

# **Neither Generalism nor Particularism: Ethical Correctness is located in General Ethical Theories**

## **1. Introduction**

In order to evaluate the merits of particularism and generalism, we need to isolate precisely what is the main point of contention between the two views. This is not an easy matter and there have been many attempts at capturing this difference.<sup>i</sup> I shall argue that the difference lies in what is taken as the locus of ethical correctness. The particularist takes this to lie in judgements about particular cases and the generalist denies this and claims that the priority is located in general principles. I shall dispute both these claims by arguing that ethical correctness is located in ethical theories and that these should not be equated with a list of general principles.

I need to clarify two points about this claim before proceeding. In talking about ethical correctness, I am not claiming that there is always a uniquely correct answer to every moral problem. Indeed, my discussion of judgemental generalism in section four of this paper indicates some of the areas where there could be moral disagreement. Second, I am not suggesting that the task of moral judgements is solely to identify correct answers in an impassive, theoretical way. Judging morally is intimately connected with how we live our lives and the sort of people that we are. It is because of this that it is so important to identify where ethical correctness lies.

Roger Crisp has noted that “generalism is now the standard term for the contrary to particularism.”<sup>ii</sup>

Whilst I accept this, in order to locate the precise nature of the difference between the two doctrines I argue that it is necessary to distinguish two types of generalism: subsumptive and judgemental generalism. This latter form of generalism allows us to locate much more precisely the essential point of difference between particularism and generalism since it allows such a large scope for

attention to the particular case without it being a particularist doctrine. Jonathan Dancy, for example, considers that it is a particular danger of generalism that it allows insufficient attention to the particular case. He writes,

It is this sort of *looking away* that particularists see as the danger of generalism. Reasons function in new ways on new occasions, and if we don't recognise this fact and adapt our practice to it, we will make bad decisions. Generalism encourages a tendency not to look enough at the details of the case before one.<sup>iii</sup>

As I will show, judgemental generalism *requires* a detailed examination of the particular case. This discussion of judgemental generalism which, I argue, is to be preferred to subsumptive generalism, naturally leads to the reason for going beyond this and locating ethical correctness in ethical theories. These theories provide the guiding rationale for what is regarded as ethically correct.

I will show then that generalists, *per se*, are not debarred from paying attention to the specific case. Principles can be applied to specific cases and this does not involve a "looking away" from the particular case. The kind of sensitivity that particularists claim is necessary for judging the morality of specific cases is not something that is denied to generalists. Dancy, for example, writes of the person on whom we can rely "to make sound moral judgements," that she will have "a broad range of sensitivities" and "to have the relevant sensitivities just is to be able to get things right case by case."<sup>iv</sup> John McDowell makes a similar point, "Occasion by occasion, one knows what to do, if one does, not by applying universal principles but by being a certain kind of person: one who sees situations in a certain distinctive way."<sup>v</sup> Sensitivity to particular cases, seeing situations in a distinctive way, is something that generalism can allow. This is not to say that all generalist theses

allow this but just that this sort of attention to particular cases is not incompatible with generalism *per se*, understood as involving, in some sense, the application of universal principles.

I shall take Kant's view as an example of judgemental generalism and use this to illustrate what I mean by claiming that ethical correctness is located in ethical theories rather than in the perception of particular situations. My aim is not to provide a defence of Kant's view *per se*, but rather to argue for the advantage of looking to ethical theories for the locus of ethical correctness, rather than judgements about particular situations.

## **2. Particularism**

I shall concentrate on particularism as a thesis about reasons, at least initially, in order to locate the essence of the difference between particularism and generalism. There are two reasons for this. First, the essence of the doctrine is clearly stated by Dancy in this form.<sup>vi</sup> Second, if this is accepted, similar arguments apply to all other versions of particularism since they are all based on the same argument for holism that Dancy advances. Dancy indicates that he supports particularism on the basis that holism as a theory of normative reasons is correct when he writes: "particularism (which is merely an application of holism in the general theory of reasons to the moral case)."<sup>vii</sup> It is this holism in the theory of reasons that generalists, by their acceptance of moral principles, have to reject. In particular, in discussing particularism about reasons, reference will be made to principles that are cited as reasons, so a separate section is not included devoted to particularism in rules or principles.<sup>viii</sup>

Dancy emphasises that his ethical particularism is based on a commitment to holism in a theory of normative reasons. He expresses this thesis as follows:

1. What is a reason in one situation may alter or lose its polarity in another.
2. The way in which the reasons here present combine with each other is not necessarily determinable in any simply additive way.<sup>ix</sup>

In the specific case of morality, Dancy makes it clear that moral principles specify the features that are the reasons to which generalists appeal. He writes,

Moral principles, however we conceive of them, seem all to be in the business of specifying features as *general* reasons. The principle that it is wrong to lie, for instance, presumably claims that mendacity is always a wrong making feature whenever it occurs (*pro tanto*, of course, not necessarily absolutely).<sup>x</sup>

If moral reasons function holistically in the way indicated in the general specification above, then: “it cannot be the case that the possibility of such reasons rests on the existence of principles that specify morally relevant features as functioning atomistically. A principle-based approach to ethics is inconsistent with the holism of reasons.”<sup>xi</sup> If we take the example of the reason that it is wrong to lie, Dancy’s point expressed in (1) above is that it might not always have the polarity of being a wrong making characteristic since it could, in some contexts, turn out to be a right making characteristic or even to have no significance at all, in the sense of not being regarded as a reason at all in some contexts.

The second point is not wholly clear since Dancy provides no explanation of it in the section of his article devoted to holism in the theory of reasons.<sup>xii</sup> However, what he appears to have in mind, and what I shall assume he intends, is clarified by the discussion of organic wholes that occurs in his discussion of holism in the theory of value. The value of the parts of the whole cannot be looked at

atomistically and from this a deduction made about the value of the whole. Although this view of Dancy's sounds the same as Moore's doctrine of the value of organic wholes, Dancy's explanation of this feature involves, as we shall see, rejecting Moore's view.

Before examining Dancy's thesis and supporting arguments in more detail, which I do in section six below, I should like to point out some implications of this view. The first concerns the notion of priority. Dancy's view implies that the particular is prior in at least the following senses:

- (i) The particular determines what will count as a reason. The particular situation needs to be inspected first to determine what is a reason in this situation and what value and importance it has.
- (ii) The particular is prior in the sense that the evaluation of the particular has authority over any general reason with which it might conflict. The locus of ethical correctness lies in the particular.

A second implication implicit in Dancy's characterization is that we clearly need to exercise judgement about the case before us. I will be showing that this feature is not distinctive of particularism, since it is also essential for the form of generalism that I call judgemental generalism.

A third implication is that this account of particularism implies the falsity of the universalizability thesis. This is because the thesis of universalizability incorporates the claim that if we judge one action to be right then we must judge any relevantly similar action to be right, "An action is said to be relevantly similar if, roughly, it shares with the first all the properties which were reasons why the first action was right."<sup>xiii</sup> Given Dancy's thesis about the holism of reasons, - whereby what is a

reason in a particular case might change its polarity or be no reason at all in another case, - we can see why the rejection of universalizability might lead to particularism. I shall be discussing this issue in section five below.

I shall be defending the version of generalism that I call judgemental generalism in opposition to this characterization of particularism. My defence will show that this form of generalism incorporates the second implication noted above and therefore that this is not distinctive of the difference between generalism and particularism. I shall also defend the universalizability thesis by considering the case of Billy Budd, which is sometimes taken to provide a reason for rejecting the universalizability thesis. If this defence is successful, it will provide an argument against particularism. In section six I shall return to Dancy's support for his thesis and my criticisms, if correct, will provide further support for generalism understood as the contrary of particularism. This will leave the priority point as the main point of contention between generalism and particularism. In arguing against locating ethical priority in the particular, I shall show, by using the example of Kant's ethics, that ethical priority should be located not in generalism *per se*, but in the ethical theory in which such generalism is grounded.

I will begin by outlining the two types of generalism - subsumptive and judgemental - to show the senses in which the latter requires judgement of the particular case.

### **3. Subsumptive Generalism**

As I mentioned above, generalists *per se* are not debarred from paying attention to specific cases. However, what I will call subsumptive generalism, as opposed to judgmental generalism, does preclude sensitivity to particular cases. Subsumptive generalism is a form of generalism that

involves equating principles with rules. Rules apply in an all or nothing fashion and, as Dworkin writes, “If the facts a rule stipulates are given, then either the rule is valid, in which case the answer it supplies must be accepted, or it is not, in which case it contributes nothing to the decision.”<sup>xiv</sup>

As an example, if we have the general rule “one ought to tell the truth” and a particular case where this is an issue, then it automatically follows that in this case one ought to tell the truth. This moral judgement is deduced from the general principle.

This sort of generalism is deeply implausible. There might be many occasions where, for example, to tell the truth would cause immense distress, but the mechanical application of the rule “one ought to tell the truth” would dictate that the truth ought to be told. It suffers from the further implausibility that situations can arise where two conflicting rules could apply when it cannot be our duty to do both. My claim is not that there are generalists advocating subsumptive generalism, but that this sort of picture of generalism is what is implied by some particularists when they are criticising generalism. An example of this would be Dancy’s remarks quoted earlier when he claims that generalist doctrines “look away” from particular cases.

#### **4. Judgemental Generalism – Kantian Ethics**

I shall be using Kantian Ethics as an example of judgemental generalism. This will be used to show that this form of generalism includes an ineliminable role for judgement and, thus, that this feature noted as the second implication of Dancy’s characterization of particularism cannot be taken as a feature that distinguishes generalism from particularism. Far from encouraging “a tendency not to look enough at the details of the case before one”<sup>xv</sup>, judgemental generalism *requires* a detailed examination of the particular case.

However, since my ultimate thesis is that the locus of ethical correctness lies in ethical theories, I shall give a rough idea of the distinction within Kantian Ethics of what I mean by distinguishing ethical theory and general principles. I will accept, in an initially uncritical way, Bernard Williams's definition of an ethical theory. He says: "An ethical theory is a theoretical account of what ethical thought and practice are, which account either implies a general test for the correctness of basic ethical beliefs and principles or else implies that there cannot be such a test."<sup>xvi</sup>

The general test for correctness incorporated in Kantian Ethics is encapsulated in the Categorical Imperative: "Act only on that maxim whereby you can at the same time will that it should become a universal law."<sup>xvii</sup> Whilst this might be used as a test of specific maxims, there are certain general principles or maxims that Kant suggests pass this test. In the infamous four illustrations of this test in practice we have generated the following general principles: "One ought not to commit suicide", "One ought to keep promises", "One ought to utilise one's talents" and "One ought to help others"<sup>xviii</sup> The first two principles are examples of perfect duties, recognized by the fact that there is a contradiction in the universal form of their denial. The infringement of perfect duties would seem then to be something that is never allowable and, therefore, might seem to allow no room for judgement. The latter two examples express imperfect duties recognized by the fact that the contradiction in their denial is not a contradiction in the universal form of the maxim, but a contradiction in willing it in the universal form.<sup>xix</sup>

The first role for judgement in this example of judgemental generalism is a role that is common to all principles, whether they express perfect or imperfect duties. Kant explicitly recognises that the application of principles requires judgement and that this cannot be explained in terms of the application of a further general rule or principle. He writes:

So judgement itself must provide a concept, a concept through which we do not actually cognize anything but which only serves as a rule for the power of judgement itself – but not as an objective rule, to which it could adapt its judgement, since then we would need another power of judgement in order to decide whether or not the judgement is a case of that rule.<sup>xx</sup>

Principles cannot be applied without a judgement to determine their applicability to a particular case and this cannot be formulated in general terms but is determinable by the particular case. Kant makes this completely explicit when he says:

It is obvious that between theory and practice there is required, besides, a middle term connecting them and providing a transition from one to the other, no matter how complete a theory may be; for, to a concept of the understanding, which contains a rule, must be added an act of judgment by which a practitioner distinguishes whether or not something is a case of the rule; and since judgment cannot always be given yet another rule by which to direct its subsumption (for this would go on to infinity).<sup>xxi</sup>

If we take the perfect duty not to commit suicide or, put positively, to preserve our life, then this does not imply that in a particular case someone should never take their life. Judgement is required to determine whether or not the particular case is an example of suicide. Kant makes this clear in his discussion of the casuistical questions that follow his discussion of killing oneself in *The Doctrine of Virtue*. He says: “Is it murdering oneself to hurl oneself to certain death (like Curtius) in order to save one’s country? - or is deliberate martyrdom, sacrificing oneself for the good of all humanity, also to be considered an act of heroism?”<sup>xxii</sup> Judgement of the particular case, which is a

difficult matter as Kant makes clear from these examples, is necessary to know whether the general principle applies in this case. It is clearly not the case that all acts of killing oneself are deemed to be wrong, but only those that are judged to be cases of suicide rather than cases of heroism, martyrdom or some other case. The duty encapsulated in the prohibition on committing suicide is absolute but we need judgement to determine when we have a case of suicide. A similar point can be made with the perfect duty to tell the truth where we can see that this does not imply that one should never tell an untruth. We need to exercise judgement to determine whether the particular case is a genuine case of a lie. As Kant writes, “Can an untruth from mere politeness (e.g., the ‘your obedient servant’ at the end of a letter) be considered a lie? No one is deceived by it.”<sup>xxiii</sup>

In the case of the imperfect duties, the necessity for judgement in particular cases is built into them at the general level in Kant’s account of what it is to be an imperfect duty. The necessity for judgement arises from two features of the general account given of imperfect duties. The duty to develop our talents and help others that were isolated in the *Groundwork* are further specified in the *Metaphysics of Morals* and labelled the two duties of virtue. The duty we owe to our own perfection is specified as not just developing our talents but also as morally perfecting ourselves. The duty of virtue that we owe to others is the duty to seek their happiness.<sup>xxiv</sup> However, there is no ranking given to these two within the general theory and so judgement would be needed in the particular case if we had to choose between imperfect duties generated by these two duties of virtue.

The second feature of the general account of imperfect duties that implies the necessity for judgement in the particular case arises from the nature of an imperfect duty. There is no specification, at a general level of, for example, what talents we should be developing or how much we should be developing them. Kant writes,

No rational principle prescribes specifically *how* far one should go in cultivating one's capacities ... Then too, the different situations in which human beings may find themselves make a human being's choice of the occupation for which he should cultivate his talents very much a matter for him to decide as he chooses.<sup>xxv</sup>

Similarly, there is no general account about who we should be helping or how much we should be helping them. These duties are wide ones that incorporate a latitude in their application that is determined in the particular cases.<sup>xxvi</sup>

Finally, judgement is also needed where we think that two general principles are applicable in a particular case, but the performance of one precludes the other. We have to determine by a consideration of the particular case what is our actual duty. Kant distinguishes between what he calls "grounds of obligation" which would refer to the two principles that we consider apply to this particular case, and "obligation" to reflect this difference. Kant maintains that a conflict of duties is impossible:

a subject may have, in a rule he prescribes to himself, two *grounds* of obligation (*rationes obligandi*), one or the other of which is not sufficient to put him under obligation (*rationes obligandi non obligantes*), so that one of them is not a duty. - When two such grounds conflict with each other, practical philosophy says, not that the stronger obligation takes precedence (*fortior obligatio vincit*), but that the stronger *ground of obligation* prevails (*fortior obligandi ratio vincit*).<sup>xxvii</sup>

I shall have something more to say about the rationale governing this judgement of particular cases when supporting my claim that the locus of ethical correctness lies in ethical theories. However, before considering this question, I shall defend the thesis of universalizability by considering the case of Billy Budd which has been advanced as a counter example to this thesis. If Dancy is correct to claim that particularism is incompatible with universalizability; then, if I can defend universalizability against attack, this will provide indirect support for generalism.

## **5. Universalizability and Billy Budd**

Dancy considers that generalism in the theory of reasons embodies a commitment to universalizability. This is because the thesis of universalizability incorporates the claim that if we judge one action to be right then we must judge any relevantly similar action to be right. He says, “An action is said to be relevantly similar if, roughly, it shares with the first all the properties which were reasons why the first action was right.”<sup>xxviii</sup> Given Dancy’s thesis about the holism of reasons whereby what is a reason in a particular case might change its polarity or be no reason at all in another case, we can see why the rejection of universalizability might lead to particularism.

However, this still leaves open the question of whether or not universalizability should be rejected as a theory. A case that has been discussed frequently in the literature that appears to cast doubt on universalizability is the case of Melville’s *Billy Budd, Sailor*.<sup>xxix</sup> I will show in my discussion that this case does not damage Kantian generalism and therefore does not damage generalism *per se*.

The case described by Melville is where Captain Vere is faced with the decision of whether or not to execute Billy Budd. Budd has been falsely accused of attempted mutiny by Claggart, a corrupt Master of Arms, and whilst attempting to defend himself against the charge strikes Claggart with a

blow that kills him. Although Captain Vere believes in Budd's innocence, since he has killed Claggart he feels unable to prevent him from hanging. Indeed, he takes the decision immediately before the court hearing and subsequently makes it clear at the hearing that his first obligation is to martial law and that would decree death for what is viewed as a capital crime. Winch's discussion of this case provides the starting point of the debate. Winch claims that Vere's decision to have Billy Budd hung was the right thing for him to do but Winch claims that, by appealing to the same considerations to which Captain Vere appealed, he would not have found it possible to condemn Budd.

This example is illustrative of two features. The first is that we have a case where there is a genuine moral dilemma and the considerations are very finely balanced. There is no clear "right" answer. These finely balanced cases are the sort that Kant discusses in the casuistical questions referred to earlier where it is not clear from a consideration of the ethical theory alone which decision should be taken. In Kantian terms, if what is taken to be of ultimate value is rational nature, it is not clear what course of action will constitute respecting rational nature. These are the sort of cases I had in mind when I mentioned at the start of the article that I was not claiming that ethical correctness implies that there is a uniquely correct answer to every moral problem.

Second, we have a case where there is a difference between the first person evaluation of the case and a third person evaluation of the case. Winch recognises the same considerations that Captain Vere recognises and appreciates that it was right for Vere to have Budd hung; but, Winch, whilst appealing to the same considerations, would have found it impossible to condemn Billy Budd. Budd's innocence of both plotting mutiny and of intentional murder would not be overridden by the dictates of martial law for Winch.

The point at issue is that we cannot retain universalizability by claiming that the situations would be relevantly different if it was Winch or Vere making the decision because their differences of character are not a consideration to which either are appealing. However, it is their different characters that make it right for Vere to condemn Budd and for Winch not to be able to.

This leads Joseph Raz to argue that since they are appealing to the same considerations or the same reasons, this case shows, as Winch points out, that reasons for action are not universalizable.<sup>xxx</sup> However, Raz retains universalizability by claiming that the difference between Vere's decision and Winch's decision is explicable in terms that are universalizable but are not reasons. These are the different characters of Vere and Winch and the fact that they decided as they did.<sup>xxxi</sup> Crisp takes a different line by concentrating on the fact that this is a finely balanced case and universalizability can be retained by claiming that either evaluation is permissible.

I disagree with both of these analyses. The mistake made by Winch, Crisp and Raz is to claim that Vere and Winch are appealing to the *same* considerations or reasons. This allows the anti-universalists too much. In the sort of judgemental generalism that I was illustrating by referring to Kant's ethics, judgement is needed when these casuistical questions arise to determine what sort of case it is. Is it, for example, a case of innocent self-defence or is it a case of intentional murder? What will determine what will count as reasons will depend on the judgement taken at this point and this will vary depending on the judgement made.

What I have in mind can be illustrated in the following case taken from Kant's *Metaphysics of Morals*. Kant says,

A man who had been bitten by a mad dog already felt hydrophobia coming on. He explained in a letter he left, that, since as far as he knew the disease was incurable, he was taking his life lest he harm others as well in his madness (the onset of which he already felt.)<sup>xxxii</sup>

These reasons make perfect sense as the reasons given by this man who considered that the right action to take was to take his life because he judged the case to be that of preventing harm to others. However, these “same considerations or reasons” would not have been appealed to by someone who considered that this was primarily a case of suicide and as such unjustified. Rather, the case would have been judged as, for example, a case of removing something of intrinsic value; debasing humanity. One only has to imagine how strange it would be for someone who judged this to be a case of suicide and therefore wrong, but gave as their reasons for this judgement those considerations cited by the person who judged it to be a case of not harming others. The wrongness of suicide and the duty we have not to harm others are universalizable, but first judgement needs to be exercised to determine what sort of case we have in this particular instance. In these finely balanced cases, a general theory can be held whilst recognizing that this might result in different evaluations in these sorts of finely balanced cases.

If this defence of universalizability from this sort of attack is accepted, then this gives a further reason for rejecting particularism since, as we have seen, particularism implies the falsity of universalizability. In the next section, I want to argue against particularism directly by criticising the support that Dancy provides for this thesis.

## **6. Dancy's Particularism**

As I mentioned in the second section of this paper, Dancy expresses his thesis as follows:

1. What is a reason in one situation may alter or lose its polarity in another.
2. The way in which the reasons here present combine with each other is not necessarily determinable in any simply additive way.<sup>xxxiii</sup>

In his book *Moral Reasons*, Dancy argues for the first point in his characterisation of the holism of reasons by way of examples. He gives an example where something that would usually be a reason is not a reason at all in a particular case. He also gives an example where a reason changes its polarity.

Dancy puts forward an example to illustrate a case where something that was a reason in other cases would not be a reason in the example he is considering. If I have borrowed a book from you, then I have from that perspective a reason to return it. However, if the book was stolen by you from the library, then I have, from that perspective, a reason to return it to the library rather than to you. This, according to Dancy, might be how one might characterise the situation from a generalist's perspective. However, Dancy claims that I have no reason at all to return it to you since it was stolen. That is not a reason in this sort of case that has to be weighed against the other considerations.<sup>xxxiv</sup>

However, it is surely not correct to attribute this view to the generalists. To describe the fact that I have a reason to return the book to you from the perspective that I borrowed it from you is not correct. It could not be described accurately as a case of borrowing since I cannot borrow a book from you unless you lend it to me. However, you cannot lend what is not yours and so since the stolen book is not yours, you do not lend it (although you may act as though you were doing that)

and therefore I do not borrow it. Generalists look at the case and consider what moral principles are applicable and clearly this would not be regarded as a genuine case of borrowing. Dancy, with no supporting argument, has just not allowed this information to be included, forcing the generalist to view it as a simple case of borrowing. This is an example of a particularist characterising all generalism as though it has to be the implausible presumptive generalism that I mentioned earlier. Without a supplementary argument to show that generalists cannot consider the specific case and make a judgement about whether or not a principle is applicable here, Dancy has not proved his case.

Yet, Dancy also provides an example where a reason changes its polarity. “One ought not to lie” might on many occasions be taken to be a reason against telling an untruth but there are occasions when lying is required and the fact that something is a lie is a reason in favour of the action. The example is one of a game where the whole purpose of the game would be destroyed if the participants did not lie. However, this is surely not a problem for generalists. Again, the only way for Dancy’s argument to work is if the situation is wrongly described. We do not have here a case where lying simpliciter is being taken as a reason in favour, but where lying in the strictly defined context of a game is being recommended. Kant, for example, is quite clear that judgement is needed in particular cases in order to determine what principles are applicable. In his discussion of the casuistical questions, for example, he writes, “Can an untruth from mere politeness ... be considered a lie.”<sup>xxxv</sup> We could rephrase Kant’s casuistical question here and ask, “Can an untruth in the context of a game that requires lies be considered a genuine lie?”

The replies to these examples illustrate that judgement is involved in particular cases to determine an interpretation of the case to see whether or not we really have, for example, a case of borrowing. Acceptance of generalism does not commit us to some mechanical, unthinking application of

principles to particular cases, as might be suggested in subsumptive generalism, but allows for judgement in interpreting the case. On the basis of these examples, Dancy has not shown that reasons either change their polarity or cease to be reasons in new cases.

What about the second point in Dancy's characterisation of the holism of reasons? The claim here is that the way in which the reasons here present combine is not necessarily determinable in any simply additive way. What Dancy has in mind, at least in the connection with the thesis of the holism in the theory of value<sup>xxxvi</sup> is expressed by him as, "The value of a complex or whole is not necessarily identical with the sum of the values of its elements or parts."<sup>xxxvii</sup> Moore also held this view and gave, as an example, that the consciousness of a beautiful object is more valuable than the separate value of the consciousness and the value of the beautiful object added together. The thought being that the value of the object, if no one were conscious of it, would be very little. Similarly, mere consciousness does not always confer great value.<sup>xxxviii</sup>

The difference between Moore and Dancy, as well as the difference which concerns us, is that they provide different explanations for this phenomenon. Moore holds that these separate components always retain the same value although the value of the whole may be greater than the value of these parts. Dancy, on the other hand, is arguing that the value of these parts cannot be viewed atomistically. Moore's view assumes a particular doctrine of supervenience whereby the value of each of the parts remains the same. These values are dependent on the separate parts of the whole but when these qualities are combined in a complex whole, the value of the whole is not necessarily the same as the sum of the value of the parts.

Whilst still supporting a doctrine of supervenience, whereby value supervenes on other qualities X, Dancy considers that the value can change even if X has not changed on this occasion. It can change because of other qualities in which this value forms part of a complex. He writes,

intrinsic value is value that results from intrinsic properties of the object concerned, but...that value can vary because of changes elsewhere, that is, in those properties whose presence or absence can make a difference to the ability of the intrinsic properties to generate the value they do.<sup>xxxix</sup>

He summarises his position in the following claim, “My doctrine, then, is a sort of global supervenience, since the supervenience base is cast so wide, while Moore’s is a sort of local supervenience.”<sup>xl</sup>

This explanation is damaging to Dancy’s account since it would appear to involve a denial of the second point of his characterisation of holism in the theory of value. The value of the complex whole will be identical with the value of the parts because the value of the parts will be determined in part by the context of this particular whole of which they form a part. Consequently, we do not have a case where the value of the whole is not identical with the value of the sum of its parts. This is essentially because the values of the parts have changed because of the particular whole in which they are located, and therefore this allegedly second feature of the holism of value or reasons seems to have collapsed into the first point. It just seems to be an explanation of the claim that the polarity of reasons or value might vary from occasion to occasion. Presumably, this variation is explicable in terms of Dancy’s “global supervenience” and, if this is the case, the second point in the characterisation of holism of reasons is not a distinct point from the first, against which I have already argued.

It might be considered that Dancy could reply to this argument in terms of a refinement that he makes to his position in a recent article.<sup>xli</sup> Here instead of asserting without qualification that “The value of a complex or whole is not necessarily identical with the sum of the values of its elements or parts” (henceforward to be referred to as N.I, the Non-Identity Claim), he claims,

But it is also true that some features that have value in that context do not contribute that value to the value of the whole. Their value cannot be put toward the value of the whole. In that sense, the value of the whole is not identical to the sum of the value of all the parts. But the value of the whole is identical to the sum of the values of the contributing parts, as we might put it. Any part, then, that contributes value must have that value to contribute, but some valuable parts do not contribute their value to the whole, even though their presence is necessary for the whole to have the value it does.<sup>xlii</sup>

The essence of this later position is the distinction that is now being drawn explicitly between:

- (i) A part of a whole that does not contribute value to the whole but its presence is necessary for the whole to have the value that it does.
- (ii) A part of a whole that does contribute value to the whole.

In terms of this then, N.I will remain true if by parts we intend either (i) or both (i) and (ii) but if we just mean (ii) then N.I become false. In other words, interpreted in this latter way, Dancy will no longer be holding the same view as Moore, since Moore’s claim applies to all the parts of the whole. Although, of course, even when Dancy held N.I in *Moral Reasons* the reason that he advanced for this claim was different from Moore’s reason.

It is therefore crucial to understand the distinction that Dancy is drawing between (i) and (ii). The sort of part that Dancy has in mind when describing (i) as “necessary for the whole to have the value it does” are what he describes as enabling conditions. Dancy takes the example of friendship as it occurs in the film *The Truman Show* where everyone, except Truman, are aware that they are actors. Although friendship generally has a positive value, in this case it does not because all Truman’s relationships are based on a sham. Dancy claims, “what is of value about a friendship would have no value if that friendship was a sham, but that it is not a sham is not part of what makes the friendship worthwhile. Genuineness is an enabling condition here, not a ground.”<sup>xliii</sup>

Presumably, the idea is that the value of the friendship in this particular context or whole can change from its normal value without there being any change in the grounds or features of the relationship that make it a friendship but on the basis of something else about this context, namely that it is a pretence or a sham. The thought would be that Moore could not accept this since in holding “local supervenience” he could not allow for a change in the value of friendship without positing a change in the features that grounded that value. However, Dancy’s doctrine of “global supervenience” allows a change in the value of friendship if there are other changes in the context but these need not be changes in the features that grounded the value but in other features such as these enabling conditions instead. In this case then, as we can see in the quotation above, “that it is not a sham” is not part of the ground for friendship.

If we interpret parts in the sense of (ii) when N.I. becomes false then, as I mentioned in discussing Dancy’s position in *Moral Reasons*, the second part of his characterization of particularism will no longer be correct. It would only be correct if by parts we mean either (i) or both (i) and (ii).

However, to distinguish between (i) and (ii) seems itself to be atomistic. Why should these parts be

separated? A judgemental generalist approaching this situation would not have to take it as a case of friendship and then point out that in fact the friendship is a pretence as though this is some separate component that counts against the positive value that friendship might be thought to contribute otherwise. The generalist, as I mentioned earlier, would exercise judgement and come to the global judgement that Truman's relationships are not genuine friendships where there is no reason to divide this into two components. Friendship has not changed its polarity here because this is not a case of genuine friendship just as in the borrowing book cases this was not a genuine case of borrowing.

In fact, Dancy's atomistic analysis of the parts of the whole is a feature of his view that appears to be more generalist than the one that I am advocating. This becomes apparent when he makes it clear that he is advocating a moderate form of holism where certain features can possess what he calls "default value". Thus, for example, friendship could be supposed to possess a positive default value, "causing needless pain", a negative default value and "the train is about to leave" which does not have a default value.<sup>xliv</sup> The context might change the values of those features that have a default value or result in the acquisition of value by those features that do not have a default value.

This seems remarkably like the form of generalism that I have called subsumptive generalism where we have certain general principles such as "friendship is a virtue" and "causing needless pain is wrong" and these are uncritically assumed to be applicable to the particular situation. After they have been entered in this form, Dancy's particularism kicks in with the claim that the overall context might lead them to have a different value to their normal one. The form of generalism that I was proposing was one where the judgement about what sort of case we have is made prior to the application of principles rather than applying these principles (or default values) and then claiming that if their value changes from their normal default value then this can be explained by other

“parts” of the overall context that can be labelled “enabling conditions”. Indeed, further remarks by Dancy reinforce this impression of generalism because a special explanation is required if a feature that has a default value does not have that value in a particular context. His analysis of particular situations involves an initial “looking away” from the particular situation and then evaluating the particular case in terms set up as a result of this initial “looking away.”

A possible reply that Dancy might make to this point can be taken from his recent discussion of these issues in the area of reasons.<sup>xlv</sup> Here Dancy has presented an even more complicated picture than that which we have so far been considering in his discussion of the value of wholes and their parts. I shall take the following example of practical reasoning that he gives to illustrate some of these new complexities.

- (1) I promised to do it.
- (2) My promise was not given under duress.
- (3) I am able to do it.
- (4) There is no greater reason not to do it.
- (5) So I do it.<sup>xlvi</sup>

Here (1) is described as a reason in favour or, as Dancy describes it, a “favourer” and is the only *reason* in this case. In the language of the value of wholes, this would presumably be equivalent to those parts that I labelled (ii), being those parts of the whole that do contribute value to the whole. (2) and (3) are both enabling conditions and thus like the parts that I labelled (i). The distinction between (2) and (3) is between a specific enabler and a general enabler where the former is something specific to promising and the latter would apply to the larger class of all my actions.

Condition (4) is neither a favourer nor an enabler but is described by Dancy as being verdictive because it is a judgment on the balance of reasons present in the case.

One reason that Dancy gives for this sort of breakdown is that if we took a more global view initially such that, for example, the overall favourer would be that I freely made a promise to do something that I am able to do and there are no other conflicting considerations, then this would not capture something that Dancy thinks we would wish to capture when the enabling conditions fail. So, to take Dancy's example, if a promise was deceitfully extracted then Dancy claims that people would

often feel some compunction in not doing what they promised, even though they themselves recognise that in such circumstances their promise does not play its normal reason giving role. I think their attitude would be different if what plays the reason-giving role were not that one promised but that one 'freely' promised.<sup>xlvii</sup>

The thought would be that there would be no favourer if the case were described in the second sort of way in the deceitful promise example and, therefore, no explanation of the feeling of compunction that Dancy says would be felt.

Now this argument does not sit very happily with the original position developed by Dancy in *Moral Reasons*. In his analysis of the book borrowing case there he claimed that I have no reason at all to return the book that I had borrowed from you if you had stolen it. This was not described as a case where we have an unchanged favourer, returning that which we have borrowed, but that the enabling conditions for this favourer are absent in this case. The analysis that he has now moved to is almost precisely the sort of analysis that he claimed in *Moral Reasons* would be given by a

generalist. It is not *precisely* the same since Dancy is drawing a distinction between reasons and enabling conditions, but the essence of the point is the same. Dancy clearly claims in *Moral Reasons* that I have no reason at all to return the book since it was stolen by you.

My criticisms of Dancy then need to be distinguished to reflect the change of view between *Moral Reasons* and these two later articles and can be summarised as follows:

- (A) If the analysis given in *Moral Reasons* is accepted, then Dancy will not be able to hold N.I. since then the value of the whole will be the same as the contributory parts. In this case, his characterisation of particularism is just based on the first point, what is a reason in one situation may alter or lose its polarity in another, against which I have argued.
  
- (B) If he adopts the sort of position characterised in his later articles then this smacks of the sort of subsumptive generalism that I have criticised. The breakdown of cases into favourers, enabling conditions, verdictive judgements and even further complications<sup>xlvi</sup> encourages an initial “looking away” from the particular situation and the application of favourers such as promise keeping which are then reduced in value by the presence of “disabling” conditions such as the promise was not freely given. However, there is still a reason to keep the promise according to the later Dancy since he considers that this explains the feeling of compunction that he alleges we feel when we do not keep the promise. So he would have retained N.I. of contributing parts and wholes but at the expense of incorporating a deeply implausible subsumptive generalist analysis of the situation. The analysis would require him to reject the first point in his

characterisation of particularism in *Moral Reasons* since the reasons bring with them their normal default value to the situation.

Hence, neither (A) nor (B) will allow him to retain the initial characterisation of particularism given in *Moral Reasons*. In addition, Dancy himself admits that there is no way at a theoretical level to determine whether his or Moore's account of supervenience is correct in isolation from the consideration of particular cases. However, if my interpretation of Dancy's second point in his characterisation of holism is as characterised in (A) above, then this just collapses into the first point. Since, as I have argued, the first point has not been established then there is no reason to accept Dancy's explanation of supervenience.

### **7. The locus of ethical correctness lies in ethical theories**

These arguments against particularism leave open the possibility that generalism, at least if this is understood as judgemental generalism, is correct. Why not accept this rather than claiming that the locus of ethical correctness lies in ethical theories? Indeed, what is the distinction between generalism and ethical theories, since both seem to be advocating applying something general to particular cases? In the course of explaining this, more detail will be given about what is involved in the judgemental part of judgemental generalism.

I have already shown that judgemental generalism is a more plausible form of generalism than subsumptive generalism, where moral principles are equated with rules that apply in an all or nothing fashion. Judgemental generalism has the ineliminable role for judgement in the particular case in the respects that I have outlined earlier in the article. However, this still leaves open the question of how this judgement is to be exercised. What rationale is being employed to make these

judgements? This rationale I will argue is embodied in the ethical theory from which the general principles arise.

I shall clarify this point by returning again to an example in Kant's ethical theory. According to Kant, ultimate value is located in rational nature, or, as he also calls this, humanity. Indeed, one of the formulations of the Categorical Imperative makes this explicit: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means."<sup>xlix</sup> In terms of Williams's definition of an ethical theory given earlier, the appeal to rational nature as the ultimate end supplies the "general test for the correctness of basic ethical beliefs and principles."<sup>l</sup> Rational nature will be appealed to as both the ground for our general principles and for the judgement about the appropriate description to be given to the particular case so that the appropriate general principle is applied. As noted earlier, Kant writes, "an act of judgement by which a practitioner distinguishes whether or not something is a case of the rule."<sup>li</sup>

So, if we take an example mentioned earlier of whether or not killing oneself after having been bitten by a rabid dog counts as a case of suicide or not harming others, then our guiding rationale will be to consider which of these would count as respecting rational nature in this particular case. It is the ultimate standard of ethical correctness embodied in Kant's ethical theory that provides the rationale for the general principles that we bring to the particular cases and for the judgement necessary to understand which principles are applicable in a particular case.

Why should we accept that this is where the locus of ethical correctness is to be located? It seems to be a natural extension of judgemental generalism in its explicit inclusion of the rationale for this form of generalism. I have also given reasons for rejecting the support that Dancy offers for

particularism. However, there may be the lingering suspicion that somehow a direct confrontation with the particular case without any intervening ethical theory is where ethical correctness lies.

However, as Martha Nussbaum has convincingly pointed out, this direct confrontation, with what she calls concrete ethical practice, is itself based on theory. She says:

People who don't think about the Kantian/Rawlsian theory ... do not therefore simply go out and relate to one another in accordance with refined particular perceptions. Their mutual interactions are governed by a variety of theories, some metaphysical and religious, some customary.<sup>lii</sup>

Some of these theories are, she claims bad theories. They are often neither explicitly formulated nor been subjected to critical reflection. Discovering the locus of ethical correctness in an explicitly articulated theory is clearly to be preferred to this. This will enable consistent judgements to be made based on explicitly articulated theory. Indeed, in order to distinguish the sort of ethical theory that I am advocating from the uncritical acceptance of theories built into concrete ethical practice, Williams' definition given earlier needs to be supplemented to make it clear that the ethical theory is one where we have a general account that is explicitly articulated.

Where I disagree with Nussbaum is in the contrast that she draws between this concrete ethical practice that is based on bad theories and "refined ethical practice", where she appears to suggest that we can dispense with theories altogether. Indeed, the implication is that the "sphere governed ... by fine tuned Jamesian perceptions"<sup>liii</sup> is not influenced by any theories whatsoever. These fine tuned perceptions are appealed to as a necessary supplement to the Aristotelian theory since they "make out the force of such obscure claims as the claim that 'the discernment rests with

perception’.”<sup>liv</sup> However, no argument is advanced for why these should be distinguished from concrete ethical practice, some of which is based on bad theories or, at the very least, unexamined implicit theories. Why should the “finely tuned perception” in the novels of Henry James be uninfluenced by bad theories? Indeed, given some of the conclusions reached in his novels, he is advocating what might be viewed both critically and uncritically as immoral behaviour.<sup>lv</sup> There is no reason to take these as standards of ethical correctness.

Nussbaum points out that these novels give us both an horizontal and vertical extension of ordinary life and enable an appreciation of the emotions involved without the distraction of personal jealousies or biases. However, why should we suppose that reading these novels would give us the fine tuned perception necessary to get things right in ordinary life? Why should we assume that this sort of training in “right perception” has not incorporated bad theories? Are we to suppose that novelists such as James, Dickens or Proust are immune from the bad theories that characterise other areas of concrete ethical practice? There is no argument advanced why this finely tuned perception should be taken as the standard of ethical correctness any more than what Nussbaum calls ethical practice, which, by her own admission, is based on bad theories.

## **8. Conclusion**

I have argued that the essence of the dispute between particularists and generalists lies in where ethical correctness is located. The arguments advanced have rejected locating this in the particular. However, generalism alone is not enough. The guiding rationale of an explicitly articulated ethical theory in which these general principles are located is where we should look for our standard of ethical correctness.<sup>lvi</sup>

- <sup>i</sup> For example, see B. Hooker and M. Little (eds.), *Moral Particularism* (Oxford: Clarendon 2000).
- <sup>ii</sup> R. Crisp, "Particularizing Particularism" in *Moral Particularism*, p. 23 footnote 4.
- <sup>iii</sup> J. Dancy, *Moral Reasons*. (Oxford: Blackwell, 1993), p. 64.
- <sup>iv</sup> Dancy, *Moral Reasons*, p. 64.
- <sup>v</sup> J. McDowell "Virtue and Reason" in R. Crisp and M. Slote (eds.), *Virtue Ethics* (Oxford: Oxford University Press, 1997), p. 162.
- <sup>vi</sup> J. Dancy, *Moral Reasons* and J. Dancy, "The Particularist's Progress" in *Moral Particularism*.
- <sup>vii</sup> Dancy, "The Particularist's Progress", p. 136.
- <sup>viii</sup> Ibid., Dancy writes, "Moral Principles, however we conceive of them, seem all to be in the business of specifying features as *general reasons*", p. 135.
- <sup>ix</sup> Ibid., p. 132.
- <sup>x</sup> Ibid., p. 135. *Pro tanto* duties are duties that are overridable. This term is used in preference to *prima facie* duties since this implies that what may at first glance be a consideration is not in fact so.
- <sup>xi</sup> Ibid., p. 135.
- <sup>xii</sup> Ibid., pp. 131–137.
- <sup>xiii</sup> Dancy, *Moral Reasons*, p. 57.
- <sup>xiv</sup> R. Dworkin, *Taking Rights Seriously* (London: Duckworth, 1978), p. 24.
- <sup>xv</sup> Dancy, *Moral Reasons*, p. 64.
- <sup>xvi</sup> B. Williams, *Ethics and The Limits of Philosophy* (London: Fontana, 1985), p. 72.
- <sup>xvii</sup> I. Kant, *Grounding for the Metaphysics of Morals*, trans. J. W. Ellington (Indianapolis: Hackett, [1785] 1993), 421.
- <sup>xviii</sup> Kant, *Grounding for the Metaphysics of Morals*, 422–423.
- <sup>xix</sup> I am not entering into details of this aspect of Kant's doctrine and what exactly is meant by the contradiction in conception test and the contradiction in willing test since this is not necessary for my argument. My aim is just to show that in both the case of perfect duties and imperfect duties, judgement has an ineliminable role.
- <sup>xx</sup> I. Kant, *Critique of Judgement*, trans. W. S. Pluhar (Indianapolis: Hackett, [1790] 1987), 169.
- <sup>xxi</sup> I. Kant, "On the common saying: That may be correct in theory, but it is of no use in practice" in *Immanuel Kant: Practical Philosophy*, trans. M. J. Gregor (Cambridge: Cambridge University Press, [1793] 1999), 8:275.
- <sup>xxii</sup> I. Kant, "The Metaphysics of Morals" in *Immanuel Kant: Practical Philosophy*, [1797], 6:423.
- <sup>xxiii</sup> Ibid., 6:431.
- <sup>xxiv</sup> Ibid., 6:385–6:388.
- <sup>xxv</sup> Ibid., 6:392.
- <sup>xxvi</sup> Ibid., 6:393.
- <sup>xxvii</sup> Ibid., 6:224.
- <sup>xxviii</sup> Dancy, *Moral Reasons*, p. 57.
- <sup>xxix</sup> H. Melville, *Billy Budd, Sailor* (Oxford: Oxford University Press, [1924] 1998). This case was discussed originally by P. Winch in "The Universalizability of Moral Judgements" in *Ethics in Action* (London: Routledge, Kegan, Paul, 1972). It is also discussed in both Raz', "The Truth in Particularism" and Crisp's "Particularizing Particularism" in *Moral Particularism*.
- <sup>xxx</sup> Raz, "The Truth in Particularism", p. 71.
- <sup>xxxi</sup> Ibid., pp. 70–78. Raz argues that the 3<sup>rd</sup> person perspective taken by Winch would have to be supplemented by the personal perspective of Winch imagining himself in the situation so that he can confront the problem personally. His evaluation cannot be simply read off from his character because the decision he takes in this situation forms part of the character determining process.
- <sup>xxxii</sup> Kant, "The Metaphysics of Morals", 6:423 – 6:424.
- <sup>xxxiii</sup> Dancy, "The Particularist's Progress", p. 132.
- <sup>xxxiv</sup> Dancy, *Moral Reasons*, p. 60.
- <sup>xxxv</sup> Kant, "The Metaphysics of Morals", 6:431.
- <sup>xxxvi</sup> Dancy, "The Particularist's Progress", p. 139. There are grounds for claiming that Dancy is making essentially the same point in discussing point two in the holism of values since he quotes them both on this page and claims that they are analogous. Also, that the same point is being made is quite explicit in J. Dancy, "Are there organic unities?", *Ethics* 113 (2003), pp. 629–650.
- <sup>xxxvii</sup> Ibid., p. 139.
- <sup>xxxviii</sup> G. E. Moore, *Principia Ethica* (Cambridge: Cambridge University Press, 1903), p. 28.
- <sup>xxxix</sup> Dancy, "The Particularist's Progress", p. 140.
- <sup>xl</sup> Ibid., p. 140.
- <sup>xli</sup> Dancy, "Are there organic unities?", pp. 629–650.
- <sup>xlii</sup> Ibid., p. 635.
- <sup>xliii</sup> Ibid., p. 633.
- <sup>xliv</sup> Ibid., p. 638.

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<sup>xlv</sup> J. Dancy “What do reasons do?”, *The Southern Journal of Philosophy* XLI (2003), pp. 95-113.

<sup>xlvi</sup> *Ibid.*, p. 101.

<sup>xlvii</sup> *Ibid.*, p. 102.

<sup>xlviii</sup> Dancy in “What do reasons do?” indicates that intensifiers and diminishers can also figure as relevant considerations. An intensifier might intensify my reason to help someone if I am the only person that can help her. Similarly, if someone requires help but she got into this situation through her own fault “trying to spite someone else” (p. 104) then this is a diminisher.

<sup>xlix</sup> Kant, *Grounding for the Metaphysics of Morals*, 429.

<sup>l</sup> Williams, *Ethics and The Limits of Philosophy*, p. 72.

<sup>li</sup> Kant, “On the common saying: That may be correct in theory, but it is of no use in practice”, 8:275.

<sup>lii</sup> M.Nussbaum, “Why Practice needs Ethical Theory: Particularism, Principle, and Bad Behaviour” in *Moral Particularism*, p. 249.

<sup>liii</sup> Nussbaum, “Why Practice needs Ethical Theory: Particularism, Principle, and Bad Behaviour”, p. 250.

<sup>liv</sup> M. Nussbaum, “Exactly and Responsibly: A Defense of Ethical Criticism”, *Philosophy and Literature* 22.2, (1998), p. 349.

<sup>lv</sup> I have in mind, for example, the advocacy of deceit in *The Golden Bowl* when Maggie lies directly to Charlotte. Another example, taken from *The Wings of The Dove* would be Kate Croy deceiving her friend Milly about the true nature of her feelings for Merton Densher.

<sup>lvi</sup> An earlier version of this paper was read at the University of Hertfordshire’s Philosophy Research Seminar in October 2001. I should like to thank the participants for their helpful comments and criticisms. I should also like to thank the anonymous reviewers of this paper for this journal for their helpful criticisms.