cultural marker\textsuperscript{138} best left in the past? First of all, it is worth remembering that to say that some moral beliefs are basic certainties is not to claim that all are. And so there is no sense in which absolute conservatism, with no chance of moral change or growth, follows from the positing of local moral certainties. Though some moral beliefs are locally or universally immune from doubt, most are not. At the epistemic level argument and change are possible and normal. And that said, even at the level of basic certainty change is possible, though through non-rational means\textsuperscript{139}. As I have tried to show in the previous section, local moral certainties may shift and lose their

\textsuperscript{138} Adherence to the prohibitions around the Temple cult was in several instances a cause of conflict between the Jews and the Romans who governed the province of Judea. Cf. for example Josephus, 1981, 120-1 & 139-41.

\textsuperscript{139} This is a fact Wittgenstein himself acknowledges in his well-known metaphor of the river-bed (OC 96-97). There he says that,

\begin{quote}
[i]t might be imagined that some propositions, of the form of empirical propositions, were hardened and functioned as channels for such empirical propositions as were not hardened but fluid; and that this relation altered with time, in that fluid propositions hardened, and hard ones became fluid… The mythology may change back into a state of flux, the river-bed of thoughts may shift. But I distinguish between the movement of the waters on the river-bed and the shift of the bed itself
\end{quote}

The same could be said for basic moral certainties, in that in cases like that just discussed the moral ‘river-bed’ itself might shift, if certain aspects of the wider context change in relevant ways. This is just the same as the way empirical certainties change, that is, gradually and indirectly, not through rational means.
status as certainties if the relevant changes in the wider social context occur.\textsuperscript{140} In this way we can see that positive moral change on a societal level is indeed possible, and cases of such changes are identifiable in the historical record.

It is true though that change at the level of basic certainties is indirect. The individual Pashtun might not be able to wake up one morning and start turning away guests, in the hope that this might be the right thing to do after all. That is because the rightness of hospitality is one of the fixed points by which particular cases are judged. If there are no fixed points, that is no basic certainties, then no final decision about moral matters can be arrived at. And for various historical reasons the rightness of hospitality has come to function as a basic moral certainty for the Pashtun (or so I have tried to show above). If certain societal factors changed, so that other moral options became tenable, then a change in that certainty would become possible – it might lose its status as a certainty. If the object of moral thought is how we must relate to the other, or what treatment we owe them, then the limits of what I can actually achieve for the other in my context also function to limit the possibilities of moral thought. The Pashtun villager doesn’t have the option of sending a guest to the nearest hotel and paying for their room, but they can provide hospitality and protection. The pre-Classical Athenian can’t see that a murderer is put in prison for life (they had no equivalent of the modern prison system),\textsuperscript{141} but they can kill the killer.

\textsuperscript{140} But though those changes might be prompted or caused by such social changes, they are not justified by them. That is, the shift in moral certainties is not empirically justified or the product of ratiocination – they change over time as those empirical beliefs which hold them in place change.

\textsuperscript{141} The Athenian’s did have a jail (probably only one) by the Classical period but this is somewhat different in function from our prison. The Athenian desmoterion (‘place of chains’) was a place for holding prisoners before trial (somewhat like a modern jail) or execution, and people were only exceptionally sentenced to a term there as a punishment in itself, and this as a punishment for debtors, never for serious crimes. Plato, in the \textit{Laws}, imagines using prison terms as punishment but only considers short terms of one or two years (two for a murderer who illegally returns from exile), except for when punishing an atheist who must serve a minimum of five years, though his incarceration is conceived of in restorative terms (to cure them of their atheism). In short, life-sentences were not conceived of or practicable even as late as the Classical period (cf. Virginia Hunter, 1997 & 2008).
In short then, moral conservatism is not implied by the notion of local moral certainty. But it does imply that the local *parameters* of moral thought cannot be changed at will, but only non-rationally and over time. And we see then that moral thought, though having its source universally in primary recognition, is shaped even at the foundational level by the cultural context in which one learns moral agency.

6.7 Recapitulation

In this chapter I have tried to support the local side of the universal/local moral certainty distinction. The three main examples of local moral beliefs discussed are, I have argued, basic moral certainties. But they are basic moral certainties that function as such only within localised contexts and so are local moral certainties. Our universal moral certainties attach to universal aspects of our human nature, our being embodied, possible, mortal; local moral certainties attach to that which is particular to a particular people at a particular time. So ancient Jewish certainties attach to the particular relationship of the Jews to their god, YHWH; ancient Greek prohibitions on cannibalism reflect the Greeks’ particular beliefs about the nature of *miasma* and the pollution of death; and the importance of hospitality to the Pashtun is linked to the Pashtun’s particular political context. In this way we get a nuanced and explanatorily effective account of the nature of deep moral disagreement between cultures. So rather than forcing us into relativist conclusions from the fact of interminable moral disagreement, the notion of localised moral certainties allows us to understand why such rationally irresolvable disagreements exist: beliefs at the level of basic certainty cannot be changed by rational means, such as moral argument. The local/universal basic certainty distinction also leaves open the possibility (discussed in the previous chapter) of universal elements in our human moralities. In the final chapter I will discuss some of the implications of what has been said for modern metaethics, and especially for the possibility of moral relativism.
Chapter 7. Implications for Current Metaethics

7.1 Introduction

In this final chapter I want to discuss the difference that this thesis can make in modern metaethics. There are three areas in particular where it can offer some corrective, the first to be discussed in brief and the last two in more detail. The first is a tendency, popular as well as academic, in our philosophical views of humanity. That is the tendency to see humans as basically egoistic in the state of nature and only becoming concerned with morality (with the other) through training and necessity; and further that even that training and necessity themselves are to be understood as egoistically motivated if looked at deeply enough. Hobbes is a well-known advocate for this type of thinking. I want to show that far from being purely self-interested beings, we are in fact morally concerned to the core, and that primary recognition demonstrates that concern for the other is part of our pre-rational, pre-epistemic animal selves.

The second notion I want to challenge comes from G. E. M. Anscombe and Alasdair MacIntyre. Their claim, what I will call the ‘Anscombe-MacIntyre challenge’, is that moral language has to a large extent become meaningless, due to its being estranged from the philosophical traditions that make its meaningfulness possible. Anscombe and MacIntyre provide important insights about the necessary connections between culture and moral concepts. But I want to elaborate an understanding of morality that is not so dependent on large-scale theoretical constructs, such as an Aristotelian teleology, as these thinkers contend. Neither, I will argue, is morality as such wholly contingent upon its particular cultural expressions, as the Anscombe-MacIntyre challenge maintains. Here the notions of universal and local moral certainty will hopefully shed some light.

Thirdly, I want to look at moral relativism and show how its more radical forms are ruled out by the notion of universal moral certainty. And by applying the notion of local moral certainty we will see how we can retain the motivating insights of relativism (in particular the variety and sometimes incommensurability of moral
systems) without falling into full-blown moral relativism. Stated positively, I want to put forward in this final chapter an account of human morality as deeply culturally involved, though universally comprehensible, and of human beings as morally concerned to the core.

7.2 Primary recognition and the myth of natural amorality

If primary recognition (discussed in chapter 3) really is a basic, incorrigible part of human beings then certain views of humanity are ruled out. In particular the quite pervasive view that human beings are basically, or in the state of nature, amoral. If what I’ve said about primary recognition is true, then our seeing the world in moral terms is basic and logically indubitable for us.142

Several voices speak against this claim. The one that probably springs to mind for philosophers is that of Hobbes.143 Certainly he is usually viewed as positing a basically amoral human being as the basis for his political philosophy. As we will see this picture of Hobbes is not quite the whole story; but his actual position is just as relevant for our purposes. Hobbes’ reputation as espousing the natural amorality of humanity is not without justification. He famously describes our relationship to others, outside of any societal context, as ‘war... every man, against every man’ (1962 [1651], 143). This conjures up images of humans as wild animals; mutually antagonistic and ready at all times to tear each other to bits. But there is more to be said of Hobbes’ view. He does not, for instance put forward the implausible view that people never act from other-regarding motives. Indeed he lists a set of other-regarding motivations that he takes as characteristic of human life, like ‘benevolence, good will, charity...[and] good nature’ – all these he takes to be examples of ‘[d]esire of good to another...[or] to man generally’ (ibid. 92, my italics). But, and this is the crucial point, for Hobbes these other-regarding impulses are not

142 Logically indubitable in that there is no possibility of sensical doubt at the level of primary recognition or of basic moral certainty in general.

143 Though Mary Midgley argues that such views are at least as old as Aristotle, who displayed an egoist view of humanity in his ‘attempt to derive the love we feel for others from our love of ourselves (Ethics 9. 4, 8)’ (Midgley, 1995, 116).
natural but ‘the result of training and education’ (Gert, 2008, 169) so that ‘man is made fit for society not by nature, but by education.’ (Hobbes De Cive, ch. 1, 2n, cited in Gert, 170).

This, I suggest, is where Hobbes’ and similar accounts go wrong. We have good reason to think that primary recognition, the source of our moral thinking, is not trained into us but something we are born with, a result of evolution not inculcation. Some of the psychological literature on the development of our moral faculties bears out the idea that primary recognition is a natural fact about human beings. And just to be clear, by ‘natural’ I mean that it is rooted in our basic physiological reactions, that we are born with it, and that primary recognition is not the result of training. It is needed in order to be trained in moral thought, it is a necessary prerequisite. This contention, that this kind of recognition is part of our biological make-up, is supported by evidence that we are hard-wired to be concerned for others. R. J. R. Blair’s research into the development of moral agency focuses on subjects’ responses to the distress of others. This responding is measured in several ways (e.g. through observation, or interviews), but what is interesting for our purposes is Blair’s use of the subject’s autonomic, physiological responses to measure sympathetic responses. Of particular interest in this regard are Blair’s two papers ‘Brief report: Morality in the autistic child’ (1996) and ‘Psychophysiological responsiveness to the distress of others in children with autism’ (1999). In these studies Blair measured the autonomic responses of children with

144 Though I will not claim that the content of our moral thought is not the result of education and training, but that the source of morality is not derived from training.

145 I am supporting a philosophical rather than an empirical claim here (i.e. that morality has its source in primary recognition), but getting clear about some empirical facts about the nature of interpersonal concern will help motivate philosophical investigation of its role in morality.

146 In this case subject’s skin conductivity response was measured (ibid. 479). This measure is used based on evidence that a person’s skin becomes more conductive (conducts electricity better) when they experience certain strong, basic emotions like anger, fear or distress, and is a standard measure in psychological research (cf. Greenwald et al, 1989). One advantage of this method is that it avoids certain worries about methods that involve asking the subject (i.e. we need not worry if the subject is lying or concealing their true responses for some reason e.g. not appearing racist on implicit bias tests, or not appearing uncaring about the distress of others).
autism to distress cues in others, and also to threatening stimuli. The results of the 1999 study indicated that ‘the autonomic response of children with autism to the distress of others is intact.’ (1999, 482). This confirmed expectations motivated by his earlier research that found that children with autism were able to make the moral/conventional distinction (cf. Blair, 1996). And so, despite a lack of ability to ‘represent the mental state of another’ (ibid, 578) severely autistic children do demonstrate a basic, physiological aversion to the distress of others. According to Blair this ‘indicates that the ability to mentalize is not a prerequisite for the development of the [moral/conventional] distinction.’ (ibid.) This indicates that it is such other regarding autonomic responses rather than certain reasoning abilities that are necessary prerequisites for moral agency. This is further supported by Blair’s findings that psychopaths ‘are able to represent the internal states of others’ (ibid.) but that despite this they lack the ability to think in moral terms. This suggests that the basis of moral responding is not a cognitive ability, like an ability to put ourselves in another’s place, but a basic aversion to harming others or seeing them harmed that is biologically rooted.\footnote{This is not to suggest that putting oneself in another’s place is not a useful tool in moral thought, but only to say that that isn’t the \textit{foundation} of our moral thought. Indeed, research by Batson \textit{et al} (2003) suggests that putting oneself in another’s place does increase pro-social, or morally good behaviour.} Our primary recognition of others is an attitude rooted in our physiology. And we can infer from this that it is a natural part of our humanity, something hard-wired in us and not just inculcated through training.

And arguments against \textit{empathy} being a prerequisite for morality, such as those advanced by Jesse Prinz, do not tell against this claim. In Prinz’s case this is because of his distinction between ‘empathy’ and ‘concern’. As Prinz has it ‘empathy is a matter of feeling an emotion that we take another person to have’ (2011b, 215), whereas ‘[b]eing concerned for someone is worrying about their welfare, which is something one can do even if one doesn’t feel what it would be like to be in their place.’ (2011a, 211) So in Prinz’s terminology primary recognition is not a matter of empathy, which involves mirroring the emotions of others; but it is instead a form of concern where we react to the pain of another without necessarily feeling the
emotions they feel.\textsuperscript{148}

One might ask though, whether only natural basic attitudes cause such physiological responses. After all, not all basic attitudes are natural but some are conditioned into us through training and repetition (cf. Moyal-Sharrock, 2005, 104-16). But the fact that only natural basic attitudes involve such responses is supported by some empirical research. For example research carried out by Larry W. Bates \textit{et al} (2013) on the attitudes of religious fundamentalists, gives support to the view that not all of our deeply held attitudes are biologically rooted, or express themselves at the autonomic level. In their study Bates \textit{et al} measured the autonomic stress responses of subjects identified as religious fundamentalists, when exposed to taboo words or images (taboo at least in the fundamentalist’s worldview). Subjects were shown taboo images (e.g. of a stripper or of someone smoking marijuana) and their stress responses measured. The researchers were surprised to find that fundamentalists responded identically to non-fundamentalists to such taboo imagery at the physiological level (‘None of the three psychophysiological measures showed any group difference as a result of religious fundamentalism scores’ (ibid. 90); though one wonders that at least a little raised heartbeat wasn’t noted). At the subjective level fundamentalist subjects reported feelings of discomfort (as might be expected from showing a group of religious fundamentalists pictures of strippers) but this was not reflected in their autonomic responses. What are we to make of this result? Their attitudes to these religious taboos were inculcated, not natural. But these deeply inculcated beliefs did not inculcate a corresponding autonomic stress response; they did not cause a physiological response in those believers. Now if our basic moral responses, like our aversion to the distress of others, were inculcated rather than natural we would expect a similar relationship to our bodily responses. But that is not what we find. And this gives us some reason to doubt Hobbes’ view that we are trained to care for others in the family home, because this study at least

\textsuperscript{148} For instance, another’s feeling fear might cause me to feel not fear but anxiety or sadness. Though I do not want to claim that primary recognition amounts to \textit{feeling} concern for another, but involves \textit{reacting} to them with concern or care.
indicates that inculcated beliefs do not elicit the same kind of physiological responses that natural basic beliefs do.

Indeed, it has been found that pro-social behaviour (e.g. helping, comforting) begins not in mid-childhood but as young as 1 or 2 years old (cf. Zahn-Waxler, Radke-Yarrow & Wagner, 1992). Instead of Hobbesian moral blank-slates, what we find is that our responding to the distress of others, and our recognising their needs, manifests very early. It is part of our animal nature. We respond to danger and threat at the animal level, and our responses to the pain of others are animal too. As Wittgenstein puts it '... it is a primitive reaction to tend, to treat, the part that hurts when someone else is in pain' (Z 540, italics mine)

I suggest that this primitive, animal caring for others is the basic ground of morality, countering the long-lived philosophical intuition that morality must be grounded in rationality. According to that philosophical intuition it is by our rationality that we overcome our ‘animal’ nature - we think and reason, rather than just do as the animals do. And, so the thought goes, in thinking and reasoning we might act according to (moral) principle rather than mere animal instinct, rather than according to our ‘animal desires’. If this distinction between the animal and the rational is at play, then it could help explain the particular direction attempts to ground morality have taken. If morality is to be grounded in us, the traditional philosophical tendency is to say it must be in our rationality, in our better rather than our more primitive, animal self. But this is a tendency we should resist given that our care and concern for others is found at the animal level of our responding.

So primary recognition, our basic responding to others as objects of concern, is not inculcated but hard-wired. It is part of the basic make-up of human beings. As I hope to have shown, those who lack it at can never really understand moral thought or engage as full moral agents with other human beings. Human beings (and pathological cases support rather than diminish the point) are morally concerned to the core, evolved with an ability to be motivated by the needs of others. And any

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149 Hume of course is somewhat of an exception, grounding morality in our emotions. And it should also be noted that I am not saying morality as such is not rational i.e. that we may not come to moral knowledge based on sufficient reasons. I just mean that it is rooted in the pre-rational.
philosophical project founded on a denial of this fact is bound to transmit this distortion to its conclusions.

7.3 The Anscombe-MacIntyre challenge

7.3.1 Anscombe and the law conception of morality

Another pertinent challenge to the main thrust of this thesis comes from G. E. M Anscombe and Alasdair MacIntyre. Both philosophers allege that modern moral thought has largely lost its sense (‘is in a grave state of disorder’ (MacIntyre, 2007 [1981], 2) because it is not properly grounded. This is, they argue, because it has become unmoored from the theoretical frameworks that give moral words and concepts their sense. This challenge is expressed by Anscombe in her famous paper ‘Modern moral philosophy’ (1958), and by MacIntyre in various places, though mainly in After Virtue (2007 [1981]). But if what I have said about how moral thought is grounded is right then this challenge to modern moral thought won’t stand – because moral knowledge claims are not grounded in the theoretical but in nontheoretical basic moral certainty. That is to say that, both Anscombe and MacIntyre criticise modern morality because it has no ultimate rational justification, but I will argue that this criticism fails because it is the very nature of morality, modern or otherwise, that it is ultimately justified by arational basic moral certainty – it is not moral theories that justify our moral thought, but our nonrational moral attitudes that enable moral theorising. So I want to spend some time in this section getting clear about what both Anscombe and MacIntyre mean when they say that modern moral thought lacks foundations, and see whether or not modern morality can be rescued from their radical critique.

First it is well to point out the obvious: neither Anscombe nor MacIntyre say

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150 The convergences between their views on the point I will discuss are such that the position they express has been called ‘the Anscombe-MacIntyre attack’ (Adkins, Lawrence & Ihara, 1991). There are some differences which will be noted below, but the main one is that MacIntyre’s is more fully worked out. He does in fact acknowledge that his argument is ‘both deeply indebted to and rather different from’ Anscombe’s (2007 [1981], 64).
that morality as such is foundationless. This degradation of moral thought and action is a modern problem, and the pathology historically traceable. Here is the problem as Anscombe sees it. Modern moral philosophy, Anscombe says, turns on a particular usage of the notion of ‘ought’, the moral sense of it, the sense in which we are necessarily obliged to do or not do certain things.\footnote{Here we see, I think, the modern roots of Williams’ critique of the moral, which he describes somewhat disparagingly as ‘the morality system’, and his development of the moral/ethical distinction.} But, Anscombe says

what is morally right and wrong, and ... the moral sense of "ought," ought to be jettisoned if this is psychologically possible; because they are survivals, or derivatives from survivals, from an earlier conception of ethics which no longer generally survives, and are only harmful without it.’ (1958, 1)

The earlier conception Anscombe refers to is ‘a law conception of ethics’ (ibid. 6), which we in the West came to by way of Christianity (and its Jewish roots), and so really is a divine law conception. Under such a conception the notion of being obliged has sense, as there is both a law and a lawgiver to do the obliging. But when that conception is no longer widely accepted, as Anscombe thought was the case in 1958, then the moral sense of ought, tied as it is to the notion of obligation (under law), can have no sense and we can no longer sensibly deploy it. But we try, and therein lies the problem.

Why though, would we try to deploy a concept which has no place in our worldview? We don’t tend to take seriously, for example, language left over from the four-element conception of physics – that conception has been left behind and so have the associated concepts. But in the case of morality, so Anscombe tells us, the notion of the moral ought has somehow retained ‘a certain compelling force, which I should call purely psychological.’ (ibid. 18) The notion of the moral ought has become devoid of content, but retains an ‘atmosphere’ (ibid. 8, 17 & 18) from its original living context. Modern moral philosophy then ‘from Sidgwick to the present
day are of little importance’ (ibid. 1), because their thinking is dominated by a desire to make sense of a notion, the notion of the moral ought, that we can no longer make sense of except as a historical artifact. And though Anscombe was writing in the late ‘50s I don’t think her assessment would have changed much, given that much moral philosophy (this thesis included) still ‘manifests the detestable desire’ (ibid. 18), as she puts it, to retain some use for the notion of ‘the moral ought’.

It is fair to say Anscombe’s assessment of modern moral thought is damming. She thinks that unless we return to a more Aristotelian way of thinking we must continue to talk nonsense. Only Aristotelian, virtue ethics models can provide a foundation for moral talk\textsuperscript{152} because, with them, we can appeal to teleological uses of the word ‘ought’, based on what a thing needs in order to be what it is meant to be. So when we ask ‘What ought one to do?’ we can answer ‘Act according to the virtues’, because ‘ought’ is here used in the practical, teleological sense (as we use it when saying ‘The machine ought to be oiled’). ‘Ought’ is no longer used in the sense of absolute obligation, but in reference to what a human being is supposed to be, or what is needed to make us flourish. Anscombe is glad to admit that she owes us an account of (among other things) what it is to flourish. But that doesn’t invalidate the model – even given a rough idea we can use the notion of flourishing to restore sense to our moral language.\textsuperscript{153} Such in outline is Anscombe’s challenge to modern moral thought. MacIntyre provides a more thoroughgoing version along similar lines.

\textbf{7.3.2 MacIntyre and the groundlessness of modern morality}

‘Imagine’ says MacIntyre ‘that the natural sciences were to suffer the effects of a

\textsuperscript{152} Some have thought it strange that a committed Catholic like Anscombe would put forward such a view, one that appears to reject Divine Law theory (e.g. Roger Crisp, 2004, 86). To make sense of this it has been suggested that Anscombe actually intends here to show the necessity of a divine law framework if morality is to have any sense. i.e. arguing that neither the moral ought or the divine law framework should be jettisoned. This is not, however, the standard reading.

\textsuperscript{153} Like Anscombe I think moral thought is about flourishing (specifically, about being motivated by the flourishing of the other). But unlike her I have no problem with ought-based language, as it gets sense from our necessarily seeing others as owed some concern, rather than from a particular theoretical framework.
catastrophe. A series of environmental disasters are blamed by the general public on the scientists. Widespread riots occur, laboratories are burnt down, physicists are lynched, books and instruments are destroyed.’ (2007 [1981], 1). Science as we know it would be all but wiped out. But incoherent fragments remain in the form of ‘knowledge of experiments detached from any knowledge of the theoretical context which gave them significance... parts of theories... single pages from articles’ (ibid). Now imagine these detached remnants are reorganized into systems and given the names ‘chemistry’, ‘physics’, ‘biology’ – surely they would barely resemble those sciences as we conceive of them. In such a world ‘the language of natural science, or parts of it at least’ may continue to be used ‘but is in a grave state of disorder’ (ibid, 2). The state of science in this fictional world is, according to MacIntyre, precisely the state of moral thought in the actual world. In modern moral debate ‘the different conceptually incommensurable premises of... rival argument deployed... have a wide variety of historical origins’ (ibid. 11); concepts of justice drawn from Aristotle, concepts of liberation coming from Marx and Fichte and Thomist appeals to ‘the moral law’ (ibid.) are all used in modern moral debate, but without any knowledge or understanding of the theoretical frameworks that give them meaning. So if I were to speak of the injustice of your shirking your debts, or of the moral wrongness of killing your neighbor, my words lack grounding because they have no rational justification. In modern thought the concepts of justice and of moral wrongness are no longer connected to the traditions, Aristotelian or Thomist, that give them sense and allow them to be justified. The outcome, for MacIntyre, is that

the language and the appearances of morality persist even though the integral substance of morality has to a large degree been fragmented and then in part destroyed.’ (ibid. 5)

A grim assessment indeed.

This seems a good deal more disordered than even Anscombe envisaged, not least because – on MacIntyre’s view – the disorder allegedly extends far beyond the confines of the academy. None of us use moral language in a way that can be properly justified. And not just our language but our moral acting too has no rational
foundation to give it sense. And as with Anscombe this disorder is seen as a symptom of dislocation, and of moral language being used and moral action taking place outside of the theoretical systems that ground them.

More specifically, for MacIntyre, this lost theoretical context was mainly constituted by a ‘teleological view of human nature’ (ibid. 65) of the Aristotelian type.¹⁵⁴ And understanding this ‘is to understand why [the Enlightenment] project of finding a basis for morality had to fail.’ (ibid.) Our morality used to make sense because it had three necessary elements: a conception of ‘[i] untutored human nature, [ii] man-as-he-could-be-if-he-realized-his-telos and [iii] the moral precepts which enabled him to pass from one state to the other.’ (ibid.) In this scheme it could be true or false whether X or Y act, principle or virtue was morally good or not – does it lead a person towards the human telos or not?¹⁵⁵ According to MacIntyre, this model held sway in the ancient and medieval worlds but not anymore. The teleological element of this scheme has been largely rejected in modern times, and so moral precepts conceived of as getting us from as-we-are to as-we-could-be cannot make sense. However, our moral language still embodies fragments left over from this system, most clearly in the set of moral precepts that we still largely accept (like ‘Stealing, murder, lying are wrong’, ‘Bravery is a virtue’ etc.) but for which no justification can be given. The outcome of this, for MacIntyre, is that the Enlightenment (and post-Enlightenment) project of trying to find a rational grounding for morality (that is, our moral precepts) is bound to fail. We can never ground the moral precepts that form the content of our modern moral thought because we don’t subscribe to a teleological tradition in which they can be so grounded.

Such is the Anscombe-MacIntyre challenge. If it is true then modern moral

¹⁵⁴ Though it should be noted that in later works MacIntyre’s Aristotelianism becomes increasingly indebted to Thomism (in part because he ‘became convinced that Aquinas was in some respects a better Aristotelian than Aristotle’ (ibid. xii)), as he makes clear in his preface to the third edition of *After Virtue*.

¹⁵⁵ In fact MacIntyre goes further in saying that the human telos is partly to embody the virtues, and that the concept of the flourishing human is in some sense constituted by the notion of the human being displaying the virtues.
thought has no foundation, and this would contradict my claim that morality (including modern morality) does have a foundation. The point of contention though is the nature of that foundation – Anscombe and MacIntyre assume that that foundation must be rational (and so find morality ungrounded), whereas I have argued that moral thought is grounded in that which is itself arational, ungrounded and yet certain, that is in primary recognition and basic moral certainty more generally. Also, if the Anscombe-MacIntyre challenge is true then I have been wrong to treat modern moral thought as being in good order. I have throughout assumed that most of our moral language can have a legitimate place in our modern context; but if the Anscombe-MacIntyre challenge hits the mark then much of my analysis will have been based on the false supposition of our moral language’s contemporary applicability. So, given the relevance of the Anscombe-MacIntyre challenge to my thesis I will spend some time showing how it fails to demonstrate that modern morality is unanchored, and show that morality’s lacking a rational foundation does not lead to that conclusion.

The first criticism of MacIntyre’s diagnosis of morality, that it has no ground, rests on the version of the moral/ethical distinction outlined briefly in section 3.1 then in more depth in chapter 4. There I suggested following a distinction between the moral and the ethical realms, where the moral is understood on the self-other model as that area of thought concerned with our relations with others (as opposed to, say, prudential concern with the self). The ethical then concerns more general questions of the good life asking, for example ‘What is the place of goods such as art, or friendship or physical activity in the flourishing human life?’ or more generally ‘What is the good life for a human being?’ Of course moral concerns must find a place within a good ethical outlook (i.e. what place must our obligations to others occupy in a flourishing life?), but that is not to say the moral and the ethical are identical, but only related. I proposed adopting this distinction for reasons of utility and clarity (it will avoid conceptual confusion), and because it picks out two distinguishable areas of human concern, both important in their own right and for their own reasons. This becomes relevant here because confusing these distinct areas of concern has contributed to MacIntyre’s misdiagnosis of morality as groundless.
As we saw above MacIntyre takes it that, when morality was in good order, the purpose of moral precepts was to get the individual from their current state to a state of the-human-as-he-could-be. And this as-he-could-be is a state of virtuous flourishing. This in turn rests on an understanding of the virtues as ‘those dispositions which will not only sustain practices and enable us to achieve the goods internal to practices, but will also sustain us in the relevant kind of quest for the good’ (ibid. 254). But while MacIntyre is trying to analyze our *moral* thought, this sounds very much like a search for *ethical* goods, as we defined the ethical. It is in an important sense about the individual, about *myself* and making the most of *my life* as a human life. And even though MacIntyre states that ‘I am never able to seek for the good or exercise the virtues only *qua* individual’ (ibid. 255), by this he means just that ethical ends, even if they are *my* ethical ends, must be sought in the context of a community (e.g. that of fifth-century Athens or a medieval nunnery (cf. ibid.)). Now none of this is to disparage ethical goods (there seems to be a sensitivity in the philosophical literature about the possibility of such disparagement). Ethical goods are of course of central importance to human life – that is what it is for a thing to be an ethical good. But my point is that they are not to be categorized as *moral* (even though the pursuit of moral goods can be understood as an important ethical good). The point of pressing this distinction then is to show that MacIntyre is seeking ethical grounds for moral thought, and that this leads him to see morality as groundless.

We can put it like this: MacIntyre assumes that moral rules must help me achieve the good life. But he sees that they cannot do this – moral rules are not appropriately connected to teleology to do this – so they must be groundless. If their aim was to get us to our *telos* they can *have* no aim, because we acknowledge no human *telos*.

The problem with MacIntyre’s diagnosis then is that he declares modern morality aimless and therefore groundless, because we can never justify *why* we should act according to it - but he says this because he finds no *ethical* justification for morality. Morality though, is not aimed at achieving the good life (that is the aim...)

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156 He is certainly not alone in this, such an assumption is ubiquitous in the philosophical literature.
of ethics) but at regulating and directing my responses to the other. Conflating these two spheres of human thought and activity has led MacIntyre to misdiagnose modern morality as entirely groundless. To make it clear that MacIntyre does conflate these spheres, I will cite a few passages from After Virtue.

The conflation appears in his discussion of the classical Athenian virtues of ἡσύχια (‘peacefulness of spirit’ or ‘leisure’) and πολυπραγμοσύνη which ‘by contrast [with ἡσύχια] is not merely a matter of being busy about many things, but a quality in which pride comes to be taken.’ (ibid, 159-60). MacIntyre argues that these virtues represent ‘two incompatible moral schemes.’ (ibid, 159, italics mine)

But while he clearly sees these virtues as the proper subject of moral philosophy (or in this case moral history), he also sees their point as to enable their possessor to live well within their context, that is the polis. And this is clearly an ethical end. So, far from representing disparate moral systems, the clash between πολυπραγμοσύνη and ἡσύχια that MacIntyre describes embodies a clash between two ethical systems. The conflation of the ethical and the moral can also be seen in MacIntyre’s first tentative definition of the concept of a virtue. Here he describes a virtue as ‘an acquired human quality the possession and exercise of which tends to enable us to achieve those goods which are internal to practices’ (ibid, 222; italics mine). This again is a good definition of an ethical aim, not a moral one. And if it is stipulated that morality needs an ethical aim in order to be grounded, it is no surprise that MacIntyre sees it as groundless.

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157 If it turns out that morality does help us achieve the good life, that fact would be, to use an old philosophical distinction rather loosely, accidental rather than essential to the nature of morality.

158 Whether or not we agree that these are virtues is beside the point here – MacIntyre takes them as examples of what the Athenians took to be virtues. And he uses them partly, I think, to demonstrate the variety of personal qualities that have been taken for virtues in different historical contexts.

159 I do not by this wish to imply that all talk of the virtues is ethical talk and not at home in moral philosophy. All I would insist on is that we distinguish between moral and ethical virtues, depending on the aim of that virtue in each instance. For instance, if I were to develop the virtue of patience in order to be a better listener, or a better friend, I would be thinking of patience as a moral virtue. If I sought patience in order to be a better sportsman I would be thinking of it as an ethical virtue. For an excellent defence of virtue ethics against the charge that it is only self-facing see Annas, 2008, 205-11.
A second support for MacIntyre’s challenge, but one which I think problematic, is the concern that for us moderns no particular moral judgements have a ground.  This is shown in the fact that we can find no terminus in our moral debates, or as MacIntyre puts it ‘[t]here seems to be no rational way of securing moral agreement in our culture’ (ibid. 7). In a morality that had proper grounding we would be able to make final appeal to some principle or value or end. But, MacIntyre claims, modern moral debate displays a characteristic inability to make such final appeals. In modern moral debate we never hit bedrock. But the way MacIntyre backs up this claim is problematic (though common in the philosophical literature). He proceeds by citing certain moral problems where debate has proved interminable. Now of course that isn’t problematic in itself, but it becomes so when those who deploy this method (quite naturally) tend to focus on certain ‘hard-problems’ in moral philosophy, and then take them to be characteristic of moral thought as a whole. When trying to show the interminability of modern moral debate MacIntyre gives three examples: The debate about the possibility of a just war; the abortion debate; and a debate about the tension between rights and obligations in a free society. Now these are, perhaps, interminable debates (and I will explore below, at section 7.4.1, some reasons why certain moral debates are interminable). But for MacIntyre ‘it is their typicality that makes them important examples’ (ibid. 9, italics mine). Typical? They are definitely typical of modern moral philosophy (and rightly so, as philosophy should seek to illuminate the hard problems), but typical of modern morality as such? I don’t think so. If all moral choices were as difficult and interminable as these, ordinary life would be utterly paralyzed and unlivable. More typical moral problems are whether or not to steal from one’s friends, undermine one’s rivals, or habitually lie to and cheat on one’s spouse – and these are not interminable moral problems. The answers are clear and if they are ever difficult it is usually a difficulty of the will not of the intellect. And it is

160 Or as MacIntyre has it, no ground beyond how we feel about them (see also Anscombe’s talk of the ‘purely psychological’ force of moral oughts (1958, 18)). He sees emotivism as the characteristic moral theory of our age, and one that cannot properly ground our moral claims (see MacIntyre, 2007 [1981], 7-41). Whether or not he is right about that is not necessary to decide here.
these, rather than the philosophical hard problems, I take to be typical, everyday examples of morality at work.

Perhaps one might complain that these are less important choices than those MacIntyre describes, and that morality is typically about deeply important choices. And yes, perhaps these instances are not as important (though isn’t moral success shown exactly in how one chooses at these myriad pedestrian moments?). But even more important moral choices need not be interminable in the way MacIntyre says is typical of morality. That is to say, even more important moral choices need not be irresolvable. Whether to murder, to neglect one’s civic duties, or to ignore the victim of a serious accident are all important moral choices (the consequences in each case are serious), but they are in no way interminable in the way MacIntyre says is typical of modern moral thought. As moral philosophers (certainly those interested in first-order questions) we are somewhat trained to sniff out the hard, the irresolvable, the dilemmatic cases. But this should not distort our view of morality as such, so that we think of all moral choices as philosophically difficult. Normal morality goes unnoticed precisely because it is often an unambiguous (though not to say easy) affair. If all moral problems, in particular typical moral problems, were irresolvable then we would be right to suspect the whole of morality were not grounded - but they are not, so this undermines this often expressed argument for why moral choices cannot be grounded.

I feel it would be well to reiterate the positive position here. I have argued in the preceding chapters that moral thought and action are grounded in ungrounded basic moral certainties. When we make a sensical moral statement, that statement is based on myriad basic beliefs, basic certainties, that lie beyond the possibility of doubt or justification; and, as we have seen, some of those basic certainties are specifically moral in that they form the logical underpinnings of our moral thinking and acting. When thinking about how we should treat or what we owe others, that thinking is underpinned by basic moral certainties. So when thinking about how to treat this or that person in this or that context, some things will be beyond doubt. For example, that we ought not to kill a person unless she is threatening our own safety or that of those close to us leaves us no other choice. These basic moral certainties tend to be left out of discussion because they go without saying, and are
usually too obvious to mention; in the same way that, for example, in discussing how to play football well we usually don’t mention the fact that the aim of football is to score goals; to do so would either sound like a joke or make us seem mentally suspect. However, some philosophers do not take basic moral certainties as the terminating, grounding point in our moral justifications, believing that even these must be justifiable somehow. Nigel Pleasants (2008b, 257-61) discusses several such attempts in contemporary moral philosophy to give justifications for some of our basic moral certainties, and concludes that ‘the result is gross pseudo-explanation. Such theories are either tautologies dressed up as explanations, or utterly banal (under)statements of the blatantly obvious.’ (ibid. 260)

All this doesn’t imply that we can’t examine basic certainties, and that we must just leave them alone – this thesis is an example of a metaethical examination of those basic moral certainties! But to doubt moral certainties, to live as if we doubted them in any way, is not an option for non-pathological human beings. This much at least I have been arguing for throughout (cf. in particular sections 2.3.3, 3.8, 5.2, and also 6.2-6.5 where I argue for examples of local moral certainties). So from what has just been said about the nature of basic moral certainty (especially its non-rational, ungrounded nature), we can better understand why it often gets overlooked as the place where moral justifications necessarily come to an end, and why philosophers, like MacIntyre and Anscombe, continue to diagnose morality as unanchored.

Another reason philosophers say morality as a whole is unanchored, or lacks proper ground, one that is not explicit in MacIntyre but which I think has a tacit effect on the kind of solutions he looks for, is discomfort with the non-propositional nature of our moral foundations. Philosophical enquiries into the foundations of morality often focus around a search for principles, or (in MacIntyre’s case) theoretical items that can give moral thought sense. These are propositional items and items of knowledge. But basic moral certainties are neither of these things, neither propositional nor items of knowledge – they are both enacted and of a different category from knowledge. As I have been arguing, it isn’t propositional belief, backed up by evidence that lies at the bottom of our moral thinking but a pre-rational response to others. So philosophical searches for the foundations of
morality that don’t go beyond the propositional level, are bound to see all morality as groundless as it isn’t grounded in the propositional. But as we have seen moral knowledge claims are grounded in our ‘animal’ responses.\textsuperscript{161}

So the Anscombe-MacIntyre challenge has not given us sufficient reason to think modern morality has lost its moorings. So we are free, so far, to accept a view of morality as having its foundations in primary recognition and in basic moral certainty more generally.

### 7.4 Moral certainty and the possibility of moral relativism

In this last section of the chapter I want to discuss some of the motivations for moral relativism. Moral relativism stands as a challenge to the view that there are any universal certainties in our moral thinking, a claim I defended in chapter 5. Also, if moral relativism were true it would also render less plausible the view that all moralities shared a common source, that is primary recognition. However, if the arguments in chapters 3 and 5, about primary recognition and universal moral certainty, are right – that is, that all human morality has its source in primary recognition, and that some basic moral certainties are necessary for moral agency as such – then the case against the more radical forms of moral relativism has been made: not everything is a possible candidate for moral scepticism, and there are limits to what can count as a morality recognizable as such. But some of the main motivations for moral relativism are still powerful and need to be addressed – it needs to be shown how they fit with the notion of basic moral certainty. I want to examine two such motivations in particular, i) the possibility of interminable moral

\textsuperscript{161} For a defence of the non-propositionality of Wittgenstein’s account of basic certainty see Stroll (1994, 134, 146, 155-9) and especially Moyal-Sharrock (2005, 87-9); and for a further, I think decisive, more general defence of the non-propositionality of our basic beliefs see (ibid. 183-191). For propositional accounts of our basic beliefs, see for example Kornblith (2005) and Stalnaker (1999). For Ryle-inspired arguments against the propositionality of basic moral certainty, see Hermann (2011, 149-69).
disagreement between (historically or geographically) distant cultures,\textsuperscript{162} and ii) the existence of significant variation between moral systems.\textsuperscript{163, 164} These facts have led several philosophers to advance forms of moral relativism and also often empower the conclusions of ‘the philosophically untrained moral relativist’ as James Beebe puts it (2010, 961). So what can the notion of basic moral certainty bring to a discussion of these facts? I suggest that it can have more than purely negative implications, and can do more than rule out certain relativistic metaethical conclusions. It can also provide, more positively, a better explanation of i) and ii) than relativistic conclusions do. Such explanations follow from the\textit{variegated} nature of moral foundations – basic moral certainty is part of what Moyal-Sharrock calls ‘a striated bedrock’ (2005, 101). The striae of particular relevance here are the local and the universal layers of moral certainty.

7.4.1 Local moral certainty and the interminability of some moral debate

I have argued (in chapter 6) that moral certainties can come in the local variety. That is to say that some local variations in moral belief are situated at the logical, foundational level. That means that local moral certainties are held at the pre-

\footnotesize{\textsuperscript{162} For this motivation for moral relativism see, Berlin, 1991, 80 (cited in Baghramian, 2004); Harman, 1975; Ryan, 2003, 377-86; Nicholas Sturgeon, though not a moral relativist discusses this motivation for relativism at 1994, 80-115; Wong, 2006, 6, though whether Wong’s position merits the name ‘relativism’ is debatable (he calls it ‘pluralistic relativism’) – if it does it is a very conservative form of relativism in that for him there is a limit to what can qualify as a moral norm. See also Williams (1981) and his distinction between ‘real’ and ‘notional confrontation’ between moral norms from distant societies (137-43).

\textsuperscript{163} See for instance, Baghramian, 2004, 270; Beebe, 2010, 692; Harman & Thomson, 1996, 18 (though to be precise Harman says moral relativism is not entailed by moral diversity but is the best explanation for it); Park, 2011, 159; Wiggins discusses it at 2006, 344-347; Wong, 2006, 5 (though see previous note).

\textsuperscript{164} The latter is not implied by the former – \textit{interminable} disagreement does not follow necessarily from variety in moral belief. The possibility of coming to see the variety as expressing deeper principles about which the parties agree would be one way of having variety and \textit{terminable} disagreement.}
ratiocinated level, a level of belief not open to change ‘by direct rational means, such as argument or rhetorical persuasion’ so that local moral certainties do not ‘enter into standard logical relations and thus [are] not open to revision by rational means.’ (Hutto, 2013, 69) In this way we can see how some moral disagreements can be interminable. If it involves one party doubting some belief the other holds as a (local) basic moral certainty then there will be no way for the two parties to agree. Or better, there will be no way to rationally resolve the conflict.

For an example of this, recall the disagreement between Herodotus’ Indians and the Greeks about the right way to dispose of the dead (see section 6.4 above, or Herodotus, 1972, 219-20). The Indians Herodotus describes find the idea of burning their dead unthinkable, the Greeks find the idea of eating them abhorrent (and perhaps we can more easily sympathise with the Greeks here). No agreement can be reached. We could imagine trying to mediate the moral dispute by showing how each method demonstrates respect for the dead, and so after all they really aren’t that different. And in some cases that procedure might be effective. But in this particular instance there is a complication in that the debate touches on something the Greeks (of the period) held as a local moral certainty. For them, as discussed above (at section 6.4), the wrongness of eating the dead was a local moral certainty. It was not just aesthetically disgusting but indubitably wrong, something paradigmatically un-Greek and indeed inhuman. It was one of the ways in which they distinguished between members of the human moral community and those outside of it such as animals and certain mythical monsters. The interminability of this conflict is a result of treating what for the Greeks was a rule by which to distinguish good from evil as up for discussion. Eating the dead was for them definitional of wickedness, and so disputing it was not conceptually possible. To put ourselves in their place we might imagine someone starting a discussion on caring for the elderly by saying ‘Why don’t we consider if, rather than putting them in homes, it would be good to burn the elderly to death while still alive?’ We could not consider that an

165 I have discussed this way of distinguishing above at section 6.4, citing for example the poet Hesiod where he distinguishes between humans, who have justice, from ‘fish and beasts and winged birds’ who ‘eat one another’ (Works and Days, 276-80).
option, and that has something to do with basic moral beliefs in our culture about how to treat the elderly.\footnote{166}{It is not unthinkable that some cultures would approve of such burnings. Consider the now outlawed Indian practice of \textit{suttee}, whereby wives were burned alive on the death of their husbands.}

Instances like this, where something I might hold as a moral certainty (e.g. that it’s wrong to burn elderly people to death), is doubted or denied in another culture provide examples of interminable moral conflict. We might ask then, doesn’t the notion of local moral certainty just lead to a form of moral relativism? If such irresolvable diversity is possible, have we not just shown that human moralities really are just isolated from each other along cultural lines, that moral justifications are culture bound? I do not think so. We need to recall the variegated nature of our moral foundations – they are not all of the local variety. So far we have given an account of the interminability of some moral debates across cultures, but the notion of universal moral certainty gives us a way of acknowledging this difference whilst seeing that difference has its limits. It also gives us a way of understanding how people with such different moral frameworks might nevertheless be able to mutually comprehend one another as co-moral agents.

There are at least three ways in which it does this. First of all, if a system of norms lacked universal moral certainties, we would have no grounds for identifying it as a moral system at all. Without the presence of beliefs recognizable as moral beliefs we would have no reason to think a system of norms was a moral system. And so if, amongst a collection of imperatives from a foreign culture, we found nothing like a prohibition on some kind of killing, or no recognition of the relative seriousness of infractions against these imperatives,\footnote{167}{The examples of universal moral certainties I defended in chapter 5 (sections 5.2.1 & 5.2.2), which I referred to as K and H.} what reason could we have for declaring this a moral system? After all, systems of norms come in more than just the moral variety (e.g. systems of prudential norms, cultic religious norms, imperatives for the effective use of magic, rules on how to surf or write good poetry etc.).

Consider an analogy with science. There are limits to what can be called a
science. The possibilities as to what can be called a science or a scientific method are wide. Climatology as a science and as a body of knowledge differs markedly from say, primatology. And their methods differ too, one employing complex computer models, the other behavioural experiments and things like dissection. But a commitment to observation and working from evidence to conclusion is definitional of both as sciences. Now imagine I were to describe a series of practices involving experiments and computer models, but where evidence of any kind is considered irrelevant to the formation of conclusions, and where it is not knowledge but a growing ignorance that was cultivated and aimed for. Could we call such a system a science? I think not. Even if the practitioners of this anti-science did things with experimental equipment, and used language akin to that of the sciences we would not call it a science. Despite some formal similarities it is just not recognisable as a science, lacking as it does certain definitional qualities and commitments. This is how it is with universal moral certainties. Without them no system of norms is recognizable as a morality.\(^{168}\) So the notion of universal moral certainty leads us away from moral relativism by giving necessary (though perhaps not sufficient) conditions for a system of norms to qualify as a moral system. These universal moral certainties act as a link, binding all human moralities together.

Secondly, universal moral certainties act as a limiting factor. They do this by acting as a check on what moral beliefs an individual may sensibly hold. And so the range of potential local moral certainties is curtailed, in that they must fall in line with our universal moral certainties. This is because the logical foundation of our moral thought must be at least tolerably coherent. Our local moral certainties must cohere to some degree with the universal. That is to say, a moral system that contains outright contradiction at its foundation cannot function in guiding behaviour.\(^{169}\) So if someone were to hold a local moral certainty that contradicted a

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\(^{168}\) See section 5.3.1 for a more extended discussion of this point.

\(^{169}\) Such contradictions in moral foundations are what power the tragic moral dilemmas that are the bread and butter of Athenian tragedy. I have already discussed the character of Orestes at section 6.5. A common factor of tragic narratives like these is that such contradictions must be rectified, not just lived with, and the dramatic tension comes from the struggle to find a way out of the contradiction and, in the case of the *Oresteia* at least, a new way of living. MacIntyre makes much of
universal moral certainty, such contradiction would undermine their moral thought as a whole, leaving them morally paralyzed. Of course we may hold moral views that are in tension, for example that it is wrong to torture, but that in certain circumstances, like to get information to stop an immanent terrorist attack, it is permissible; but outright contradiction at the logical level is not possible, because it is not liveable. For example, I cannot hold as a local moral certainty that I should always try to harm those that I meet\(^{170}\) (it is for more than practical reasons that such societies do not exist). That goes against the nature of primary recognition, the certainty that others be treated with some level of concern.

Similarly, local moral certainties that permit an unreasonable amount of exceptions to our belief in the wrongness of killing are equally ruled out. This can been seen in an example from Spartan culture.\(^{171}\) Ancient Spartan culture was comfortable enough with certain forms of killing: killing in war of course, but also the killing of infants born with physical imperfections. But there were limits to the type of human-on-human killing they could permit. This is shown interestingly in their relationship with their population of slaves, known as ‘helots’. The helots lived alongside the Spartan population, tended their fields and served them, enabling Spartan males to be at leisure to train for war. But the Spartans had a practice known as the ‘krupteia’ (secret), which involves secretly killing helots at night as they went innocently about their business. It was not mass killing, but it was concealed and random – it was murder. How could a society (of non-psychopaths) countenance such a practice? Indeed, this example may at first seem to put too much pressure on

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moral dilemmas found in Athenian tragedy, seeing them as examples of moral systems in interminable conflict because they lack a common ground. He is right to see some of them as representing a conflict of moral systems, but wrong to think this is necessarily between several unanchored moral systems. Often the conflict is between local moral certainties embedded in different moral traditions.

\(^{170}\) This is contra James Dreier (1990) who seems happy to call a morality an imaginary system of thought that recognizes what we call ‘moral goods’ but ‘hate[s] them [and]... find those things repulsive and avoid them at all costs’ (ibid. 10) It seems to me the term ‘anti-morality’ is more apt for such a system.

\(^{171}\) I here follow Plutarch’s account in his *Life of Lycurgus* (in the Loeb Classical Library, 1944), and Anton Powell’s account of the helots (1988, 248-52).
the notion that all moral agents see some killings as prohibited (the universal moral certainty $K$ discussed at section 5.2.1). But in further describing the practice we can see that even the Spartans were not able to permit such killing without mitigating factors. They justified the practice by classifying *kruphteia* killings as killings in war. Every year the Spartan leaders would officially declare war on their slaves, the helots, so that any poor treatment or killing of them could be understood by the Spartans as the treatment meted out to enemies in the field.\footnote{This is typical of Spartan trickiness, but is not entirely disingenuous. The helot population was (understandably) constantly looking for opportunities to revolt. And when they did they were suppressed sometimes only with great difficulty, requiring the Spartans to seek military aid from other states so that, as Aristotle puts it, the helots were ‘like an enemy constantly sitting in wait for the disasters of the [Spartans].’ (1944, 133).} As Plutarch puts it (citing a lost work of Aristotle’s),

> the ephors [leaders in the Spartan state], as soon as they came into office, made formal declaration of war upon the Helots, in order that there might be no impiety in slaying them. (1944, 291)

I am not saying that this excuses the wrongness of the killing of helots, but it shows that the Spartans could not entertain local moral beliefs, like the permissibility of secretly killing slaves, in a way that would put too much pressure on the belief that at least some killings are wrong. Killing the helots at will was not morally permissible, given that the Spartans did not meet them on the battlefield but lived together with them in what, for all intents and purposes, were normal, everyday circumstances. So if they were to be killed at all mitigating factors, like the formal declaration of war, had to be contrived. And this was all so that belief in the permissibility of killing helots would not contradict the universal moral certainty that some killings are wrong. Spartan beliefs about killing could be brutal, but they could not contradict universal moral certainties.

All this to say then, that the notion of local moral certainty does not lead to moral relativism when balanced by the complementary notion of universal moral certainty. Both kinds of certainty can be seen to exist within the foundations of our
various moralities. And this fact explains the existence of interminable moral disagreement. But it does it in a way that leaves room for the necessary universal elements in human moral thought, and for meaningful cross-cultural moral dialogue.\textsuperscript{173}

\textbf{7.4.2 Moral variety and the real end of morality}

So we have tackled one of the main motivations for moral relativism, the interminability of some moral disagreements. What about the motivation from the pure variety of moral opinion? I think that the existence of variety in the moral values people hold is rendered more comprehensible by the picture of morality I have been defending. If culture can condition our moral thought to such an extent that it becomes embodied in our basic certainties, of course diversity of moral opinion will follow. With diversity in the foundations we should expect diversity at the epistemic level too. The mistake of moral relativism is to suggest that such localised elements account for the whole of our moral frameworks.

We can also make sense of the variety in moral thinking if we take seriously the notion that the aim of moral thought is to regulate our other-regarding behaviour, behaviour that impinges on the well-being of others rather than just ourselves. Given that that is the case we should expect the \textit{content} of moral thought to be as various as human cultures are various. Morality is about the primary question ‘How should I treat this other?’ But the precepts we use to tackle that question will vary based on the ways my culture has taught me to answer it. This does not mean that correctness consists in an answer being the answer of my culture (cultural relativism), only that the objective aim of morality (working out how to treat the other) will be sought in ways learned in a cultural context. So variation of moral opinion from culture to culture is to be expected. And this way of thinking also

\textsuperscript{173} I should also make clear that not all moral disagreement goes on at the level of moral certainty. We can disagree in our moral knowledge claims, at the epistemic level, and exchange reasons for our various beliefs. To say otherwise would be to effectively rule out the possibility of change in our moral opinions, at least change through discussion and debate.
validates our intuition that we are able to ask meaningful questions about practices in cultures other than our own – we can ask ‘Do they succeed in helping or hurting people?’ or ‘Are those practices oppressive or do they lead to greater human flourishing?’

Also, the ways in which I am taught to answer moral questions will vary depending, in part, on the ethical goods valued in my culture. If my culture takes shame and honour to be the primary poles of flourishing and floundering, one’s moral thought will be aimed at promoting those values. If one thinks happiness and freedom from toil are the sumnum bonum then one’s moral thought will be thus oriented. From this it follows that the moral precepts affirmed may be different in each culture, but as moral precepts they must still be other-regarding and so share the same basic purpose.

Before moving on it will be worth looking at a strong defence of the claim that the plurality of values leads to relativism. I will look at the defence put forward by James Dreier. Dreier, in his paper ‘Internalism and speaker relativism’ (1990), aims to show that motivational internalism, a popular position in current moral philosophy, is best accounted for by an individualist, speaker-relative moral relativism. By internalism he means the view that ‘to accept (sincerely assert, believe, etc.) a moral judgment logically requires having a motivating reason’ (ibid. 6). He goes on to say that,

a relativist theory of ethics can account for the internalist feature of moral terms, by maintaining that the connection with a motivation to act is part of their character, which remains constant across use by groups with differing moral interests and concerns. When those concerns do vary, so must the content of the moral terms. That variation is the mark of relativism. (ibid. 8-9, italics mine)

So the argument is that moral judgements must have a motivating reason in terms of moral interests or concerns; those concerns vary from group to group; therefore the content of moral judgements must vary from group to group. Now this may sound more like cultural relativism than individual relativism, but Dreier maintains that
‘speaker relativism is the more general case of which speaker’s group relativism is a species’ (ibid. 22). And he also prefers speaker relativism partly because it allows us to take into account individual psychology in determining moral outlook; and also because speaker relative, rather than group relative morality, gives room for the individual to be able to disagree with the moral outlook of the group. But for our purposes here, whether the relativism is at the level of speaker or group makes no difference.

The problem with moving from the variety of moral interests and concerns to moral relativism, as Dreier does, is that it expects objectivity in the wrong place. Again, we should not expect uniformity in moral principles, or even complete uniformity in what groups consider goods. What is definitional of the moral is the motivation to act for the other, its being other-oriented – so the good of the other is its objective basis. Now this view can remain agnostic to a large extent about what those goods consist in. I need not say exactly what the achievement of that good will look like, except to say that there are certain answers that are ruled out as moral nonsense. Apart from this there are many sensible candidates. Whether we take a person’s good to consist in the acquisition of honour, in their being happy, their being given the most amount of leisure possible, or their having significant projects to work at, the moral thought remains the same: What need I to do for them in relation to these goods? And neither does moral thought as such require ‘deep-principle’ answers to what counts as good for a human; a well-worked out ethical theory is not always or even often necessary. By this I mean that, to act for another I often only need a very conceptually light understanding of ‘good’, so that for example, knowing that my guest is thirsty and wants a drink is enough to tell me what acting for their ‘good’ would consist in – get them a drink. 174 And so, while the goods aimed at vary, the objectivity of morality inheres in its foundational motivation, that of being motivated by the needs of the other. Neither the fact that

174 It could be said that my account lacks depth because I so often use everyday examples of moral actions, like giving someone a drink. I would only say in response that I’m trying to get to grips here with the basic, uncontroversial aspects of our morality, its foundations. And while discussion of things like acts of supererogatory goodness might be a good deal less pedestrian, they wouldn’t show what I need to show here.
the specific goods aimed at in each situation or by each group may differ, nor the fact that ‘with such insight, imagination, and understanding as he or she possesses a person must figure out for him or herself what the demand requires’ (Løgstrup, 1997, 22), implies morality as a whole has no fixed aim or any firm ground to rest on.

This implies that, in terms of content there will probably not be one true morality, though the commonalities of human needs and of human nature will guarantee a level of similarity across different cultures’ moral concerns (e.g. as humans we need relationship, and our relationships necessitate trust, and so lying will almost always be bad). This is not a relativistic conclusion, but a recognition of the importance of context and of the aim of moral thought. Maria Baghramian for one thinks that moral objectivism ‘amounts to the claim that there is one, ultimate, true or correct morality (2004, 272). But for the reasons just given I think this is false. And the fact that the account I defend allows us to satisfy common intuitions about the objectivity of morality, and affirm the variety in its content, is another factor that should recommend it.

7.4.3 Relativism and the ‘phenomenological gap’ in morality

To finish, I want to come back to my discussion of moral principles as heuristic rules (practical rules to help us make more or less quick moral decisions), and the phenomenological gap using these rules creates between our experience of morality and the real aim of our moral thinking, the other (see section 4.5). This phenomenological gap creates a confusion that can motivate moral relativism - the confusion in thinking that morality is about principles rather about properly relating to others. Once we adopt a view of morality as about moral principles, the multiplicity of moral principles on offer can give prima facie plausibility to moral relativism. In this section I want to explain the effect of this phenomenological gap and how our use of various, sometimes conflicting, moral principles does not entail moral relativism.

In making moral decisions we often make do with classifying a certain act, and proceeding upon the heuristic assumption that acts of this class are good or bad. For instance, if we were to decide that not handing in a person’s wallet that we
found was really an instance of stealing, then we could act decisively on that score, based on the heuristic rule that as a class ‘Stealing is wrong’.\textsuperscript{175} Such ways of principle-based thinking are necessary if our daily lives are not to be swamped by excessive contemplation about the deeper merits and demerits of each and every morally sensitive action. We use quick and easy rules and principles that work for almost all situations. And taking such rules as decisive isn’t unwarranted or lax but practically necessary. But the fact that phenomenologically, our moral thought is concerned with and often terminates with principles and rules, can obscure the fact that the actual aim of morality is to deliberate about our treatment of the other.

This plays a part in our discussion of relativism because this phenomenological gap is apt also to make us think morality is not objective, or has no objective aim. But morality is objective though in that moral action has a real objective aim - to properly regard the other - and that its rules, properly understood, are taken as serving that end. Philosophers rightly note that the principles of morality, the heuristic tools we use to make moral decisions, are not absolutely objective (that is, valid without reference to context) but vary from culture to culture or even from person to person. But we should not seek or expect absolute objectivity at the level of heuristic moral rules. Our moral heuristics must work in the environment in which they are used, and so they are necessarily varied, as varied as the cultures and situations in which they serve. Moral rules and principles then are not self-justifying, or justified relativistically, but justified in as much as they achieve

\textsuperscript{175} It might be objected that rather than a moral heuristic the belief that ‘Stealing is wrong’ is better characterised as a local moral certainty. I would resist this characterisation however because, that an act is stealing is not always decisive in its being thought wrong in the same way that, say, an act being murder is (and this is not just because ‘murder’ means wrong killing, because wrongfulness is also part of the concept of ‘stealing’). So for example, stealing to feed one’s starving family is not certainly wrong even if it is stealing. And in our culture, downloading licenced online content, like music or films, for free is often considered permissible, even though from a legal point of view it is unlawful taking, that is, stealing. The point being that we can class an act as stealing and yet still doubt it’s wrongness - we could not say ‘Yes, its murder but it’s not wrong’, but we could say ‘Yes, it’s stealing but it’s not wrong’. And so it is better to characterise the belief ‘Stealing is wrong’ as a moral heuristic tool, not a (local) moral certainty, as it is very broadly applicable as a rule but we can doubt it in non-extreme circumstances.
their aim. And their aim is to help us work out the answer to the fundamental moral question ‘How should I treat this other?’ To be sure, the picture is complicated by the fact that some moral beliefs, basic moral certainties, do not admit of further justification. But these basic moral certainties are of a different category from moral knowledge, and from the heuristic rules and principles that serve us in everyday life. And basic moral certainties set the boundaries between sensical and nonsensical uses of those heuristic tools. I will take a moment to give an example of basic moral certainties acting in this way.

Consider Gilbert Harman’s famous example of the utilitarian doctor.

You have five patients in the hospital who are dying, each in need of a separate organ. One needs a kidney, another a lung, a third a heart, and so forth. You can save all five if you take a single healthy person and remove his heart, lungs, kidneys, and so forth, to distribute to these five patients. Just such a healthy person is in room 306. He is in the hospital for routine tests. Having seen his test results, you know that he is perfectly healthy and of the right tissue compatibility. If you do nothing, he will survive without incident; the other patients will die, however. The other five patients can be saved only if the person in Room 306 is cut up and his organs distributed. In that case, there would be one dead but five saved. (1977, 3-4)

If the doctor in this situation wants to follow the principle of utility (and that alone) what they must do is clear: kill the one to save the five. On that principle even speculation about the potential good the patient in Room 306 might do, if they turn out to be the one who cures cancer or something like that, will do that patient no good – it would be unreasonable to let five people die based on such improbable, unknowable reasons. And so Harman takes it that the moral principle, the principle of utility ‘has been tested and disconfirmed’ (ibid.) by this thought experiment, because that principle here justifies doing something we intuitively think of as seriously morally wrong – killing an innocent, unthreatening man. But I think Harman is a little
hasty here. After all, in myriad cases that principle *can* be decisive, not least in medical ethics where doctors often have to decide what resources to allocate where based on who will benefit the most (e.g. do we give a donated liver to the 28 year old father who has been in a road traffic accident, or the 95 year old dying of liver failure?). The principle of utility functions perfectly well within certain limits. And in the case of Harman’s doctor, it is precisely our moral certainty that killing the innocent is wrong that sets the limit on the use of the principle of utility here. The principle is not ‘tested and disconfirmed’, but its *limits* in a certain direction are revealed. When it begins to generate moral nonsense the competent moral judge knows the principle of utility is not decisive there.¹⁷⁶

With this account of the place and nature of the various moral rules and principles in our moralities, we see that the variety of moral principles does not imply thorough-going relativism. This is especially clear when we bear in mind that moral principles are best thought of as heuristic tools, practical rules that enable us to tackle the variety of moral situations we face without being cognitively paralyzed. Bearing this in mind we will be less tempted to seek for objectivity in morality at the level of moral principles, and less tempted to give up the search when we don’t find objectivity there.

My aim here has not been to enter into a full-scale investigation of moral relativism. But I have tried at least to tackle two of the main motivations for moral relativism (be it individual or cultural in scope). And I have tried to provide, with the notion of basic moral certainty in its different types, an account of morality that makes sense of these motivations more successfully than moral relativism. I say more successfully because the variegated nature of moral certainty allows us to make sense of more of the features of moral discourse than does moral relativism. Whether unity or variety is foregrounded in the discussion, neither needs be denied under this account. And the possibility of moral disagreement, a perennial problem for relativistic accounts, is also given its proper place, and different levels of disagreement (terminable and interminable) accounted for. So I hope at least to

¹⁷⁶ Benjamin De Mesel (2016, 445-50) provides a useful discussion of instances where philosophical moral arguments are pushed to the point where they contradict basic moral certainties.
have motivated some serious scepticism as to the plausibility of moral relativism as a metaethical theory.

7.5 Recapitulation

In this chapter I have tried to clear the way for an understanding of human beings as necessarily morally concerned. I have tackled the influential philosophical myth that we are basically amoral creatures. I have also investigated the Anscombe-MacIntyre challenge and found that it does not stand as an objection to the notion of primary recognition, or basic moral certainty in general. And finally I have tried to address two of the main motivations for moral relativism: the variety of moral belief and the interminability of some moral disagreements. Both of these motivations have been shown to be more successfully accounted for by a picture of moral knowledge grounded in basic moral certainty, than by outright relativistic accounts. If the main thrust of this thesis is correct, if there are in fact basic moral certainties that ground our other moral thought and action, then plausible metaethical theories must take account of this fact. We are intrinsically morally concerned creatures, and some of the forms that concern takes are necessarily common to all human moralities.
Chapter 8. Conclusion

This thesis started from a conviction that the notion of basic moral certainty could explain some important features of morality - why some of our moral beliefs seemed to be groundless, why there is such variety of moral opinion, and why moral claims are almost always expressed in objectivist language. It also seemed that the notion of basic moral certainty, in its local and universal varieties, could help explain both the variety in moral thought, and the mutual recognition and mutual moral comprehension across cultures.

And if the notion of basic certainty I have been exploring is thoroughly Wittgensteinian, the view of morality is thoroughly Løgstrupian – his focus on the other as the only proper object of moral action has been fundamental to how I have understood the moral in this thesis. This Løgstrupian understanding has had an importantly enlightening effect on the question of why we should be moral, and helped to separate out what are pseudo-answers to that question. Being moral is just being motivated directly by the needs of the other, (by ‘the consequences [our] action will have for the lives of others and for society’ (Løgstrup, 2007, 78)), so that we have only one real answer to the question ‘Why be moral?’ - all we can really say is ‘Because it’s good for the other’. This might not feel much like an answer. But it renders morality comprehensible in a way that other models discussed here (e.g. principle morality) don’t, and it frames morality in such a way that we intuitively recognize its questions as important and unavoidable. It replaces the arbitrary seeming, standard philosophical questions ‘Why be moral?’ or ‘Why act morally?’ with ‘Why be concerned for others?’ or ‘Why care about our relation to others?’ These questions we are unable to reject out of hand.

Where I depart from Løgstrup is in his characterising of self-interested motivations as necessarily culpable.\(^\text{177}\) As I have argued, self-interest need not

\(^{177}\) Indeed, this aspect of Løgstrup’s thought is an inheritance from his Lutheran background and is not necessary to the view of morality as other-regarding. This is in no way to attack Lutheranism in general, but only where it sees self-interested action as necessarily sinful. I am only reiterating that such a view of self-interest is not implied by the self-other model of morality.
always imply selfishness, and attending to one’s own needs does not necessarily mean neglecting, in a culpable way, those of others. Self-interested actions are just as important a part of human life as morally motivated action. It is well to be clear about this as it seems a common assumption that characterising morality as other-regarding necessarily implies a disparagement of self-regarding motivations. Instead of seeing self-interest, being motivated by my flourishing, as being a bad thing I suggested we understand it as characteristic of the broader category of the ethical. This way respects the tradition going back at least to Aristotle of seeking to understand in general terms what the good life for a human being consists in without making that search reducible to a search for the moral. Of course the moral will play an important, maybe even central part in the ethical life; but the two are separable and we should be wary of conflating them.

8.1 Summing up the argument

With these general comments in place let me sum up the main stages in my argument. As recognised by previous philosophers (most notably Nigel Pleasants) our moral knowledge claims shows evidence of being grounded on basic moral certainties, moral beliefs that are beyond rational doubt but are themselves ungrounded, and which give sense and limits to our moral knowledge claims. Among these basic moral certainties is what I have called primary recognition. This basic certainty is our recognition that other human beings must be treated with some consideration or concern, that we may not treat them as mere objects. I call this primary recognition because of its phenomenological character: in recognising another human being I at the same time recognise that they must be treated with consideration. This recognition acts as the source of our moral thinking in that it prompts us to ask ‘How then must they be treated?’ or ‘What form must that consideration or concern take here, in this context?’

We are motivated to think morally by primary recognition, and our basic moral certainties more generally set boundaries between what can count as sensical and nonsensical answers to moral questions. So for example, in most instances to suggest that killing or harming the other constitutes an appropriate moral response
would be nonsensical – our basic certainties set limits here. This is not to say that people can never sensibly believe it is permissible or even right to kill, but discussions of permissible killing are underpinned by our certainty that some killing is wrong.

I then went on to explore universal and local varieties of basic moral certainty. This helped explain the existence of diverse, sometimes incommensurable moral opinions alongside necessary commonalities in all moral systems. Built into the notion of basic certainty is the realisation that these certainties come together with a whole range of others that form a world-picture (as Wittgenstein puts it ‘When we begin to believe anything, what we believe is not a single proposition, it is a whole system of propositions.’ (OC 141)).

This means that one’s local moral certainties will not be hermetically sealed off from the world-picture of the culture in which one acquires them – they are held in place and cohere with other local basic certainties (be they moral or empirical). The examples of local moral certainty that I chose (especially the ancient Jewish beliefs about pig sacrifice and the Greek beliefs about cannibalism) were meant to show how we can be morally certain about things particular to our culture (in the examples mentioned the cult of YHWH and the belief in miasma and animism respectively). The third example, that of the Pashtun certainties about the rightness of hospitality, aimed at showing how a particular cultural situation might require a group to take a more widely held moral belief with such seriousness, that it becomes for that culture a local moral certainty. In explaining the notion of local moral certainty I hoped to make clear the mechanism by which various and incommensurable moral beliefs arise.

If local moral certainties were responses to local phenomenon then universal certainties, I claimed, were similarly related to universal aspects of our humanity, like the fact that we are mortal and passible. And, I argued, they serve to render mutually comprehensible the variety of human moralities.

All of this bore fruit in being able to affirm the fundamentally moral nature of human beings (against Hobbesian counter-claims), and the sensical nature of

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178 Though see Moyal-Sharrock’s gloss on Wittgenstein’s use of the word ‘proposition’ here (2005, 111-2).
modern moral thought (*contra* Anscombe and MacIntyre’s challenge), and in ruling out certain forms of moral relativism.

### 8.2 Areas for further expansion

I want to finish by giving at least three areas where this work could be expanded. The first is in thought about animals. This thesis has been anthropocentric. It was concerned with human morality and what motivates us to action mainly towards other humans. Some will find this objectionable. In my defence I will say, first of all, that this seemed to me a methodological constraint. In talking about moral certainty I wanted to get clear about our unambiguous, indubitable moral beliefs, and though our basic certainty that some killing is wrong almost certainly concerns some killing of animals, I have discussed only human-on-human killing – it is just easier to make the case for certain kinds of human-on-human killing being murder than any instance of human-on-animal killing.

More substantially it might be objected that my notion of the source of morality is exclusively human-centred, or at least I expressed it that way – we act morally towards X because we recognise them as *human* (and such recognition is identical with moral recognition). Again, I plead necessity. Do we have primary recognition towards animals? I don’t know, but if we do I think the case is harder to make than for humans. For reasons of space I have not attempted this much more difficult task. To those who suspect that we do have primary recognition towards animals, I would offer the tentative counter argument that some humans, when they see certain types of animal see them as *food*, as something to be killed and eaten (and maybe skinned and its bones used for tools etc.).\(^{179}\) It is hard to reconcile this with the kind of concern or prohibitive anxiety experienced in primary recognition. Though of course we should not lump all animals into one category. We have very different relationships with most insects than we do with, say, many medium sized mammals (dogs, cats, rabbits etc.). But this qualification will, I think, only help so

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\(^{179}\) Though the Victorian practice of displaying the pickled heads of aboriginal peoples is not a million miles away from this.
much. This is a preliminary thought and may not stand up to sustained scrutiny, but I think further work in this area would be fascinating and important.

Secondly, there may be helpful outcomes for certain questions in political philosophy or sociology. In particular the directly phenomenological nature of primary recognition might help explain the difficulty of motivating certain types of political change, especially around things like immigration policies. We may hear stories of the plight of, for example, Syrian refugees, but without direct contact with them we are often insufficiently motivated by their suffering to advocate allowing significant numbers political asylum. This is a version of the problem of moral distance. But the notion of primary recognition helps us understand why we are so difficult to motivate on behalf of those we haven’t met face-to-face. If our moral responses have their source at the direct phenomenological level, in experiencing this other as a human and therefore as requiring moral consideration, then it is no wonder that our moral motivations are weaker the further from this motivating contact we get. We may reason morally in abstraction, but this will never be as powerful as the animal recognition of the other and the sense of consideration and concern that brings. So the conclusions argued for here might be usefully taken up in political philosophy.

A third area for expansion might be into artificial intelligence (AI). In trying to create artificial agents that are also moral agents, it follows from what has been explored here that more is required than an Asimov-style system of moral principles. It is not principles that ground our moral knowledge and motivate our moral behaviour but basic moral certainties. An Asimov-style artificial agent could make an excellent moralist, acting for the sake of moral rules and principles. But unless they can be motivated by the ends of others they can’t be said to be truly moral. I would enjoy seeing the positions outlined in this thesis put to use in unravelling the fascinating problems involved in creating true artificial moral agents – though it is far beyond my expertise to write that paper.

These are just a few suggestions for ways in which this work might prove useful, or where it would bear expansion. I hope that this thesis will provide a useful and stimulating basis for such an expansion.
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