

A critical discussion of
Jonathan Dancy's Moral Particularism

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Abstract: "Moral Particularism" is a view that questions the role of principles in ethics. Jonathan Dancy, the most eminent particularist, argues that principles which claim that it is right or wrong to do a certain thing in all situations cannot adequately account for the role context plays in moral deliberation.

The aim of this dissertation is to critically evaluate the theory of Moral Particularism. The *first* section discusses various positions opposed to particularism. It considers the emergence of particularism as a response to Hare's Theory of Universalizability and Ross's Theory of Prima Facie Duty. The dissertation then moves on to examine the view that context-sensitivity does not support particularism. The *second* part of this dissertation analyses Dancy's theory in closer detail. It begins with a clarification of Dancy's conception of principles and is followed by a consideration of the evolution of particularism over time. The plausibility of the various versions of this theory are then compared. The *third* part of the dissertation looks at criticism of particularism by others apart from Dancy. It argues that context-sensitivity can only ground particularism as an epistemic, and not as a metaphysical theory. Furthermore, it discusses whether thick ethical concepts can ground principles. The dissertation concludes by asserting that whilst the claims of particularism are true, they are no serious threat to traditional moral theories.

Chapter 1

Introduction

1.1 Historical Introduction

“There are no objective values”,¹ claimed Mackie once radically and famously, marking much of the metaethical discussion of the years to come. “There are no moral principles”, Dancy puts forward, a claim not less ambitious and contentious.² While the two philosophers differ in their substantive theories,³ both have in common the denial of central assumptions of traditional ethical theory. And like once Mackie, Dancy has become nowadays a major focus of metaethical discussions. However, the central question in his theory, the role of principles in ethics, is unsurprisingly an old one. Although the discussion prior to Dancy uses a different vocabulary and relies on different arguments, the main conflict can already be found in Aristotle:

“That practical wisdom is not scientific knowledge is evident; for it is, as has been said, concerned with the ultimate particular fact, since the thing to be done is of this nature. It is opposed, then, to

¹Mackie (1997), 89.

²This is not a literal statement by Dancy, but it fits with his style and content especially in his earlier and more uncompromising articles about ethics; compare his (1983), 530.

³Mackie’s error-theory rejects objective ethical facts while Dancy defends the supervenience of the moral on the natural.

intuitive reason, for intuitive reason is of the limiting premises, of which no reason can be given, while practical wisdom is concerned with the ultimate particular, which is the object not of scientific knowledge but of perception – not the perception of qualities peculiar to one sense but perception akin to that by which we perceive that the particular figure before us is a triangle.”⁴

Ethics is for Aristotle concerned with “ultimate particular facts” that have to be approached by practical wisdom, and this excludes scientific knowledge seeking for general statements.⁵ For most of modern moral philosophy, however, general principles have a more prominent place than perceptual models of moral reasoning. Sidgwick’s *The Methods of Ethics* makes the methodological assumption of his time clear:

“The student of Ethics seeks to attain systematic and precise general knowledge of what ought to be, and in this sense his aims and methods may properly be termed “scientific”.”⁶

This appraisal of general knowledge in ethics for Sidgwick goes together with a rejection of the importance of moral judgement for ethical theory.⁷

⁴Aristotle, NE 1142a23-28.; quoted from Kihlbom (2002), 4.

⁵This is obviously an oversimplification. My aim is not here to decide on which side of the battle between particularism and its opponents Aristotle has to be located, but to demonstrate that the conflict between principles and judgement in ethics has been subject of discussion since the very beginning of moral philosophy. For more on Aristotle’s position concerning particularism, see Irwin (2000).

⁶Sidgwick (1907), 1; quoted from Kihlbom (2002), 3. For more discussion on the historical roots of the discussion between principled ethics and perceptual models of ethics, see Kihlbom (2002), 1-11.

⁷“[T]he same conduct will wear a different moral aspect at one time from that which it wore at another. [. . .] The moral perceptions of different minds frequently conflict. [. . .] In this way serious doubts are aroused as to the validity of each man’s particular moral judgements: and we are led to endeavour to set these doubts at rest by appealing to general rules”, Sidgwick (1907), 100.

The attempt to find an underlying structure expressed in a general moral truth seems to be an attractive way of answering the question of how we should behave, not only for moral philosophers: the Judeo-Christian tradition relies on the Ten Commandments and the Golden Rule, Islam settles its codes of behaviour in the Sharia. Socrates tries to define moral predicates; Plato in the *Republic* seeks a definition of justice. Medieval philosophers understand morality as guided by “natural laws”, and in modern moral philosophy, the discussion between Kantian ethics and consequentialism can be seen as the search for the right fundamental moral principle.⁸

As different as these theories are, they seem all to rely on the fundamental assumption that an important part of ethics consists in the search for the right principles or laws.⁹ And as long the list is of those who – mostly silently – accept this assumption, as short is the history and number of those who question it. Sartre famously argued that in each choice we have to determine who we want to be without reliance on former choices; Pritchard questioned at some places the role of principles for ethics; McDowell argued, mainly inspired by Wittgenstein, in a series of articles against the subsumption of ethics to laws.¹⁰ The first to systematically investigate the role of principles in ethics is Jonathan Dancy. Starting with two articles in the early 1980’s, he began to question the assumptions on which principles in ethics are built. Ten years later, Dancy presents the first book-length defence of particularism, a metaethical position whose main aim is to show how a non-principled ethics is possible. This book provoked large

⁸This is not to say that these ethical theories can be *reduced* to principles. The point is merely that principles or law-like generalizations play an important role for them. For these and some more historical examples, see McKeever and Ridge (2006), 4f. and Little (2000), 278.

⁹An important exception is however virtue ethics.

¹⁰For more on the pre-history of particularism, see Dancy (1983), 531.

discussions,¹¹ and in 2004, Dancy published a refined position and defence of his theory, “the culmination of twenty-five years work”.¹²

It is important for the understanding of Dancy’s project that in his arguments for particularism, he neither criticises nor defends any *concrete* ethical system, but that he questions a *presupposition* underlying most of traditional moral philosophy: that it is the task of ethics to find the right moral principle(s).¹³ If Dancy were right with his attack, this would, at least at first sight, raise serious problems for much of ethical theory.

1.2 The structure of the particularist’s argument and the leading question

Particularism poses a serious challenge for traditional moral philosophy, and it seems to target a blind spot of many ethical theories. This makes a closer examination of it a worthwhile object of study. It is therefore the aim of this thesis to examine Dancy’s attack on principles, to evaluate criticisms brought forward against him and to judge how successful his attack against traditional moral theories is. As often in philosophy, a careful analysis of the definition of the theory, an enquiry into its presuppositions, and a reconstruction of the steps in the arguments for it might already help to judge its merits. Therefore, I mostly concentrate on Dancy’s theory and ignore counter-positions. The leading question of my dissertation is:

What is ethical particularism, is it true and is it a threat to traditional moral theory?

As it will turn out, the core argument of Dancy’s moral particularism can be reduced to three main steps:

¹¹An up-to-date bibliography about moral particularism can be found at <http://wwwuser.gwdg.de/~sophia/schroth/cpartic.pdf> (September 2006).

¹²Dancy (2004), vii.

¹³The normative theory Dancy seems to prefer is a form of ethical intuitionism. See his (1991).

1. *The distinction between favourers and enablers.* Favourers are those features that count for doing an action. Reasons are identical with favourers. Enablers are those features of the context, which have to be in place in order for the favourer/reason to work. Disablers stop a favourer/reason from working. Enablers and disablers are therefore not themselves part of the reason.
2. *Holism in the theory of reasons.* The context of a situation determines whether a feature counts in favour or against an action or whether it plays no role in determining its right- or wrongness, as stated in (1). Therefore, no feature can be said to have an invariant ethical valence.
3. *Moral Particularism.* Principles of the form “if x , then y ”, where x is a non-moral feature and y a moral predicate, presuppose that feature x invariantly counts in the same direction. Since holism as stated in (2) shows that it cannot be excluded that x is changed in its ethical valence by context, neither do moral principles exist nor should we in our moral thought and judgement rely on them.

Given this way of structuring the argument, (1) implies (2), and (2) implies (3). Fundamentally, there are two ways of attacking Dancy: either, (a) the content or the formulation of one of the steps (1)-(3) in the argument can be criticized or (b) it can be questioned whether (1) implies (2) and (2) implies (3).¹⁴ This determines the topics this dissertation has to address in order to answer the leading question.¹⁵

¹⁴Unfortunately, Dancy’s way of presenting the matter makes it not always easy to see the order of these steps in the argument; e.g., (1) is only fully developed in his (2004).

¹⁵As particularism is a theory that has developed over the time, and as certain steps in the argument have been introduced later than others, my discussion will rather follow chronologically the different steps of the theory then start systematically with the first step of the argument and work until the conclusion, the formulation of particularism. Although Dancy is still trying to improve his theory (see his 2006), I take it that his (2004) presents apart from minor changes the “definitive statement of particularist ethical theory” (blurb of his *Ethics without Principles*).

- Chapter 7 investigates the relation between favourers and reasons and questions the role Dancy assigns to enablers. I try to drive a wedge between favourers and reasons, and this has an important impact on holism.
- Chapter 4 discusses how holism should be understood and proposes a more informative formulation. This is necessary in the face of an attack that tries to show that holism is compatible with principles and therefore with the negation of (3).
- Chapter 6 looks into the formulation of particularism; three ways of defining the theory are distinguished, and I argue that the most recent of Dancy's formulations is not the most convincing one.
- Chapter 8 takes particularism and tries to show that still, principles are possible as long as they are limited to thick ethical concepts. This helps to decide whether Dancy's theory is radical enough to attack traditional ethical theories. Another critical point concerning the force of his argument is discussed in Chapter 5: what counts for the particularist as a principle? I think that his conditions are too strong, and it therefore becomes an option for his opponents to bypass Dancy's attack by using a weaker notion of principles.

In the remainder of this introduction, I will summarize in some more detail these points in the order in which they appear in this dissertation.

1.3 Overview of Chapters 2-8

I start with an examination of two theories that are built on principles; Dancy takes them to display the general problems involved with generalism, the denial of particularism.

Chapter 2 discusses Hare's thesis of universability: a person is committed to the same ethical judgement in all relevantly similar situations. It can

however be objected that in some relevantly similar situations, new features might appear and require a different judgement than in the original case. Hare could reply that “relevantly similar situations” are such that they take already into account all features that might affect how the original situation has to be judged. This move, Dancy points out, does not help: only a situation similar in *all* aspects is guaranteed to require the same judgement. But if similarity is understood in such a broad way, no principles can follow from it, since it cannot be discriminated between relevant from irrelevant properties. The principle would not only be enormously complex, but as well uninformative. Hence, the reason why Hare fails is that his theory is unable to account for the context-sensitivity of our judgements.

Ross, discussed in Chapter 3, does a better job: he allows that due to the complexities of everyday-life, there cannot be any rule which determines that everywhere, a consideration has the same weight. What is relevant for our decisions depends irreducibly on the situation. Although the *degree* of importance of a consideration can vary, there is a list of prima facie duties, like that we should promote justice or keep promises, that always count in the *same direction*. How important justice is in a certain circumstance cannot be predicted, but it can be said that it always counts in favour of the action. Dancy objects that although Ross is closer to the particularist, his remaining generalist elements cause him trouble. We can find counter-examples where allegedly invariant prima facie duties do not count in the same direction as they normally do. There is no reason to exclude the possibility that e.g. sometimes, there is even a reason against keeping an immoral promise. Hence, prima facie duties cannot be said to form principles; context can always interfere with them.

Some generalists have questioned this line of thought by arguing that holism, the thesis of the context-sensitivity of reasons, is not incompatible with principles. In Chapter 4, I discuss their arguments. Holism is a reaction to certain phenomena where reasons we previously thought to be invariant turned out to be variant after all. We can never be sure that we know

all conditions under which a reason might be affected – this is however necessary when we want to formulate principles, because they must be, at least in Dancy’s sense, exceptionless. Therefore, it can be shown that holism is incompatible with principles.

While Chapter 2-4 deal with theories defending generalism, Chapter 5 and 6 discuss the formulation of Dancy’s own theory. In Chapter 5, I investigate how Dancy understands the notion of “principle”. There are various conditions that have to be fulfilled for a generalization to count as a principle, and I especially investigate two of them: principles must at the same time *explain* why something is the case, and they must be able to *guide* the agent. Sometimes, this explanation might however be very complicated since principles have to explain the status of every action. In this case, it can be difficult for them to guide us, because we need short and usable formulations that help us to decide quickly. I conclude that there is no easy way to reconcile both conditions and that there remains a tension in Dancy’s definition.

Particularism as a theory has developed mainly over the last 25 years. In Chapter 6, I give a survey about its main stages, and I distinguish three versions of the theory that have been held over time. Extreme particularism argues that principles neither exist nor that our moral judgement relies on any generalizations. Strong particularism slightly weakens this claim by allowing that at least some generalizations might be helpful for moral practice. Weak particularism goes beyond its predecessors as it only claims that moral judgement should not *depend* on principles (and not that principles do not *exist*) and that some invariant reasons should be allowed for. I first discuss whether invariant reasons are compatible with holism, and I reach a negative conclusion. Then I argue that weak particularism fails to offer a coherent definition of its claims. For this and other reasons, I reject weak particularism, and in order to decide whether strong or extreme particularism should be taken as the most plausible theory, I discuss whether generalizations should play a role in moral judgement

or not. Not surprisingly, an enquiry of our moral practice reveals that we use generalizations, and that leaves strong particularism as the best formulation.

Part 3 makes the attempt to evaluate Dancy's theory. Strong particularism is only a coherent theory insofar as the presuppositions on which the form of holism that support it is built are justified. It is the task of Chapter 7 to examine them. Holism in the theory of reasons relies on a distinction between favourers and enablers. Favourers are those features that count in favour of an action, while the presence of enablers is a necessary condition for the favourer to work. Reasons are identical with favourers. I think that this is wrong: if enablers are necessary for a favourer to do its job, they must be part of the reason as well. I propose a that the concept of "reason" plays a different role than in Dancy's theory, and I argue that holism is only plausible as a theory about how favourers behave. This has consequences for the form of particularism that holism implies; it is only able to support an epistemic and not a metaphysical claim.

Chapter 8 attacks particularism from a different angle. Even if granted that principles linking non-moral and moral properties should play no role for our moral judgements, there might be principles *between* ethical concepts. Again, I turn to Ross's prima facie duties and argue that if they are understood as thick ethical concepts, they behave invariantly. Holism cannot be used to attack these principles – e.g. "It is always good to do what promotes justice" – since thick ethical concepts always contain an evaluative component that necessarily links to the same thin ethical concept like good or bad. If this is true, then there is at least one way in which traditional ethical theories can claim to use principles without conflicting with particularism.

Part I

Generalist theories and Dancy's attack against them

Chapter 2

Hare's theory of universalizability

The task of the first two chapters is to present two theories in opposition to which Dancy develops his theory. I will begin by giving a rough idea of particularism in order to help to understand why Dancy has chosen Hare and Ross as his opponents. In his most recent contribution to the discussion, Dancy defines particularism as the thought that “the possibility of moral thought and judgement does not depend on the provision of a suitable supply of moral principles”.¹ According to generalism, the position Dancy wants to defeat, principles are taken as a necessary assumption for moral deliberation. The quarrel is not whether no moral discussion *at all* is possible without principles (as it is as well possible “to type an entire novel with your elbows or [to] drive from Mexico to Alaska in reverse gear”²), but whether principles are necessary for *well-done* moral thought. In support of his claim, the particularist quotes a holistic conception of reason which consists in the idea that “a feature that is a reason in one case may be no reason at all, or an opposite reason, in another”.³ The generalist, as Dancy conceives him, holds to the opposite atomist assumption that “a feature that

¹Dancy (2004), 7 and 73.

²This nice illustration is borrowed from Chappell (2005).

³Dancy (2004), 7.

is a reason in one case must remain a reason, and retain the same polarity, in any other".⁴ I start my discussion with Hare's theory of universalizability.

2.1 The formulation of Hare's universability-thesis

Richard Hare's moral philosophy can be interpreted as an instance of generalism.⁵ According to him, a moral judgement is universalizable in the sense that

"a person who makes a moral judgement is committed to making the same judgement of any relevantly similar situation. A situation is relevantly similar to the first if it shares with the first all the properties that were the person's reasons for his original judgement."⁶

Hence, Hare argues that

(U) If x judges an action a to be right, and x takes the features $F1-Fn$ to be his reasons, then any situation which is identical in regard to features $F1-Fn$ is relevantly similar to action a and must be judged by x in the same way.

This thesis can be refuted since in another relevantly similar situation, a new feature F_{n+1} might be present in the second case and defeat the original judgement. This additional feature must not count itself as a reason, but be among the conditions required for accepting other features as reasons. In Dancy's example, a man knocks a woman down with his car, but takes her into a hospital, pays a decent compensation and makes sure that she is in good treatment.⁷ These are attempts to compensate for the damage

⁴Dancy (2004), 7.

⁵Since it is here my primary aim to present Dancy's theory, I shall not question whether this interpretation of Hare is the best one.

⁶Dancy (1993), 80; see Hare (1963), 11.

⁷See Dancy (1993), 80f.

and pain he caused, and we might approve of his behaviour. In a second case, the man acts in the same way, but with the intention of seducing away the woman from her husband. This additional feature of the situation will probably defeat our judgement. The problem for Hare is that the fact that the first person had no such intention is not among the reasons for our first judgement.⁸ Otherwise, there would be an indefinite number of reasons in favour of the judgement, like the fact that the man did not have the intention to rob her, that he was not paid by the hospital for delivering new patients etc.

A defender of Hare's position might in reply broaden his notion of "relevant similarity" which has to hold between the two situations so that the formulation includes not only features that count in favour or against the action but as well those features whose presence or absence *affects* the judgement:

(U') If x judges an action a to be right, and x takes the features $F1-Fn$ to be his reasons and the features $F_{n+1}-F_{n+x}$ to be the features whose presence or absence might affect the counting of features $F1-Fn$ as reasons, then any situation which is identical in regard to features $F1-Fn$ and $F_{n+1}-F_{n+x}$ is relevantly similar to action a and must be judged by x in the same way.

This apparent solution creates however another problem. To understand this dilemma with the two formulations of Hare's universalizability thesis, it is helpful to step back and to distinguish two ways of relating properties.

2.2 Resultance

The first type of relationship is *resultance*. It is expressed through phrases like "the property a exists *in virtue of* or *because of* property b ". For example, the

⁸The distinction introduced here between will be analysed in terms of defeater/enabler and favourer in Chapter 7.3.

property of squareness exists in virtue of other geometrical properties like right-angledness, or a dangerous cliff is dangerous because of its steepness or slipperiness.⁹ Resultance picks certain properties out and takes them as relevant for the explanation of another (higher order) property. As the given examples show, there are two types of resultance. In the case of squareness, the relation is necessary and could not be established by means of other properties. The dangerousness of the cliff however could result in different ways from underlying properties.

Moral predicates like “right” or “wrong” can be explained by applying the relation of resultance: an act is wrong in virtue of being a lie or right because of the pleasure it causes. These moral predicates fall into the second category of resultance since there are obviously many ways in which an action can turn out right or wrong.

It is important to notice that a *resultant property*, i.e. a property which exists in virtue of some underlying properties, can itself be the *resultance base* of another higher-order property. The humid ground and the flat stones which cover the cliff’s surface for example are the base of its slipperiness, while the slipperiness together with the darkness result in the dangerousness of the cliff. Equally in the moral case, the action’s being right might have as its resultance base its kindness and truthfulness which in itself are grounded in further concrete features of the situation. This structure which has no apparent stopping-point Dancy calls “*resultance tree*”.¹⁰ Since the resultance tree is built of the very concrete features of the situation, it is restricted to the present case; in a different case, the tree would involve different features that would be quoted to explain the resultance properties.

The function of resultance is to *explain*, and therefore, the resultance tree includes only those features which are epistemically relevant for a sound explanation and hence omits other features that are not necessary for

⁹These examples are adapted from Dancy’s discussion of resultance in his (1993), 73-77.

¹⁰See Dancy (1993), 74. Although I think that the metaphor of a *resultance root* catches better the phenomenon, I will stick to Dancy’s picture.

its understanding.¹¹ Although Dancy does not state this point explicitly, this seems to be the only option. The fact that resultance quotes a limited number of features raises automatically the question of a selection-criterion, and the fact that resultance is – as we will see – the concept employed by the first formulation of the universability-thesis that picks out only relevant features indicates that this criteria is epistemic usefulness. Its content depends therefore on the specific context and on the knowledge of those to whom the explanation is addressed.¹² A resultance tree r is determined by the situation a and the epistemic situation of the person b at which it is addressed.¹³ Hence, each situation has its own resultance tree.¹⁴

Could the resultance-relation be used to establish moral principles? The idea would be that action a is wrong because of its cruelty and its selfishness. As all situations which contain these features offer the same reasons, *every* action that displays cruelty and selfishness is wrong, and this can be taken as a moral principle. Is this inference warranted? Dancy offers two arguments against this reasoning. The first is that each such principle is only valid for this very situation since “each wrong action is wrong in its own way, and our principles, if we expect to reach them by this route, will

¹¹The resultance base of the dangerousness of the cliff might look very different when we address it to a beach ranger, a casual visitor or a Martian. This “picking out” of relevant factors seems to me to be crucial for the concept of resultance. The purpose of the resultance-relation is not to state how things *are*, but how we *perceive* them – at least in the case of the dangerousness of the cliff or the wrongness of an action.

¹²This means that one and the same situation might have several resultance trees. For example, to explain why a certain performance of a piece of music is beautiful, we would quote different features in our explanation to a child or to a competent music lover.

¹³Dancy interprets resultance not as an epistemic relation, but rather as metaphysical; he speaks of the “metaphysics of resultance” (Dancy (1993), 74). This point, as I hope to show, becomes important in my critical discussion of Dancy in Chapter 7: he cannot use this epistemic relation in order to argue for a metaphysical thesis.

¹⁴Or, only two situations which are exactly identical would have the same resultance tree, but this is for Dancy’s purposes, the refutation of Hare’s universality-thesis, not relevant. Note that this understanding of resultance only applies to the second kind of resultance; for example in the case of squareness, the explanation is always the same.

just be a list of the cases we have so far encountered".¹⁵ But the defender of principles does not need to claim that the whole resultance-tree is identical, as Dancy's attack supposes. If this were the case, the principle would be:

If x judges action a to be right or wrong, and rightness and wrongness are taken to be the highest order resultance properties, then all actions which contain *all* elements of the resultance tree require that x judges them in the same way in their highest order resultance property.

The defender of principles however might want to "cut" the resultance tree and say that all features below a certain level are not taken into consideration. For example, it does not matter *what* resultance base the instances of cruelty and selfishness possess in order to form themselves the resultance base for the wrongness of an action.

Different situations could instantiate cruelty and wrongness in different ways, and the principle that cruel actions are wrong would apply to all of them because it ignores on which properties the cruelty is based.¹⁶ This principle would therefore apply to a wider range of cases than the principles implied by Dancy's attack and could be formulated as:

If x judges action a to be right or wrong, and rightness and wrongness are taken to be the highest order resultance properties, then all actions which contain the properties from which the highest order resultance properties *directly* result require that x judges them in the same way in their highest order resultance property.

Hence, if the defender of Hare's notion of universalizability refers only to the "top" of the resultance tree and allows for variations in the levels

¹⁵Dancy (1993), 76f.

¹⁶McNaughton and Rawling try to build principles out of these 'cut' resultance-trees, which they understand as thick ethical concepts; see Chapter 8.

below, she is able to bypass Dancy's criticism which is only levelled against those who use the *whole* tree in generating principles.

It is rather Dancy's second argument which is doing the work: If x judges action a to be wrong in virtue of its resultance base z , another situation might also have resultance base z but not be wrong. The reason is that a new property might be present in the second case and "turn the tables". The absence of this new property must not have been part of the resultance base in the first case: "The action's not having a property strong enough to make it right is not a property in virtue of which it is wrong, though it is something required of it if it is to be wrong."¹⁷ As a familiar example, take lying. Normally, I judge an action which involves lying to be wrong because it prejudices the institution of promise and the exchange of information. If however a strengthened version of the patriot act in the U.S. is passed and a police officer wants to be informed about the whereabouts of one's activist daughter, the circumstances might allow for or even require a lie.¹⁸ The absence of the fact that no strengthened version of the patriot act is in force is however not among the reasons of why lying is wrong.

It might be replied that it is not clear that the distinction Dancy is applying here – between features of the situation which *favour* or *disfavour* a certain action ("a property in virtue of which it is wrong") and between features which *enable* a favourer or a disfavourer to work ("The action's not having a property strong enough to make it right" - the distinction will be discussed in detail in Chapter 7) – falls neatly together with those considerations we quote "in virtue of" or "because of which" an action is right and those which are background conditions, hence with what is part of the resultance base and what is not. For example, it was my duty to help the old blind lady over the crowded street *because* (a) she needed help and (b) my eyesight is far better than hers and (c) I had no more pressing

¹⁷Dancy (1993), 77.

¹⁸This version of the example is taken from Lance and Little (unpublished).

appointment. Although one might argue that (a)-(c) play different roles,¹⁹ it is perfectly suitable to quote all of these considerations in order to explain my duty. Dancy would have to define “resultance” more closely in order to make sure that no enablers can be part of the resultance base. Hence, sometimes, considerations of why an action is not right might be part of the resultance base of why it is wrong.²⁰ But even if sometimes, the absence of considerations which would count in favour of an action are part of the resultance base when the aim is to explain why the action is wrong, it is right that not all of those considerations are part of the resultance base. Otherwise, the resultance base would become indefinitely long.²¹ If we take it that the resultance base is used to explain a resultant property and to single out those properties which can be quoted in support of the resultant property, it is clear that only a very limited range of properties can be part of the resultance base, or otherwise it will become epistemically useless. I suggest therefore that what is part of the resultance-base must not be limited to favourers, but to those considerations that help in explaining the resultant property and that might include enablers as well. Dancy could allow for both ways of interpreting resultance without putting in danger his critique against principles. Given this limited range of considerations, it is always possible that a new situation shares all of these properties, but contains as well properties which were not part of the first situation. These new properties might justify a different judgement than in the first case and falsify the principle that these properties present in the first case always call for the same judgement. Therefore, Dancy’s second critique against the attempt to obtain principles from resultance is successful.

¹⁹As Dancy does; see his (2004), 38-52. (a) would in Dancy’s terminology be a favourer, (b) an enabler and (c) the absence of a disabler.

²⁰E.g. sometimes, it would be wrong to cause pleasure because this is not the kind of pleasure which is healthy for a person, for example in the case of sadistic pleasure.

²¹Later on in Chapter 7.4., I propose a different conception of reasons which includes both favourers and enablers; if this is the case, the reason can indeed be very long and complex.

2.3 Supervenience

The second type of relationship is *supervenience*. It means that

“two actions that share all their non-moral properties to the same degree must share all their moral properties to the same degree, and [...] no object can change its moral properties without changing its non-moral properties”.²²

If the supervenience of the moral on the natural can be shown to imply principles, the particularist faces a difficult choice: in order to hold his position, he has either to deny supervenience which would be a high price to pay since then, he has the difficult task of explaining the relation between the natural and the moral in a different way, or he needs to deny that principles follow from supervenience. But what would the universalist’s argument in favour of principles look like?

If supervenience is true, then if action *a* is wrong in situation *x*, action *a* is wrong in every situation that contains exactly the same natural properties as situation *x*. Hence, supervenience implies valid moral principles.

In order to attack the argument, the particularist takes the second alternative: although in a *formal* sense, supervenience entails moral generalizations governed by a universal quantifier, these are not the kind of generalizations particularists or generalists are calling “principles”. As Margaret Little puts it, supervenience offers “the wrong kind of generality”.²³ Since no situations are exactly alike in all natural properties,²⁴ each principle would have only one instance.²⁵ Moreover, these principles would be unable

²²Dancy (1981), 367.

²³Little (2000), 285.

²⁴I do not argue for this claim here; even if it is theoretically possible that two situations share all of their natural properties, this would not be damaging for the point the particularist is making.

²⁵See the discussion at Dancy (2004), 87; he concludes that “[a] principle that has only one instance is worse than useless, for no such principle could ever be a guide for judgement.”

to distinguish relevant from irrelevant properties, and hence be lacking explanatory power. For moral practice, they would be completely useless.

2.4 Conclusion

To sum up the discussion about resultance and supervenience in regard to their implications for moral principles, it is useful to recapitulate the requirements for principles encountered so far and to see which of the two relations satisfies which criterion. Valid moral principles of the form “If *x*, then *z*” where “*x*” is a natural description and “*z*” a moral predicate must at least²⁶

1. have explanatory value in the sense that they single out relevant and exclude irrelevant properties.
2. be without exceptions in the sense that there cannot be any situation where the principle is defeated.²⁷

Resultance satisfies the first condition but not the second while supervenience fulfils the second without satisfying the first. The price of singling out some features as relevant is that other features go unmentioned, leaving open the possibility that differences in the unmentioned features between two situations might affect the judgement. The price of covering all features is that the resulting generalizations are uninformative because they do not single out the relevant features.

²⁶More conditions are enlisted and discussed in Chapter 5.

²⁷This second condition follows from Hare’s claim that principles *commit* to act in all relevantly similar situation in the same way. If exceptions are allowed, it could just be replied that the instance in question is one that does not fall under the principle because it is one of these exceptions, and a further principle would be required to determine when a relevantly similar case is an exception; if this principle is not exceptionless, a further principle is required and so on *in infinitum*.

The distinction between resultance and supervenience has been introduced in order to show why Hare's formulation of the universalizability-thesis

(U) If x judges an action a to be right, and x takes the features $F1-Fn$ to be his reasons, then any situation which is identical in regard to features $F1-Fn$ is relevantly similar to action a and must be judged by x in the same way.

is vulnerable to the criticism that in a different situation, a new feature F_{n+1} might be present and change the judgement and (U) can however not be defended by amending (U) to

(U') If x judges an action a to be right, and x takes the features $F1-Fn$ to be his reasons and the features $F_{n+1}-F_{n+x}$ to be features whose presence or absence might affect his counting features $F1-Fn$ as reasons, then any situation which is identical in regard to features $F1-Fn$ and $F_{n+1}-F_{n+x}$ is relevantly similar to action a and must be judged by x in the same way.

(U) describes the resultance relation – it is picking out relevant features in virtue of which the judgement is being made and leaves aside irrelevant features. In response to the criticism that features which have not been part of (U) in the first situation appear in a second situation and affect the judgement, (U') is broadening the notion of "relevant similarity". In order to do so, (U') has to include all potential defeaters, i.e. all considerations that might be able to interfere with the original judgement. Dancy doubts that there is a stable stopping point for those features which might possibly play a role in the ethical judgement. Hence, (U') moves away from resultance towards supervenience.²⁸ While (U') escapes the original criticism raised against

²⁸Although it is hard to imagine that *every* feature of a situation has been enumerated among the possibly relevant features, as Dancy seems to imply (see his (1993), 81) – but how could the number of clouds in the sky have an influence on a judgement about the

(U), it becomes vulnerable to the new problems linked with supervenience. Therefore, Hare's defence turns out not to be helpful for him. Universality, understood as the claim that wherever the natural properties are identical, the moral judgement must be identical as well, does not imply principles.²⁹

To see the impact of the refutation of Hare's universalizability thesis for ethical reasoning in general, it is important to notice that the structure of Hare's argument can be found in many moral theories. James Rachels, for example, tries to establish that in a certain case, the difference between killing and letting die does not make a difference for the evaluation of the action.³⁰ Then he goes on to argue that given that the difference cannot be isolated as morally relevant, it can never make a moral difference. Apart from counterexamples which can be easily found against this claim, Dancy argues that the structure of such reasoning is – like in Hare's case – misguided: “moral relevance is sensitive to context”,³¹ and whether or not a feature makes a moral difference in one case cannot establish a principle about its general relevance.³² The same is true about the popular argument that preferential treatment of human beings in general, of a certain race, or permissibility of abortion? – the list of features is still indefinitely long, including things like all possible intentions of people involved, biological facts etc. This point becomes important in the discussion of what is part of a reason in Chapter 7.4.

²⁹Even if Hare was right with his universality-thesis, Dancy argues that this would raise problems for the possibility of regret and moral conflict. When we are facing a moral conflict, we recognise that some reason counts in favour and some against an action. In Hare's theory however, only one principle determines the case at the overall level, and those experiencing a moral conflict must be misguided. “Regret” means that even having done the thing we ought to have done, we feel that strong reasons have as well spoken in favour of another action; this would have no grounds in Hare neither. I only mention these points without discussing them since even if they are conclusive, they would merely add an additional weakness to Hare's position, but not help in my aim of discussing particularism. For some further discussion, see Dancy (2004), 3f. and his (1993), 109-126.

³⁰This is Dancy's example, and it can be found in Rachels (1975).

³¹Dancy (1993), 89.

³²At another place, Dancy adds to the list of misguided theories the Utilitarian Principle (“that the right action is the one that has the best consequences for human welfare”), and Bayer's and Sidgwick's moral theory. See Dancy (1993), 66.

of male human beings is unjust because their distinct qualities are morally irrelevant. How, it is argued, could e.g. the fact that human beings are capable of abstract thinking and animals are not, if taken in isolation, justify any moral difference?³³ Again, it is the structure of the argument which is misguided, but not necessarily its conclusion: “One cannot establish that some feature is incapable of proving morally relevant in this sort of way in advance.”³⁴

What has so far been established for the definition of particularism? As we saw in the beginning, particularism claims that moral reasoning does not presuppose principles. For Dancy, there are two types of principles. The first type is the “*absolute conception*” for which “all actions of a certain type are overall wrong (or right).”³⁵ This is Hare’s moral philosophy and Dancy takes himself to have successfully shown that this version of principles, taking “universality as a weapon”³⁶ which clears the moral landscape, is wrong. But he has also established positive elements in support of particularism: the universalizability thesis – whether formulated on the base of resultance or supervenience – turns out to be compatible with particularism since it does not imply principles.³⁷ As well, in refuting Hare Dancy has introduced holism in the theory of reasons as his main argument in favour of particularism, namely the thought that the moral importance of

³³These generalizations are however not as strong as Hare’s universalizations which claim that if the *overall* moral judgement is determined by some features in situation *a*, all situations with these features have the same judgement.

³⁴Dancy (1993), 90. I am quoting this passage here because later on, when Dancy tries to establish the possibility of invariant reasons, he seems to argue in a different way, as will be discussed. See Chapter 6.2.1.

³⁵Dancy (2001).

³⁶This is the title of a subchapter of Chapter 5 in his (1993) where he discusses Hare.

³⁷This argument against Hare might be taken as a defence against the charge that particularism is incompatible with supervenience, which can be found for instance in Crisp (2000), 42: “Particularism about reason implies the falsity of the universalizability thesis. Since [...] that thesis seems plausible, we have here a further argument against particularism”.

a feature cannot be predicted from one situation since it depends irreducibly on the context.

The next step in refuting generalism is to attack a second type of moral principles which claims that a feature which counts in one situation against an action counts everywhere in the same way without determining the overall judgement. This "*contributory conception*" is weaker than absolute principles in that it allows that several principles apply to one situation. The overall wrongness of an action must be established by weighing the principles present against each other. There is no rule that determines in advance how principles combine and which features have which weight. The weighing is a matter of judgement. This intuitionist position has most forcefully been defended by H. A. Prichard and D. Ross.³⁸

³⁸See especially Prichard (1921) and Ross (1930).

Chapter 3

Ross's Intuitionism

3.1 Ross's notion of "prima facie duty"

Ross's intention is to give a theoretical structure to our everyday moral reasoning. When we engage in moral deliberation, we take it that some actions are better for being just, but this is not meant to exclude that other features may be relevant as well. In fact, most of our moral decisions are based upon a variety of considerations, some of them favouring and others opposing the action. Moreover, we do not require that a morally relevant consideration, like the fact that the act would be kind to somebody, has always the same strength for our decision. Therefore, there is no system of rules which tells us how to weigh different relevant and competing considerations against each other in order to come to a conclusion. Our final judgement is for this reason never more than a probable opinion and open to revision. This allows to make sense of phenomena like moral conflict or regret: we might be faced with a decision between two options that are both supported by strong reasons, and we need to take a decision, feeling that although our decision was right, the other way would e.g. have prevented much suffering as well.

All these aspects from everyday moral life are what Hare's approach is sacrificing in order to make space for absolute principles that guide our

deliberations. It would however be wrong to blame generalism for these faults, since Ross tries to capture these aspects of morality and still to remain loyal to generalism.¹ The theoretical device which sets Ross apart from other forms of generalism is the notion of a *prima facie* reason. Other than in legal contexts, “prima facie” does not mean for Ross “at first sight”, in the sense that what looks like a prima facie reason might turn out to be no reason at all.² In everyday language, a prima facie reason in Ross’s sense is a consideration that “counts in favour of” or “is some reason for” an act.³ More formally, Ross himself defines prima facie duty as follows:⁴

“I suggest “*prima facie* duty” or “*conditional duty*” as a brief way of referring to the characteristic (quite distinct from that of being a duty proper) which an act has, in virtue of being of a certain kind (e.g. the keeping of a promise), of being an act which would be a duty proper if it were not at the same time of another kind which is morally significant.”⁵

This definition allows for all the characteristics of everyday life listed above: it does not exclude that several features of a situation might be relevant at once, it is compatible with the fact that the same consideration may have different strengths in different situations, and most importantly, it does not indicate any rules of how to weigh the different prima facie reasons against each other in order to reach a final judgement. However, Ross remains a generalist in that he presupposes that the valence, i.e. whether the features count in favour or against an action, rests invariant. For example, lying always counts against an action.⁶

¹For this reason Dancy calls Ross theory “the best form of generalism”, Dancy (2001).

²See Dancy (2004), 5.

³See Dancy (1993), 97.

⁴Ross uses “prima facie duty” and “prima facie reason” interchangeably.

⁵Quoted in Dancy (1993), 97 and (2004), 18, from Ross (1930), 19.

⁶The list of prima facie duties includes the duty to keep promises, duties of reparation, gratitude, justice, benevolence and self-improvement. More about this list and how it should be interpreted in Chapter 8.

3.2 Dancy's critique against the definition of prima facie duty

The particularist has two kinds of criticisms against Ross, the first concerning the conclusiveness of his definition of prima facie reasons, and the second concerning his generalist assumption that the valence of prima facie reasons is invariant. As I will later on myself defend a version of particularism which is based on Ross's theory, I shall first show that the first criticism is not successful, before I agree with Dancy's complaint about invariant prima facie reason.

Dancy's criticism against the definition of prima facie reasons comes in three parts. First, he points out that Ross's formulation as it stands is viciously circular, as the word "significant" which appears at the end of the definition is just the concept that is at stake – the very aim of the definition is "to understand [. . .] what it is to be "relevant" to how to act, in the sort of way that a contributory reason is".⁷ Dancy himself offers an answer of how to improve the definition in making it non-explicit:

"To say that an act is a prima facie duty is to say that, in virtue of being of a certain kind, it is an act which would be a duty proper if it had no other property that functions in this same sort of way."⁸

In this definition, Dancy claims that no circular appeal is made to relevant properties, and this answers the first critique. It is however both questionable whether the original definition is indeed viciously circular *and* whether Dancy's improved definition improves anything. Ross's definition would indeed be viciously circular if "prima facie duty" and "morally significant" were both identical. This must however not be the case: a "characteristic" of an action might for instance serve as an enabler for a

⁷Dancy (2004), 18.

⁸Dancy (2004), 19.

prima facie duty and therefore be morally significant without being an instance of a prima facie duty itself.⁹ Hence, although Ross's definition might be considered as *circular*, it is not so in a *vicious* way. But even if this were the case, would Dancy's improved definition be able to help Ross out? Why should "a property that functions in the same sort of way" not fall under the same criticism as the original formulation since "the same sort of way" is just another way of describing what is meant by "morally significant"? I conclude that this attack is not a threat for Ross.¹⁰

The second argument draws attention to the *kind* of definition Ross is offering. It takes the form of an isolation-test, considering how a prima facie duty behaves when alone, while the situations we are concerned about are such that many morally relevant features are present.¹¹ Even if technically correct, this kind of definition is, so Dancy's critique, not giving us what we are looking for. It is as if the contribution of a football player to the team's victory would be characterized by mentioning what he would have been able to do had he been the only player on the field.¹² With this analogy in mind, Dancy tries to put Ross in a dilemma: if he offers an account of how prima facie reasons interact, these rules cannot cover all possible situations and circumstances and would easily be vulnerable to counterexamples similar to those levelled against Hare. If on the other hand Ross remains

⁹Much hinges on the question of what is to count as "morally significant": if it is *per definition* limited to prima facie duties, then the definition is viciously circular, but nothing forces Ross to grant Dancy this point. Why not allow that enablers for prima facie duties be as well morally significant as they have an obvious impact on the moral judgement about a certain action?

¹⁰But as my aim is to present Dancy's theory, I will use his "improved definition" which, while it does not solve a non-existing problem, is still no worse than its predecessor.

¹¹"The definition is trying to characterize something that a feature can do in concert with others by appeal to something that can only be done in isolation, and that is a peculiar procedure", Dancy (2004), 19, and "Essentially, the theory draws our attention away from the interesting question about the behaviour of reasons when they are together, and tries to get away with talking only of their behaviour in situations which don't really happen", Dancy (2003), 102.

¹²This illustration is taken from Dancy (2004), 19.

silent on how prima facie reasons can interact, he is criticized for not being sufficiently informative. In answer to Dancy, Ross might illustrate his strategy by pointing out how people come to learn chess. Normally, the chessmen are introduced one by one, explaining how each figure is able to move when alone on the board.¹³ Once these rules are grasped, based on this understanding, the aim of the game, how to checkmate, is explained. In analogy to chess, prima facie reasons are introduced in isolation. As one of the differences between chess and morality consists in the fact that in chess, the number of pieces and their possible moves are – unlike in the case of morality – determined in advance, the second step, the explanation of how to weigh the circumstances in order to find out the right thing to do, cannot rely on any rules that apply to a finite number of cases. The analogy makes it plausible why Ross is in a position to reject Dancy’s criticism that the definition of prima facie reasons is too thin: he is able to accept the first horn of the dilemma in a way that does not damage his theory. What Ross’s definition is offering are the basic rules of how prima facie duties behave, giving enough codifiable information for our judgement to decide how in the complexities of everyday life, these rules can combine with each other. This limitation must not, as Dancy intends to show, reveal an unfavourable feature of Ross’s definition.

A third critique puts the most pressure on Ross’s definition. It claims that his formulation does not cover all kinds of reasons. Since the definition assumes that “each relevant feature could be the only relevant feature”,¹⁴ it excludes those reasons which depend on the presence of another reason (or reasons). For example, I might give the promise: “I will do *x* if and only if I have some further reason to *x*”.¹⁵ The promise turns only into a prima facie reason if a second reason is present, and this excludes some reasons from Ross’s definition. It might look as if these kinds of reasons are

¹³This is slightly simplified; for example, the possibility of castling depends on the position of other chess figures.

¹⁴Dancy (2004), 19.

¹⁵Dancy credits Ridge for this example. See Dancy (2004), 81 Fn. 5.

quite peculiar, but many reasons fall under this description. Reasons for forgiveness for example depend on reasons to blame somebody, reasons to be merciful presuppose reasons to punish,¹⁶ and reasons to tolerate depend on reasons to condemn.¹⁷ If it turns out that Ross is unable to account for those *conditional* reasons, his definition is defective. To start with, Ross might reply that the example of conditioned promise-giving does not concern him since his theory is only about prima facie reasons, and “some further reason to *x*” is not necessarily a second prima facie reason. But the example can easily be repaired: I promise to invite you for cinema if and only if it gives you pleasure. Since the second reason, that it gives you pleasure, consists in a prima facie duty (a duty of benevolence), there must in this case apparently be a “property that functions in the same sort of way” in order for the promise-giving to turn into a duty. To see the problem more clearly, it is helpful to apply the example to the improved definition of prima facie reason and to see how the definition would have to look like in order to accommodate such a prima facie duty that depends on another prima facie duty:

To say that to go to the cinema with you is a prima facie duty is to say that, in virtue of being the fulfilment of the promise to go to the cinema with you if and only if it gives you pleasure at the same time, it is an act which would be a duty proper if and only if there is a property that functions in this same sort of way, which is that it gives you pleasure.

¹⁶Dancy remarks rightly that “(i)t makes no sense to say of someone that they showed “mercy” to another, when in fact there was no reason to punish them to begin with”, Dancy (2004), 19.

¹⁷The examples cover two types of cases: in the example of promising, the reasons lie on the same side, while in the examples of forgiveness, mercifulness and tolerance, they lie on opposite sides. It might be objected to the last example which is borrowed from Dancy (2004), 19 that it is too strong since I have also reason to tolerate a form of behaviour in others even if I am aware that I only *dislike* it and do not see myself as having reason to *condemn* it. However, nothing hinges on the example and other cases can be found easily.

The trouble with the isolation-test becomes now more apparent: the content of the prima facie reason is such that it includes another prima facie reason, and an isolation would deprive the first prima facie duty from being a duty.

The strategy for a defence of Ross's position consists in focusing on the notion of "in this same sort of way" and in showing that the second prima facie duty has to be interpreted such that it does not fall under it.

First, it might be pointed out that a prima facie reason normally depends on many other properties. If I discover in our example that unbeknownst to me you mixed a drug into my drink which caused me to give you the promise, I would not have any duty to fulfil it. The same goes for all conditions under which we consider a promise to be elicited by deception – the promise will be void. Imagine furthermore that just before I am about to leave the house to pick you up for the cinema, I got a terrible disease and am unable to move my limbs. If I do not keep my promise because of my incapacity to move, I have not violated any prima facie duty towards you. To take another example than promising, the duty of reparation depends on my having harmed somebody. Hence, almost every prima facie duty might be described as follows:

To say that an act is a prima facie duty is to say that, in virtue of being of a certain kind, it is an act which would be a duty proper if certain properties are present, but these properties must not function in the same sort of way as the property in virtue of which the act is a prima facie duty.

This does not contradict Ross's initial definition (or its improved successor). Now, what a Rossian generalist has to show in order to reject Dancy's third criticism about the formulation of the definition of prima facie duties is that *all* properties on which prima facie duties might depend are such that they do not function like a prima facie reason themselves. In this case, there would be no prima facie reasons which conflict with Ross's definition

and all types of prima facie duties would be covered. The particularist however will insist that some prima facie duties – like the example of the promise whose content is conditional on another prima facie reason – are special because they depend on other prima facie duties and hence are not covered by Ross’s definition.

In order to defend his position, the Rossian generalist might use a distinction on which the particularist himself heavily relies, namely between favourers and enablers.¹⁸ Both are different ways in which aspects of a situation can function. Favourers are considerations that count in favour of a certain action (and disfavourers count against it), while enablers allow the favourers/disfavourers to count (while defeaters hinder a favourer/disfavourer from playing a role in moral decisions).¹⁹ To be an instance of a prima facie duty in a certain situation means that both the necessary favourer *and* the enablers must be present. It makes no sense to speak of a prima facie duty to keep my promise if the favourer – the fact that I have promised – is present when the promise was obtained under duress – i.e., when an enabler is lacking.²⁰ Likewise, the prima facie duty of reparation consists in the fact that I have harmed somebody – which counts in favour of recompensation – and that the harm did not occur as a consequence of self-defence – which would be a disabler. In the case of a conditional reason, what is the role played by the circumstance on which the prima facie duty depends? It is a necessary component for the favourer to be able to count hence it is to be considered as an enabler. This however is compatible with the fact that this feature plays *at the same time* a second role in which it counts as a favourer for a different prima facie duty.²¹ To

¹⁸I will discuss later on the distinction in more detail and work now with a preliminary definition which is however sufficient for present purposes.

¹⁹The example Dancy uses is that of a promise: the fact that I promised counts in favour of keeping it, while the fact that the promise was not given under duress is necessary for the favourer to count in moral decision-making. See Dancy (2004), 38-45.

²⁰This will be the cause of Dancy’s problems with the favourer/enabler-distinction as discussed in Chapter 7.3.

²¹As an analogy, take the case of a green point in a painting which counts only in favour

say that the component plays always the role of a favourer is to confound the way in which it *might* work in general and the way it works in this *special case* where it plays a different role, namely that of an enabler. If this is true, it gives the Rossian generalist a way out of the particularist' attack. Conditional reasons can be interpreted as normal cases of prima facie duties where a favourer depends on further considerations which do not count in this situation themselves as favourers. In the case of the promise to invite you for cinema if and only if it causes you pleasure, this opens the way for a highly plausible interpretation that is not available when the condition, i.e. that it causes you pleasure, were interpreted as a prima facie reason – I have two independent reasons to invite you when it gives you pleasure:

1. I have promised it under a condition that is now fulfilled.
2. It would cause you great pleasure.

Hence, the condition has a different function than that of a prima facie duty and works therefore not “in the same sort of way” as the favourer itself. Therefore, conditional reasons are no problematic category of reasons and they can easily be accounted for by the definition of prima facie reasons.

3.3 Dancy's argument against the invariance of prima facie duties

So far, the attacks against the formulation of Ross's definition of prima facie duties have turned out not to be conclusive. The particularist has however

of the artwork's beauty on the background of a blue shape. The green point favours the beauty, while the background enables the green point to favour. At the same time, the background can itself contribute to the painting's beauty, being dependent on e.g. the material of the paper which lets it reflect the light in a special way. In analogy to the case of the conditional promise, it might be said that the background must be counting in favour in order to fulfil the function of an enabler because otherwise, the painting would lose its artistic quality altogether. Hence, the background has two functions at the same time, once as an enabler and once as a favourer.

a remaining argument that challenges an underlying assumption of Ross's ethical theory, the univalence of prima facie reasons.²² Given holism of reasons, Ross has to show how the generalist element in his moral thinking is compatible with the fact that the valence of a feature depends irreducibly on the situation.²³ It is not difficult to imagine counter-examples to the univalence of prima facie duties. Take the prima facie duty of benevolence, which requires increasing other people's pleasure. An illustrative and already classical counter-example comes from David McNaughton:²⁴

"A government is considering reintroducing hanging, drawing, and quartering in public for terrorist murders. If reactions to public hangings in the past are anything to go by a lot of people may enjoy the spectacle. Does that constitute a reason in favour of reintroduction? Is the fact that people would enjoy it here a reason for its being right? It would be perfectly possible to take just the opposite view. The fact that spectators might get a sadistic thrill from the brutal spectacle could be thought to constitute an objection to reintroduction. Whether the fact that an action causes pleasure is a reason for or against doing it is not something that can be settled in isolation from other features of the action. It is only when we know the context in which the pleasure will occur that we are in a position to judge."²⁵

It is important to emphasize that in the example, the fact that the public hangings produce pleasure to the spectators is not outweighed (which

²²Dancy considers this to be his main argument against Ross; see Dancy (2004), 7.

²³This is Dancy's reading of Ross. Other authors interpret Ross in a way that is compatible with valence-switching at the level of contributory reasons; see Robinson (2006), 342-345. As my main concern is Dancy's theory which I try to build in contrast to Ross, I will not address these different interpretations here; later however, when I defend McNaughton and Rawling's position, I will show how Ross could defend himself against Dancy.

²⁴The general point was classic long before, but in the discussion of particularism, it is McNaughton's formulation that is the point of reference.

²⁵McNaughton (1988), 193.

would be compatible with a theory of prima facie reasons), but *reversed*. No other prima facie duty can be declared immune against this kind of counter-example.²⁶ Circumstances can always affect the “ethical valence” of a feature, whether it counts in favour or against doing something. Hence, a theory which relies on invariant prima facie duties is impossible.

3.4 Conclusion

If this is true, then Ross’s theory as it stands has been shown to be defective as well. Not the idea of prima facie reasons itself – the intuition that different features contribute to the overall rightness or wrongness of an act – but the underlying generalist assumption of the univalence of the prima facie reasons is causing the problems. While the particularist applauds the move away from Hare’s assumption that *one* general principle applies to a situation, and supports the idea that there is no rule of how to combine the various prima facie duties that apply to a situation, he worries that even Ross’s position stops halfway between generalism and particularism. It is particularist in regard to relevance and in regard to how contributory reasons can combine – the relevance a feature bears depends on the circumstances as well as the way they interact – but generalistic in regard to valence – the direction in which it counts is always the same.²⁷ The pure particularist

²⁶It might be objected that the reversibility in this case is a special feature of pleasure, but that it is difficult to imagine that e.g. a duty such as that of reparation or gratitude is reversed (thanks to Sarah Broadie for seeing this point). The answer is that in opposition to pleasure, the duty of reparation or gratitude are *thick ethical features*; these are in fact invariable, but this is not a problem for the particularist’s argument, as I try to show in Chapter 8. For those arguing that from the present argument, it only follows that pleasure is variant, but that it cannot be granted that other *non-moral properties* behave invariantly (e.g. the causing of extreme pain or physical damage on unwilling victims), see Chapter 6.2.1.1.2.

²⁷This distinction is also made by Audi (2006), 292f. and by Lance and Little (2006), 575.

however can only accept a theory which rejects *any* appeal to the doctrine of invariability.²⁸ As Dancy summarizes this central thought of his theory:

“The core of particularism is its insistence on variability. [. . .] A feature can make one moral difference in one case, and a different difference in another. Features have, as we might put it, variable relevance. [. . .] This claim emerges as the consequence of the core particularist doctrine, which we can call the holism of reasons. This is the doctrine that what is a reason in one case may be no reason at all in another, or even a reason on the other side. In ethics, a feature that makes one action better can make another one worse, and make no difference at all to a third.”²⁹

Dancy believes here that holism *implies* particularism. At other places, he merely thinks that holism offers “at best an *indirect argument*” in favour of particularism.³⁰ Some authors have even suggested that holism is *compatible with generalism* and that it is therefore not helpful for the discussion between generalists and particularists at all.³¹ In order to understand particularism, it is important to look at the link between holism and particularism. The position I will defend is in some sense stronger than Dancy allows in his last book. First, I present McKeever and Ridge’s criticism; then I show why Dancy’s formulation of holism leaves open the possibility of principles. Finally, I suggest a stronger definition of holism in the theory of reason which excludes any form of generalism.

²⁸In this sense, Dancy regards himself as a successor of intuitionists like Ross and Pritchard, radicalizing the thought of variability. See Dancy (1993), ix.

²⁹Dancy (2001).

³⁰In his (2004), 82.

³¹See McKeever and Ridge (2006), 25-45.

Chapter 4

McKeever and Ridge's thesis of the compatibility of holism and generalism

4.1 McKeever and Ridge's attack

In opposition to most particularists who draw support for their theory from holism in the theory of reasons, McKeever and Ridge argue that there is no interesting connection between holism and particularism. On the contrary, some generalist theories even require holism.¹ To quote their main concern:

“The basic point is simply that there are two distinct issues here. First, there is the question of whether reasons are context-dependent. Secondly, assuming that reasons are context-dependent there is the question of whether their context-dependence is codifiable. An affirmative answer to the first question in no way dictates a negative answer to the second.”²

¹In what follows, I refer to holism in the theory of reasons in Dancy's sense as (H): “A feature that is a reason in one case may be no reason at all, or an opposite reason, in another.”

²McKeever and Ridge, 28f.

In the example McKeever and Ridge use, holism is required by the following form of utilitarianism:³

(UT) The fact that an action would promote pleasure is a reason to perform the act if and only if the pleasure is nonsadistic. The fact that an action would promote pain is a reason not to perform the action if and only if the person who will experience the pain has not autonomously consented to experiencing it.

This theory would satisfy all of the conditions Dancy requires in order to count as a principled ethic.⁴ It is incompatible with particularism as it is completely based on principles for moral judgement. However, holism as it stands cannot be used to criticize (UT) since it presupposes (H): if it was not possible that a feature is a reason in one case and not in another, then (UT) would be wrong, because the promotion of pleasure and pain is in the formulation of (UT) sometimes a reason in favour and sometimes not. If McKeever and Ridge are right, then particularism looks naked. In order to defend his position, the particularist has to come up with an explanation of the relation between holism and particularism which excludes any version of generalism.⁵ To do this, he might formulate holism in the theory of reasons in a stronger way. The particularist's strategy consists then in showing that McKeever and Ridge water down context-sensitivity so that atomistic elements are still presupposed by (UT). I start with an attempt to capture Dancy's intention when formulating holism.

³See McKeever and Ridge 31. For a more complicated example which makes however the same point, see Jackson, Petit and Smith (2000), 97.

⁴I will discuss these conditions in Chapter 5; Principles must, as Dancy lays out in his (2004), 116f., cover all actions, tell why something is wrong, be learnable and "be capable of functioning as a guide to action in a new case".

⁵In his (2004), Dancy chooses another line of defence. He argues that even if a principled ethic would be compatible with holism, it would be a "cosmic accident" if it turned out to be true. See Dancy (2004), 82. McKeever and Ridge dispute in their (2006), 32-41 forcefully this thought. I will not discuss the matter here since I believe that the best way of defending particularism consists in not granting the generalist that a principled ethics is consistent with holism.

4.2 The introduction of holism

Dancy introduces holism first for theoretical reasons. That something before me seems to be red is normally a reason to believe that it is in fact red. If I have however taken a drug that changes my colour-perception so that all red things become blue and vice versa, the fact that something seems red to me is rather a reason to believe that it is blue. This shows that theoretical reasons are context-sensitive and that holism should be uncontentious in this area. The same holds for “ordinary practical reasons”:⁶ that a candidate wants the job might in one situation be a reason in favour of giving it to her, but not in another. Aesthetic reasons behave no different: a certain element can add to the beauty of one painting but ruin another. If theoretical, ordinary practical and aesthetic reasons behave holistically, why should moral ones be different? The causing of pain counts against an action, but not if it is part of a justified punishment.⁷ However, it might count against it if it turns out that the sentence is based on false information. Again, moral reasons seem to be holistic. It is therefore very plausible to suppose that *all* kinds of reasons behave holistically; sometimes, they count in favour, but in other circumstances, they do not count at all or even against an action.

Reasons might even behave in a way that they count in favour and against an action at the same time. Dancy uses the example of a paper he submitted to a journal. The fact that he had already published two articles in that same journal was a reason for publishing a third in order to complete the series but also a reason for publishing other authors for the sake of variety.⁸

⁶Dancy (2004), 74.

⁷For the sake of argument, let’s suppose that causing pain can be part of a justified punishment. It might be replied that what counts against the action is simply that the action causes pain and is not part of a justified punishment. Dancy discusses this reply, but argues that what counts against the action is only the fact that it causes pain, and not the conditions which have to hold in addition. For more on this point, see Chapter 7.3.

⁸See Dancy (1993), 62.

Atomism in the theory of reason is the thought that if a feature is a reason in one case it must remain a reason with the same polarity in any other case. In Dancy's formulation, holism in the theory of reasons consists merely in the negation of this claim: "a feature that is a reason in one case may be no reason at all, or an opposite reason, in another".⁹ This formulation is able to account for all the phenomena alluded to in the examples above since it does not require that the behaviour of a feature in one case determines its behaviour in another.

4.3 Holism re-formulated

This notion of holism is widely accepted in the literature, and I will not contest it.¹⁰ However, it might leave out an important aspect: *Why* do reasons behave in such a way?¹¹ A broader formulation would address this

⁹See Dancy (2004), 7. A much weaker form of holism is defended by Lance and Little (2006), 580: "Philosophers are deserving of the name "holist" just so long as they think, that is, that there are some moral reasons that do not function as such in virtue of substantive, exceptionless generalizations".

¹⁰Note though that McDowell's version of particularism, which Dancy regards as a predecessor to his own position (see Dancy (1983), 530 and (1993), x), is built on a version of holism that is weaker in important aspects. McDowell's point is that any codification of moral knowledge will be confronted with unanticipated cases that require a different judgement. The reason is that new circumstances might defeat the judgement which is based on the codification. It is the new features that make the difference, but this does not mean that the "old" features behave in a different way, as Dancy holds. "On McDowell's view, if in one situation circumstances $A_1...A_n$ imply judgement J_n , then in a new case it is a new antecedent – $A_1...A_n, A_{n+1}$ – that gives a different judgement. But for this to be the case it is not necessary to say that $A_1...A_n$ are themselves implying a different conclusion. This is what Dancy adds" Kaebnick (1999), 44f. McDowell himself discusses holism in his (1979), 336 and (1981), 143-145.

¹¹In a small earlier paper, Dancy was already nearer to a formulation that includes an answer to the why-question, but he has never again referred to it. Dancy (1992), 136: "The claim that reasons are holistic is the claim that the status of a consideration *as a reason* can be affected by its context".

question as well. Hence, it might be more exhaustive to formulate holism in the theory of reasons as follows:

(H') A feature that is important for determining the rightness or wrongness of an action can always vary in a new situation in its impact because other features might change the way in which it is important for determining the rightness or wrongness of this action.

This formulation has three advantages over the original definition of holism in the theory of reasons:

1. It gives an answer to the “why-question”: features behave holistically in the moral realm because other features might change the way they work.
2. One point of the examples used to introduce the idea of holism is that whatever the normal behaviour of a feature, there might *always* be cases where the feature behaves differently due to new circumstances.¹² This is accounted for in the “*always*” of the formulation, pointing out that any principle or rule capturing the normal behaviour might be presented with an unusual case where things are different.
3. The formulation is not limited to reasons. After all, why should not enablers or intensifiers be sensitive to context as well? It would be easy to come up with examples supporting holism as well in other areas than merely reasons: I have borrowed a book from you; when I am about to hand it back to you, I realize that you have stolen it from the library. This disables my duty to return it to you instead to the library.¹³ Suppose that it comes to my knowledge as well that the

¹²See for an extensive discussion of this claim Chapter 6.2.1.1.

¹³I am adapting an example of Dancy which can be found in his (1993), 60. Some might argue that the duty to return it to the person from whom I borrowed it originally remains, but that I have to insist that the person returns the book. Nothing hinges on the example however, and those with worries might choose another example.

library manager blackmailed you to donate it to the library. In this case, the disabler would have been disabled himself, and it might be the right thing to return the book to you after all.

4.4 McKeever and Ridge's attack in the light of the new formulation of holism

With this extended definition of holism in the theory of reasons, is it still possible to claim compatibility between (UT) and (H')? There are two arguments that show why (UT) and (H') do not go together. The original formulation of holism was compatible with (UT) because (H) left open a loophole for McKeever and Ridge: it only required that reasons be able to change their polarity or force, allowing for two readings concerning the question of how this context-sensitivity might be satisfied. Either the set of conditions under which the change of polarity occurs is finite or it is not. The first reading however is clearly not in line with the original idea of holism.¹⁴ This idea is that whatever we establish as the normal behaviour of a reason, a counter-example might appear and change or sometimes even reverse the valence or affect the importance of a feature. But to suppose that the number of conditions can be codified just is to reduce a feature to its normal role. (H') accounts for the idea that the behaviour of a feature cannot be predicted. Therefore, it is incompatible with (UT) which does not satisfy the condition that it might *always* change in a new situation. McKeever and Ridge have argued that formulations of holism like (H') which they call "radical" and "unrestricted" are question-begging in that they already suppose what is at stake.¹⁵ But why should we exclude the possibility that a consistent formulation of holism in the theory of reason *entails* the rejection of generalism? McKeever and Ridge's attack profits from the ambiguity in (H) already pointed out. If we eliminate the ambiguity and formulate

¹⁴See Dancy (1992), 137f.

¹⁵See McKeever and Ridge (2006), 41-43.

holism in a way that renders it compatible with (UT), it becomes clear that McKeever and Ridge rely on a form of holism that is clearly not in line with the intention of the examples on which it is based. (UT) would be compatible with:

(H'') A feature that is important for determining the rightness or wrongness of an action can vary in a new situation in its impact because *a limited number of other features* might change always in the same way its import for determining the rightness or wrongness of this action.

This puts the particularist in a position to ask: why allow for context-sensitivity on the one hand but limit the extent to which the context is allowed to change on the other? Why should we accept an apparently random stopping point beyond which variability is excluded? This shows two things:

1. (H'') is no alternative for somebody committed to the idea of holism because it takes back what holism wants to achieve, the fact that a feature which counts in a certain way here might due to new unforeseeable features count differently there.
2. (H') is the natural way of interpreting (H); it preserves the original intuitions of holism.

A second, related argument against the compatibility of (H') and (UT) is that even if we grant that only a limited number of features is able to affect a feature, what guarantees that these features always affect other features in the same way, or that they sometimes even not affect them at all? A defender of (H') has no difficulty in dealing with these cases because it does not limit the kind of impact they have. (H'') however is bound to require that these enablers work always in the same way. The reason that (H'') has to insist that the limited number of features has to operate "*always in the same way*" is that (UT) is built on the presupposition that the facts

that the promotion of pleasure is *nonsadistic* and that the causing of harm is *not consented* counts always in favour/against the action.¹⁶ In conclusion, holism as formulated in (H') entitles to particularism. Principles in Dancy's sense are not compatible with the variance required by holism.

4.5 Conclusion

We have so far considered three theories opposing particularism: Hare's notion of universalizability, Ross's theory of prima facie duty and McKeever and Ridge's claim about the compatibility of holism and generalism. The common element in these attacks is their attempt to establish a normative theory¹⁷ which contains invariability. In the face of holism, they give more and more space to the idea that context might influence our ethical judgements in a way that is not capturable by codification. The spectrum of the attacks is marked by two extremes – Hare's generalism at the overall level and his denial of any form of context-sensitivity and McKeever and Ridge's theory which allows even for context-sensitivity at the level of contributory principles. The particularist's defence remains – apart from attacks against the very formulation of its adversary's theories – the same. Its core argument is holism in the theory of reason, its commitment an ethical theory with variability on all levels.

¹⁶The motivation for spelling (H'') was to make explicit the conditions of (UT).

¹⁷Or, in the case of McKeever and Ridge, the structure of a normative theory.

Part II

Dancy's particularist's position analysed

Although Dancy's particularism can, as we have seen, be used to successfully attack some forms of generalism, the exact formulation of his own theory remains still unclear. Not only is his position open to several interpretations, but Dancy also himself changes his point of view over time. It is therefore helpful to formulate exactly what kind of theory has been targeted by particularism, which claim is made by Dancy's particularism and why it has changed.¹⁸ For a better understanding of particularism, two questions have to be addressed:

1. What counts for Dancy's particularism as an ethical principle?
2. What is the position Dancy takes towards such principles?

¹⁸For the purpose of categorizing Dancy's position, I will partly draw on McKeever and Ridge's and Lance/ Little's attempts to structure the discussion. (See especially McKeever and Ridge, (2006), 3-24 and Lance/Little (2006) and Little (2000).) Unlike these authors, I will however not attempt to map the whole discussion which is still unclear and confusing mainly due to the fact that apart from Dancy and McKeever and Ridge, there has been no book-length discussion of the topic and the many articles around are addressing particular aspects of the discussion and it would be misleading to interpret them as a fully worked out position.

Chapter 5

What ethical principles are

5.1 Four conditions for being a principle

Whatever the formulation of particularism, the adversary is always the same: ethical theory based on principles. It is therefore surprising that Dancy has never given a systematic explanation of what counts for his particularism as an ethical principle. Obviously, not every moral generalization can be taken as a principle: alleged “principles” like “an action is either morally required or it is not” are true by definition and not even a particularist could object to them.¹ But what separates moral principles from mere ethical generalizations? Dancy mentions several characteristics of moral principles at different places. In the discussion about supervenience and resultance, we have already met some of them: (I) valid moral principles must single out relevant and exclude irrelevant properties, (II) they must be exceptionless and (III) they have to be applicable to more than one situation. Later on, Dancy specifies principles as follows:²

¹See McKeever and Ridge (2006), 5.

²How does this relate to Dancy’s distinction between the absolute and the contributory conception of principles discussed at the end of Chapter 2? There, his intention is to characterize the *place* principles can adopt in ethical theories like Hare’s or Ross’s. This leaves still open the exact *definition* of what counts as a principle, and it is this question Dancy is addressing now.

“A principled ethics must meet certain conditions, which have been emerging along the way:

1. *Coverage*: The moral status of every action must be determined by the principles, in one way or another. (Otherwise the principles would fail to cover the ground.)
2. *Reasons*: Of each action that has a moral status, the principles must somehow tell us *why* it has that status. (Supervenience-based principles would not do this; they are too indiscriminate.)
3. *Epistemology*: We must be able to learn the principles, either from experience in some way or from each other, i.e. by testimony.
4. *Applicability*: The principles must be capable of functioning as a guide to action in a new case; having learnt them, one must be able to *follow* them or apply them.”³

5.2 A tension between principles qua standard and principles qua guide

Given the centrality of the term “principle”, it astonishes how little Dancy cares to offer a complete definition. He writes: “We could probably continue the list, but as it stands it is enough for now”, without finishing the discussion in the course of the book. It will still be helpful to clarify some of these conditions. Dancy’s condition (2) requires that in order to count as a principle in his sense, a generalization has to provide the truth-conditions of a moral judgement by referring to sufficient features which justify the application of the moral concept in question.⁴ This does however not necessarily imply that the principle explains *why* those features which make

³Dancy (2004), 116f.

⁴For a similar formulation, see McKeever and Ridge (2006), 6.

up the sufficient features play such a role; i.e., a principle of the form “It is x to do y because of features $N1-Nx$ ” where x specifies a moral predicate, y the action to be judged, and $N1-Nx$ the reason why it is wrong must not entail a final explanation of why those features have such a moral import. For example, the principle “It is morally wrong to beat little sisters because it causes them pain” does not need to entail a final explanation of why causing pain constitutes a wrong-making feature. Condition (2) shows why Dancy supposes that generalists about principles are at the same time atomists in the theory of reasons. As it is the function of the truth-conditions to mark the same moral import of the same features across all cases, atomism, the thought that “a feature [that] is a reason in one case must remain a reason, and retain the same polarity, in any other”⁵ is implied by principles *qua standards*.⁶

The applicability-condition for principles (4) that Dancy gives stands in a certain tension with principles *qua standards*. The fourth condition requires that principles be helpful devices for the agent in finding out the morally right action. Principles might therefore depend on the addressee: what is a guide for a well-trained moral agent can be useless for a beginner. Hence, the primary interest of this principle *qua guide* is practical, while condition (2) focuses on a theoretical concern. The two aspects may fall apart: a principle *qua guide* might contain simplifications of an overly complicated reality or rules of thumbs necessary for its practical purpose, leading to false implications in some cases and therefore not offering truth-conditions, while a principle *qua standard* might be too complicated to serve as a guide in everyday moral deliberation.

⁵Dancy (2004), 7.

⁶It is important to stress at this point again how crucial this implication is for Dancy – if principles do not imply atomism, as McKeever and Ridge try to show, particularism would be grounded on ineffective arguments. In Chapter 8, we will see that many particularists try to construct generalizations which are not principles in Dancy’s sense but still play some of the roles typical for principles, especially the guiding-function. For the implication of atomism in moral principles, see as well Dancy (1993), 66.

5.3 McKeever and Ridge's attempt to reconcile principles qua standards and principles qua guides

McKeever and Ridge try to reconcile both conditions for principles:

"We can combine these aspirations [i.e. principles *qua standards* and principles *qua guides*] and insist that to count as a moral principle a generalization must both provide truth-conditions for moral claims which refer to explanatory features and be well suited to guiding action. Call such principles "action-guiding standards."⁷

Such action-guiding standards could be reached by looking for principles that serve as guides *and* offer at the same time truth-conditions for the application of moral concepts. It might however be that the moral landscape is too complicated for standards simple enough to serve as guides, as discussed above. Most or possibly all principles *qua standards* could so be unsuitable as principles *qua guides*, leaving the class of principles which satisfy Dancy's condition (2) and (4) for ethical principles empty and rendering the position of the particularist in Dancy's sense trivial. McKeever and Ridge propose therefore a way for reconciling both conditions.⁸ Principles *qua standards* might indeed not be of much guidance for finite creatures short of time for reflection and with a limited grasp of complex truth-conditions. Utilitarianism for example is difficult to follow *au pied de la lettre* since it is impossible for normal moral agents to estimate all consequences prior to performing an act. Instead, many utilitarians allow for two-level principles, where the folk morality remains in place and functions as a *guide* for normal contexts. The task of the principle of utility is only to provide the *ultimate standard* of right and wrong. A virtuous agent

⁷McKeever and Ridge (2006), 10.

⁸See McKeever and Ridge (2006), 9-11.

stands out due to his capability to step back from the guiding-principles of everyday morality and to assess the situation in the light of the principles *qua standards*; in some situations, it might turn out that contrary to intuition, he has to abandon his guiding-principles.⁹

Both kinds of principles depend on each other: principles *qua guides* alone cannot guarantee to get it right, and mere principles *qua standards* are too clumsy for our everyday lives. Only the cooperation of principles *qua standards* and principles *qua guides* ensures that sound moral decisions can be taken.

Can this model serve to reconcile the tension between two of the conditions Dancy imposes on principles, principles *qua standards* and principles *qua guides*? It might be objected that this idea, while interesting, is too charitable to Dancy.¹⁰ In admitting not only that principles play various roles, but also that these different roles are played by *different* principles, the idea gives up a unified account of principles: the list of conditions quoted could only be fulfilled by the interaction of various kinds of principles. A defender of McKeever and Ridge's position might reply that in Dancy's formulation, there is nothing that forbids such a move. He only describes conditions for a "principled ethics", giving requirements for a complete ethical system that might as well consist of various kinds of principles. This move is however not consistent with the way Dancy defends particularism against generalism. In his discussion of Hare's theory of universalizability, Dancy charges Hare with not being able to offer at the same time the exclusion of irrelevant properties and a complete, exceptionless formulation of principles. This would require supervenience and resultance at once,

⁹For such an account based on utilitarianism, see Hare (1981); the example is discussed by McKeever and Ridge (2006), 10.

¹⁰To be fair to McKeever and Ridge, they do not explicitly try to defend Dancy; they only put forward a theory of how a particularist in general could conceive of principles. Therefore, I take their position as an example of how Dancy might make sense of how his various conditions of principles work together, since he remains silent on the issue himself.

and this cannot be done.¹¹ If he allowed for various kinds of principles within a principled ethic, he would only have to adapt slightly Hare's theory in order to make it compatible with his claims. Instead, he rejects the theory out of hand as being false. This binds him not to allow for different kinds of principles when it comes to formulate his own conception of a principled ethics. Therefore, in the framework of Dancy's particularism, there is no room for different kinds of ethical principles with different functions. Principles *qua standards* and principles *qua guides* are not only logically independent, under some circumstances they are as well mutually excluding. This means that a tension remains and that Dancy runs the risk of putting too many restrictions on what constitutes his counter-position. He might end up agreeing with everybody.

¹¹For explanations of these terms, see my discussion of Hare earlier on.

Chapter 6

The best version of particularism

Once it is clarified *how* Dancy understands ethical principles, the next question to be addressed is what position he takes *towards* them. Several options have been defended by particularists: that there are no moral principles at all; or weaker, that nothing speaks in favour of the assumption that moral principles exist. Still weaker, it has been held that although ethical principles might exist, we ought not to rely upon them. The weakest form of particularism would claim that the possibility of moral thought and judgement does not depend on moral principles.¹ My aims in what follows are to show how Dancy weakened his position over time from one

¹These positions are part of the cartography of particularism McKeever and Ridge (2006), 4-25 are offering; I will not discuss all of these positions but refer only to those Dancy has been defending. One further position would be to defend an error-theory of ethics which claims that there are no moral properties at all, and this would exclude principles as well. This would collapse the discussion of particularism into the old quarrel between moral scepticism and moral realism. However, most particularists, and especially Dancy, reject moral scepticism and want to place the discussion *within* moral realism. See on this point Dancy's initial clarification in *Ethics without Principles*: "[T]here are plenty of attacks on principles in this book. It is for this sort of reason that particularism is often mistakenly thought of as an attack on morality – as a form of moral scepticism. That would be quite wrong. Particularists, if they are anything like myself, think that morality is in perfectly good shape and functioning quite happily, and that abandoning the mistaken link between morality and principles is if anything a defence of morality rather than an attack on it." (1)

of the former to the last version of particularism listed above, to explain the reasons for this shift and finally to ask which of these positions is the most convincing. For a short overview of all versions of Dancy's particularism, see the appendix to Chapter 6.

6.1 Extreme and strong particularism

In his earlier attacks on generalism,² Dancy defends a "thorough particularism"³, arguing on the basis of holism that no principles exist at all. Moral epistemology works as well as moral metaphysics without any invocation of generally relevant features. When trying to convince someone of an ethical standpoint, people just *describe* their view of a situation in order to show the significant features and do not *argue* for them.⁴ As descriptions in Dancy's sense only refer to the actual situation but not to general laws, there would not even be a place for principles;⁵ the only thing needed is imagination:

"The direction in which I think the particularist should move is to compare the activity of choosing some features of the particular situation as especially salient (significant) with the activity of the aesthetic description of a complex object such as a building.

²Among which I count his (1981) and (1983).

³Dancy (1983), 530.

⁴Somebody *argues* for his point of view when using claims such as: – ou should not beat your sister because causing harm to unwilling victims cannot be ethically justified"; convincing somebody by *description* consists in statements like: – cannot understand how somebody who cares about morality is able to beat your sister. Look at how she suffers unwillingly; I admit that it is difficult to formulate exactly the difference between giving an argument and convincing by description, but as I will finally reject all forms of particularism that rely on this distinction, I grant Dancy for the sake of argument that there is a difference between giving an argument and giving a description.

⁵This means that Dancy is not claiming here that ethical arguments involve no principles, but stronger, that since we do not use arguments but descriptions to convince other people, there is not even *room* for the question of whether we need principles.

In such a description, certain features will be mentioned as salient within the context of the building as a whole. There is no thought that such features will be *generally* relevant; they matter here and that is enough.”⁶

In its denial of the existence of all principles, this is the strongest possible form a particularist can adapt. How radical it is in the end depends however on what counts as a principle. In our moral epistemology, it is not only the case that we do not require principles, but there is even no place for those generalizations that are weaker than principles. I will therefore call this theory “extreme particularism”.

In his *Moral Reasons* (1993), Dancy adopts a slightly weaker form of particularism.⁷ Still, he denies that there is any prospect for principles due to holism in the theory of reasons.⁸ It is not only false to think that moral principles exist;⁹ appeal to them has bad consequences for our moral judgement since we misunderstand the way reasons work. This makes moral epistemology a straightforward matter:

“[O]ur account of the person on whom we can rely to make sound moral judgements is not very long. Such a person is someone who gets it right case by case. To be consistently successful, we need to have a broad range of sensitivities, so

⁶Dancy (1983), 546.

⁷It is interesting to notice that in *Moral Reasons*, there is no explicit discussion of what particularism is and how it could be defined. The book rather concentrates on a critique of generalist theories like Ross and Hare. It is as well noteworthy that the first part of the book (1-59) is dedicated to a discussion of particularism in the theory of motivation – roughly the idea that what motivates in one case does not need to motivate in another due to changes in the circumstances. However, this strand of particularism has barely been discussed in the literature, which might be due to the fact that it is based on contentious claims about motivational internalism, cognitivism and moral realism, so that people prefer to discuss particularism in the theory of reasons which relies on fewer controversial assumptions.

⁸See Dancy (1993), 66.

⁹See Dancy (1993), 69f.

that no relevant features escape us, and we do not mistake its relevance either. But that is all there is to say on the matter. The only remaining question is how we might get into this enviable state. And the answer is that for us it is probably too late.”¹⁰

As with extreme particularism, ethical principles play no role in moral judgement. However, Dancy tries to weaken the hard edges of his theory and attempts to offer an account of morality which is not “too aggressive” towards everyday moral practice which frequently employs moral generalizations. He does so by allowing for generalizations which function as a reminder of how properties *can* affect an ethical judgement. Those with moral experience have at their disposal a “checklist” which, although by no means complete, indicates the impact a feature might have in the light of previous cases.¹¹ This does however not entail that those features are *necessarily* relevant in this way, as claimed by those who believe in principles.¹² At another place, Dancy introduces a second and similar way in which generalizations can play a role in moral judgement without conflicting with particularism: there might be a “default tendency” inherent to some features to count in usual circumstances in a certain way.¹³ The difference from the previous position is that in extreme particularism, not only principles, but also generalizations play no role whatsoever. In *Moral Reasons*, Dancy tries to avoid a clash between intuitions and his theory by looking for ways in which he can allow for generalizations – for instance,

¹⁰Dancy (1993), 64.

¹¹See Dancy (1993), 67f.

¹²Dancy’s use of “generalizations” and “principles” is not unambiguous here (66-71). It would be clearer if he did not call all sentences of the form “If x then y” “principles” but reserved this label for those generalizations which satisfy the conditions he implicitly uses in his (1993) and spells out in his (2004) as discussed above, and called the reminders of what relevance a feature might have “generalizations”. For the distinction between principles and generalizations, see especially Dancy (2004), 76.

¹³See Dancy (1993), 26. The idea of “default tendencies” plays a more important role in his (2004) and is here rather sketchy. I only mention it at this stage for the sake of completeness.

that usually helping elderly people over the street is morally praiseworthy – to play some role in his theory without conflicting with his main claims. This does not however mean that he steps back from his main tenet, the denial of ethical principles, as he understands them. I dub this position “strong particularism”.

6.2 Weak particularism

While the distance from extreme to strong particularism is short, there is a significant gap between these theories and a view Dancy has adopted in more recent publications where he has weakened his position in important aspects.¹⁴ I call this view “weak particularism”.¹⁵ In contrast to his previous publications on particularism, Dancy gives in his (2004) a formal definition of his theory:

*“Particularism: the possibility of moral thought and judgement does not depend on the provision of a suitable supply of moral principles.”*¹⁶

On the surface, this definition seems to preserve much of his previous thought on the matter as it is directed against the same opponent, generalism. It is, like extreme and strong particularism, based on holism in the theory of reasons. However, it rather silently steps back from the original claim that

¹⁴It is noticeable that Dancy is well aware that there are different forms of particularism and that he is adopting a weaker form; see his initial statement in his (2001): “Moral Particularism, at its most trenchant, is the claim that there are no defensible moral principles, that moral thought does not consist in the application of moral principles to cases, and that the morally perfect person should not be conceived as the person of principle. There are more cautious versions, however. The strongest defensible version, perhaps, holds that though there may be some moral principles, still the rationality of moral thought and judgement in no way depends on a suitable provision of such things; and the moral judge would need far more than a grasp on an appropriate range of principles.”

¹⁵Weak particularism has found its main articulation in Dancy’s (2001) and his (2004).

¹⁶Dancy (2004), 7 and 73; see 5 for a slightly different formulation.

there are no ethical principles, as becomes clear in Dancy's initial statement in *Ethics Without Principles*:

"A particularist conception is one which sees *little if any* role for moral principles. Particularists think that moral judgement can get along perfectly well without any appeal to principles, indeed that there is *no essential link* between being a full moral agent and having principles."¹⁷

This is an important limitation in comparison with Dancy's older views – remember the bold statement of extreme particularism that "there are no moral principles" in contrast to the far more modest claim that "there is little role for moral principles"!

Before I discuss this difference from extreme and strong particularism in Chapter 6.2.2., I turn in Chapter 6.2.1. to another change in Dancy's position, the allowance for invariant reasons.

6.2.1 Invariant Reasons

A second radical amendment of weak particularism concerns the adaptation of a further step towards everyday practice by allowing for invariant reasons. The difference between an invariant reason and a principle is that principles explain the moral status of every action and invariant reasons do not:

"For one might think that nothing can count as a principle, as a source of moral distinctions, unless all morality stems from principles; it couldn't be that some of our moral distinctions are principle-based and others are not, though it could be that some of our reasons are invariant and others are not."¹⁸

The idea of invariant reasons is that some reasons, like the causing of gratuitous pain on unwilling victims, are, as we suppose in everyday moral

¹⁷Dancy (2004), 1. Emphasis added.

¹⁸Dancy (2004), 81.

reasoning, always for the worse.¹⁹ It is important to emphasize that Dancy is not talking about features that have always in the past counted against an action and that can be expected to behave equally in the future, all things being equal.²⁰ Stronger, he believes that some reasons “are (necessarily, given their content), invariant”,²¹ excluding the possibility that there might be special cases where the context is such that the reason counts in another way:

“Of course, if the feature is genuinely an invariant reason, this fact, should we discern it, will be of use in *any* case where we might be in doubt as to the contribution it is making.”²²

I take it that he does not argue for necessity across all possible worlds, but only within our actual world, as this weaker notion of necessity is already enough for his argument. Anyway, from the quote it becomes clear that he cannot mean that invariance simply signifies that the reason in all actual cases counts in one way (this would have been an innocent position).

Dancy’s support for invariant reasons does not necessarily follow from his definition of weak particularism. It is rather an independent input that is supposed to be *compatible* with the definition, since it would as well be possible to hold weak particularism and remain silent on whether invariant reasons exist. But how is the invariance-claim thought to be compatible with particularism, given that in *Moral Reasons* he still firmly rejects any such reasons?

¹⁹See Dancy (2004), 77.

²⁰Although Dancy does not distinguish here between invariant *valence* and importance, I suppose that he takes invariant reasons only to have invariant valence and still to be variable in regard to their *importance*. Everything else would contradict his intention to come closer to everyday moral practice with his theory – even granted that the causing of gratuitous pain on unwilling victims in fact always counts against an action, it is obvious that it would make a difference for common moral reasoning whether the pain is inflicted on, let’s say, a child or a convicted mass-murder (and the infliction is not part of the punishment, i.e. the mass-murder is a victim as well).

²¹Dancy (2004), 77.

²²See for instance his (2004), 78; emphasis added.

Dancy has two strategies for showing that invariance is compatible with particularism:

1. The question whether some reasons are invariant or not has nothing to do with the question whether these reasons are holistic or atomistic. Since for the generalist, the two questions are linked, the particularist has to show that he is able to treat invariance in a different way. (Chapter 6.2.1.1.) He does it by giving two arguments:
 - (a) Invariant reasons do not function differently from variant ones – i.e., invariance is a feature that does not affect how we deal with them, and if we treat an invariant feature as variant, this does not involve any error of rationality. (Chapter 6.2.1.1.1.)
 - (b) Moreover, invariant reasons are not explained through their nature as reasons, but rather due to their specific content. (Chapter 6.2.1.1.2.)
2. Even if invariance has to do with how reasons behave in general (in Dancy's terms, "the logic of reasons"), it can be shown that invariance is compatible with holism. (Chapter 6.2.1.2.)

I will examine these points in turn in order to judge whether invariance should be allowed within weak particularism.

6.2.1.1 Invariance and the logic of reasons

Since at first sight invariance is an atomist idea – it states nothing else than that what is a reason in one case is a reason elsewhere as well²³ – the danger for Dancy is that if he implements invariance, he accepts as well that some reasons are atomistic.

Part of what makes Dancy's theory attractive is however that he is offering a unified account of how moral reasons work,²⁴ and he is not willing to give up what is in his eyes a central advantage of particularism – reasons behave the same way whether they are reasons for belief or practical reasons²⁵ – despite his claim that some reasons are invariant. But is it coherent to press both elements, a throughoutgoing holistic logic of reasons and the claim that some reasons are invariant, together?

In support of this claim, Dancy argues that the invariance of some reasons has not to be considered as part of the *logic* of reasons.²⁶ Contrary to him, the generalist thinks that there *is* a close link between the atomist logic of reasons (or, perhaps clearer, of what it is to be a reason) – principles are based on reasons that always count in the same direction – and the question of whether reasons are invariant or not (the generalist might hold that it is one and the same question whether reasons behave atomistically and whether they are invariant). What Dancy needs to show against the generalist is that, for him, the question whether the logic of reasons is

²³The only motive to call reasons that always count in the same direction “invariant” and not “atomistic” seems to be that Dancy wants to perform the logically impossible and drive a wedge between those reason that always count in the same direction and those that always count in the same direction. Here, the fundamental incompatibility between invariant, i.e. atomistic reasons, and holism can already be seen from the terminology.

²⁴See Chapter 4.2., where Dancy points out that holism is uncontested for all kinds of reasons and that therefore, it would be surprising if practical reasons behaved differently.

²⁵For a discussion of this point, see Chapter 4.2.

²⁶See Dancy (2004), 78. The talk of “logic of reasons” sounds awkward here and is not further specified by Dancy. What he probably means by this expression must be something like “part of what it is to be a reason”. As Dancy is constantly talking about “logic of reasons”, I will stick to this expression.

atomistic or holistic is independent from the question whether some reasons are invariant.

6.2.1.1.1 The functioning-argument in support of the independence of the invariance of reasons from their logic

Dancy offers two arguments in support of his claim, the first one concerning the *functioning* of invariant reasons. The idea is that for the particularist invariant reasons do not function differently from variant ones, and this sets him apart from the generalist.

In a “well-known”²⁷ example, a fat man through no fault of his own is stuck in the only exit of a cave that is filling with water. A family is caught in the cave, but has available enough explosives to blow the fat man away and to save themselves. The fat man is not happy about the plan, and in fact, there seems to be some reason against lighting the fuse, since the action would involve the causing of pain or even death of an unwilling and blameless victim. Even if this reason is invariant, this fact does not play a role in the *explanation* of why the causing of pain of an unwilling victim counts against the action in this particular case. Somebody in the cave, named Johnny, might formulate the reason against blowing the fat man away as follows: “Although it would save our lives, this man would suffer a great deal and we cannot hold him responsible for being where he is; therefore, something speaks against blowing him away.” Johnny does not refer to the invariance of the reason of causing pain to unwilling victims, and he commits according to the particularist no fault in moral reasoning.

But does the mere fact that it is faultlessly possible in this case to use the concept without referring to the reason’s alleged invariance prove anything about the logic of reasons? Even a generalist like the utilitarian who would argue that invariance is nothing but atomism and the denial of holism might be able to allow that nothing is blameworthy about an agent who never refers to pleasure or pain as invariant features. It might be perfectly fine

²⁷Dancy (2004), 78.

in the eyes of the utilitarian, if for the agent, the prospect of causing pain immediately and intuitively counts against lighting the fuse and if in every new action involving pain or pleasure, the agent would argue in the same way, never treating the causing of pain explicitly as an invariant reason. Let us illustrate this with the help of Johnny: he always acts in a way utilitarians approve of. What if Johnny did not care about moral philosophy and never reflected systematically about the rules he is following? All he does is to act according to what he thinks is the right thing to do at the moment he needs to take a decision. Being asked for a justification of his actions, he is able to produce a satisfactory answer, but he can never say if his reasons are invariant or not.²⁸ Is there anything wrong with Johnny? Given that he reliably does what produces most happiness, the utilitarian should have nothing to complain about.²⁹ As with the particularist, there is no failure of rationality involved if the fact that a feature counts against the action is explained without appeal to its invariant logic.

As those who believe that reasons behave atomistically (the utilitarian) and those who believe that they are holistic (Dancy) do not call for a different treatment of the reason in the cave-example, the question arises whether the logic of reasons as debated between holism and atomism has *any* impact on our moral deliberation in everyday life. The answer is that in most cases, the fact that I ignore in my *moral deliberation* whether the reason behaves necessarily the way it does or not has no bearing on my position whether this reason *in fact* is invariant or not. If I get it right, i.e. if I recognize in the right way that a reason counts in a certain way, then

²⁸Imagine Johnny is pressed to explain why he helped a victim of an accident. "Her arm was broken, so I brought her to a hospital" – "Ok, but what in the situation made you think this was the appropriate action?" – "As I said, she was hurt, and I thought I should help her" – "Yes, but why do you think hurt people should be helped?" – "Well, if you see somebody hurt, that's often the right thing to do" and so on.

²⁹After all, the utilitarian's aim is that people act according to the principle of utility, and not that everybody becomes a philosopher. The way people take their decisions should therefore not be of importance for the utilitarian.

how the reason behaves elsewhere does not matter. This is the case for all situations where education, common sense or rules-of-thumb can guide us. The cave-example is such a case: we intuitively take the causing of pain on a blameless victim to count against the action. There is however a second type of cases where it is extremely difficult to determine the right answer without referring to the fact that a reason behaves necessarily this way. Take the example of a competent speaker of a language who is able to distinguish grammatically correct from incorrect sentences. In easy grammatical questions, he can immediately and reliably produce the right answer. However, in very complex grammatical questions which go beyond his grasp of the language, he cannot ignore whether there is a rule that helps him in finding the right answer or not since everything else would be mere guessing and a faulty way of grammatical reasoning. He *must* be aware of the grammatical principle or consult a grammar in order to respond adequately to the question.

Morality is similar in this respect to grammar. There are also hard cases like Judith Jarvis Thomson's Trolley-problem where we lack an intuitive answer. We must dispose of and refer to principles or invariant features in order to discuss and eventually solve the question. Here, Dancy's argument does not work, since it *does* matter whether we treat our reasons as invariant or not. Even if he disagrees here that we need principles to solve cases like the Trolley -problem, he is not free to claim that it does not matter for the use of the reason whether it is invariant or not. Hence, the logic of reason, i.e. what it is to be a reason, is not independent of the question of whether the reason is invariant or not, even if in most cases, the distinction does not come into play. Consequently, Dancy's functioning-argument cannot claim that there are two separate questions, namely whether reasons are holistic or atomistic and whether they are invariant or not.

6.2.1.1.2 The argument from source

A second rationale Dancy gives for a uniform logic of reasons despite some invariant ones aims at the *source* of the invariance claiming that “invariant reasons, should there be any, will be invariant not because they are reasons but because of their specific content”.³⁰ What Dancy wants to say is apparently that since the invariance is only due to the peculiar content of the reason and since the invariance is not justified by reference to the way reasons function in general, the “logic of reasons” cannot be affected. It is as if the *structure* of reasons would, even in the case of invariant reasons, still be such that it allowed for holistic behaviour, i.e. variance, but that the *content* of the reason limits its behaviour so that it does not change its valence from situation to situation. For example, if the causing of harm to innocent victims counts always against an action and if reasons normally behave holistically, then what makes this reason invariant is not any formal feature that it would not share with variant reasons but rather the fact that it seems impossible to *imagine* a situation where the causing of pain on innocent victims counts in favour of an action. If this was true, there might, as Dancy argues, be space to claim that the *logic* of reasons remains throughout holistic while its *actual behaviour* is due to its content atomistic. This would, on the one hand, be attractive for the weak particularist, since it allows for accommodating his theory to many aspects of everyday moral life. Might it not turn out that we would be able to find quite a few of those invariant reasons? Perhaps, it is even possible to offer a refined formulation of utilitarianism that comes near to weak particularism?³¹ On the other hand, the price of this move is to make particularism so weak that it becomes trivial. If all that particularism has to say is that, although there

³⁰Dancy (2004), 77.

³¹In order to be compatible with particularism, this version of utilitarianism would however have to allow that not *all* situations are subsumed under its principle. It is clearly possible to formulate such a theory.

are both holistic and atomistic reasons, their logic remains holistic, it fails short of its initial claim to challenge much of traditional ethical theory.

There is a reply to the argument for the compatibility of particularism and invariant reasons based on the distinction between the content and the “logic” of reasons. It starts with an analysis of what is required for a reason to be invariant in Dancy’s strong sense and goes on to doubt whether the content of a reason is able to meet these requirements. As seen above, in order to count as invariant a reason must *never* change its ethical valence: all possible instances of a reason, be it in the past, present or future, must count in the same direction. Everything that falls short of an *exceptionless* behaviour could not count as invariant, but rather as a mere statistical generalization or a probable and plausible prediction of how a reason behaves *normally*. If there are any such invariant reasons, then they can be used to predict how the reason will behave in the future. Is the content of a reason able to change a holistic, variant reason into an invariant one? Can the content of a reason justify a statement like:

Consideration *x* *always* counts against an action, regardless of how the context changes?³²

Normally, whether something counts in favour or against an action has to be considered in its specific context. The valence of an ethical consideration can be determined only when no further disabler is present and when nothing stops the enablers. Given this holistic thought, why should we think that the *content* of some reasons makes them count always in the same direction? In some cases, like the causing of pain in unwilling victims, the weak particularist might reply that the ethical valence of a reason is so “obvious”,³³ that it is *inconceivable* that the reason might count in favour of an action in other circumstances. But is such an intuition enough to exclude that, even in very unlikely circumstances, the reason might not

³²Notice how this formulation of invariance is opposed to (H)!

³³Dancy (2004), 77.

behave differently? Otherwise, Dancy commits an equivocation: “invariant reason” would only mean that all we should be prepared to expect is that the reason will behave in the same way it behaved in the past, but this is not the strong notion of invariability, holding with necessity, that the weak particularist is talking about.³⁴

The strategy of the opponents of invariant reasons should consist in showing that there exist cases where a reason that has once been considered as invariant has, due to new circumstances, now to be considered as variant. This would undermine confidence in the claim that the content of reasons can function as the explanation of strong invariability.³⁵ As holism was introduced first for theoretical and then for practical reasons, the opponent of invariance should be able to offer counter-examples for both kinds of reasons that illustrate why their behaviour should always be considered as variant. I will give some examples, starting with theoretical reasons. Before 1905, when Einstein discovered the special theory of relativity, it was considered as an invariant reason that the observer’s location in space cannot affect the moment in time in which he observes a (distant) object.³⁶ Since then, this belief has changed, and the relation between space and time is nowadays considered as variant under extreme circumstances – many changes of paradigm in sciences have turned allegedly invariant into variant reasons.³⁷

³⁴This weaker notion of invariability would be nothing the particularist has to argue for since it is nothing but the “remainder”-generalizations Dancy introduced with strong particularism.

³⁵Examples cannot serve here as a *proof* against the possibility of invariance due to the content of reasons, but it shows that we need more than an appeal to what is usually counting in one direction or what would be implausible to imagine to count in other ways in order to ground invariability.

³⁶I.e., the allegedly invariant reason consisted in the claim: The location in space of a person can never affect the time at which he observes an object.

³⁷It is perhaps a feature of all groundbreaking scientific discoveries that they question reasons that once were considered as invariant and turn them into variant ones or reject them altogether. Therefore, I think that the point is clear enough and I will not formulate more examples for theoretical reasons.

The same can be shown for practical reasons. To start with an example of aesthetic reasons: once, it was considered as always counting in favour of the beauty of a music piece if it respects the laws of tonality, but since the introduction of atonality in the 20th century, for many musicians, atonality might, if used in the right context, count also in favour of the artistic quality of a piece of music. Similar examples can be produced for moral reasons. The causing of pain on unwilling victims might be considered as an invariant reason, but should this judgement not be revised in face of cases like a new mortal disease which can only be cured if the doctor causes pain and the patient is unwilling to receive a painful treatment?³⁸ Hence, given these very unusual circumstances, the causing of pain in unwilling victims (or patients) should not be considered as invariantly counting against the action.

The opponent of invariant reasons is now in a position to ask: what entitles the weak particularist to suppose that there are some reasons which should be exempt from holism which claims that there are no reasons whose valence is immune from changes in new circumstances? Even if, at the moment, it seems obvious that a certain consideration always counts against an action, there is nothing that *excludes* the possibility of new and unpredictable circumstances to change our judgement in the future. This is not to say that it is wrong to hold – as people do often in everyday moral life – that for example causing pain on unwilling victims counts always for the worse, as long as the “always” is not meant hold necessarily, bearing in

³⁸Here again, it seems to be question-begging to use the word “victim” in the description of the invariant reason. Notice that in this example, it cannot be replied that the action is to be rejected for the pain it causes but to be praised for the cure, because the cure just consists in causing the pain; the pain is not a side-effect – the more pain is caused the better the chances of saving the patient.

mind that it applies under “normal circumstances”.³⁹ This is however a weaker notion of invariability than Dancy is defending.

6.2.1.2 Dancy’s compatibility-claim of holism and invariant reasons

Hence, the two arguments Dancy has given in order to show that invariance is not a matter of the logic of reasons have both failed – even if invariant reasons function in some cases like variant ones, this does neither prove that this is so in all instances, nor is it the case that the content is responsible for the invariance. Therefore, Dancy has to turn to his second argument which is supposed to show that invariant reasons are compatible with (and not independent of) holism. He argues that particularists should admit some invariant reasons

“because holism, as I expressed it, concerns only what *may* happen, not what *must*. It could be true that every reason may alter or lose its polarity from case to case, even though there are some reasons that do not do this.”⁴⁰

In order to justify invariant reasons, Dancy seems to rely on the fact that his formulation of holism in the theory of reasons contains conditionality. But how exactly does he interpret holism in the present context? To make sense of the quotation, holism must be interpreted as:

“Some reasons change in their ethical significance according to context and some do not.”

This is however an obvious misreading of his own formulation of holism:

³⁹Therefore, it might be possible to argue that since people do not hold such a strong view about the reasons they consider as invariant, there is no motive for Dancy to argue for his claim: it threatens to damage particularism and it does not bring his theory closer to everyday moral practice.

⁴⁰Dancy (2004), 77; emphasis added.

“[A] feature that is a reason in one case may be no reason at all, or an opposite reason, in another.”⁴¹

It is clear when considering this passage that the “*may*” refers to what can happen to *all* reasons and it does not mean that it *may* be that *some* reasons are sensitive to context. Dancy’s present interpretation of holism allows him to claim that holism is compatible with invariability; invariability however is at the same time compatible with atomism which holds that “a feature that is a reason must remain a reason, and retain the same polarity, in any other”.⁴² Holism and atomism in the theory of reasons are antonyms and it would therefore be surprising if both the logic of reasons was holistic and if some reasons were at the same time atomistic. If we correct Dancy’s faulty interpretation of holism, then it becomes clear that if *all* reasons may vary in their ethical impact due to context, there is no space for some reasons which *necessarily* cannot change.⁴³

In summary: whether some reasons are invariant or not is a question that has to do with the logic of reasons; holism however does not allow for invariant reasons, but excludes it. If Dancy wants to insist on invariant reasons in his conception of weak particularism, he has to live with a “bifurcated conception of morality”,⁴⁴ where holism is restricted to most reasons, while the rest behaves atomistically. The other option would be to give up invariant reasons. The first worry about weak particularism is therefore settled. What about the second feature that sets weak particularism

⁴¹Dancy (2004), 7. It might be confusing that the first formulation talks about “features” and the second about “reasons”. It is however Dancy’s position that all reasons are features or facts about the world, and that desires do not give us reasons (Dancy (2004), 75: “it is not our desires that give us or ground our reasons”) I will not discuss or contest this position here. See his (1993), Chapter 1, and especially 30-34 for more on this fundamental point.

⁴²Dancy (2004), 7. However, the claim of atomism extends to all reasons and here, only the status of some reasons is at stake.

⁴³It might, of course, be contested that there are no invariant reasons, but this position cannot be claimed to be compatible with holism in Dancy’s sense which is the opposition of invariant reasons.

⁴⁴Dancy (2001).

apart from extreme or strong particularism, namely the silence on the question whether principles exist or not?

6.2.2 Weak particularism and principles

The main motivation behind weak particularism is that Dancy does not believe any more that holism directly implies the denial of moral principles. Instead, he thinks that McKeever and Ridge's argument, as discussed in Chapter 4, has successfully shown that holism is compatible with principles.⁴⁵ Once this is granted, the next question for Dancy is whether there are *enough* principles to cover the ground so that all of ethics is principled. If this was the case, it would be difficult to claim that our moral thinking and judgement does not depend on principles, because it would be odd if all morality was principled, i.e. if all situations were covered by moral principles, and if sound moral thought and judgement would nonetheless not need to rely on them.⁴⁶ Hence, holism alone does not suffice to guarantee the truth of particularism. This is the reason why Dancy needs an extra-step in his argument for particularism: against the idea of a complete coverage of ethical principles over all situations, Dancy puts forward the "cosmic accident thesis", i.e. the thought that although it is theoretically possible that the entire moral realm is codified, there is no reason to *expect* it to be so. A codified ethics is only one possibility among

⁴⁵Dancy (2004), 80f. "The real question is what our general holism establishes about moral principles. On occasions I have been rash enough to claim that, given holism, moral principles are impossible. [. . .] Consider the following principle: P1. If you have promised, that is some reason to do the promised act, unless your promise was given under duress. [. . .] Now suppose that we have a set of such principles, all of them explicitly allowing for cases in which the normally reason-giving feature would fail to perform that role. And suppose that our set is wide or large enough to cover the ground, in the sense that it specifies all the moral reasons that are there. (There is nothing in the holism argument to show that such a thing is impossible.) The result is a principled but holistic ethic."

⁴⁶See Robinson (2006), 331f. Another position is that these principles might be so difficult that they are not of any epistemic use; for this idea (which I finally adopt) see Chapter 7.5.

an indefinite number of options and nothing increases the likelihood of this one option to occur.⁴⁷ A codifiable ethics would be “pure serendipity”.⁴⁸ With this second step in place, particularism follows from holism and the cosmic accident thesis, but the conclusion is weaker than in the earlier formulations of his theory:

“It was because of this issue that I characterized particularism as I did above, as the claim that the possibility of moral thought and judgement (and in general, one might say, of moral distinctions) in no way depends on the provision of a suitable set of moral principles. So characterized, it seems to me that particularism does follow from holism. What does not follow is a straight denial of the possibility of a moral principle, or at least of an invariant reason.”⁴⁹

6.2.3 The formulation of weak particularism

It is true that this formulation is weaker than the previous ones since it does not touch on the issue whether principles exist or not, but claims merely that moral judgement does not depend on them.⁵⁰ But is this

⁴⁷McKeever and Ridge put forward an interesting argument against this claim, but as in my opinion, Dancy’s argument is already faulty at an earlier stage (I do not think, as I have discussed earlier, that Dancy should allow that holism is compatible with principles at all), I will not discuss their arguments here. See their (2006), 32-41 for detailed discussion.

⁴⁸Dancy (2004), 82. “[G]iven the holism of reasons, it would be a sort of cosmic accident if it were to turn out that a morality could be captured in a set of holistic contributory principles of the sort that is here suggested. [. . .] It would be an accident because, given the holism of reasons, there is no discernible need for a complete set of reasons to be like this.”

⁴⁹Dancy (2004), 82.

⁵⁰In the next chapter, I will arrive at a similar conclusion. The reason why I am criticising this formulation of particularism here is that in the present context, I only consider whether it is consistent for Dancy to defend such a definition given his own premises. I will state a form of particularism that comes quite close to Dancy’s here, but based on different assumptions about the force of holism.

formulation the appropriate response to McKeever and Ridge's argument? Weak particularism as formulated faces a dilemma: Either, in spite of the cosmic accident thesis, we are living in an unlikely world where all situations are covered by principles and weak particularism is wrong.⁵¹ Morality is principled and our moral judgement will have to take this fact somehow into account. Or, we are living in a world that is not covered by principles and, although the formulation of weak particularism is not wrong, there is no need for the particularist to step back from the stronger formulations of particularism. The reason is that if principles do not cover the whole ground, they have to be considered merely as generalizations, as Dancy himself stresses when rejecting that invariant reasons count as principles, and also earlier on when he is discussing conditions for principles.⁵² Hence, even if our world contained some generalizations which are, in Dancy's view, compatible with holism, there would be no principles at all – since principles can only exist as a net of generalizations which is wide enough to subsume all situations.

Therefore, a more forceful formulation of weak particularism that includes a reference to the extreme unlikelihood of principles is possible. Consequently, Dancy might reformulate weak particularism as follows:

It is extremely unlikely that moral principles exist and therefore, we should not expect that the possibility of moral thought and judgement depends on any ethical principle.

⁵¹The cosmic accident thesis is not a strict *proof* against a principled ethics, but only gives an argument why it is very *unlikely* that all of morality is principled. It is not an option for Dancy that there are principles which are so complex that they are of little epistemic use; the reason is that in his conditions for principles, he requires them to be able of guiding the agent.

⁵²Dancy (2004), 81: "The question whether morally is principle-based will not really be being addressed, if we approach the matter this way. For one might think that nothing can count as a principle, as a source of moral distinctions, unless all morality stems from principles; it couldn't be that some of our moral distinctions are principle-based and others are not, though it could be that some of our reasons are invariant and others are not."

6.3 The best formulation of particularism

Since we have earlier on rejected McKeever and Ridge's objection that holism is compatible with exceptionless ethical generalizations, the initial motivation for weak particularism, namely to account for the fact that the argument from holism does not imply a direct denial of principles, has been defeated and we should take the extreme or strong formulation of particularism as superior to the weak version. But which of the two formulations should we prefer? The difference between extreme and strong particularism consists in the question whether moral judgement requires *some* form of ethical generalization, and depending on our position on the issue, we should accept the corresponding form of particularism.

Part of Dancy's overall project is to adjust the way we conceive of moral reasons to the way we treat reasons in other areas. There is no reason why the ethical realm should behave differently, and particularism can be seen as the spelling out of this basic thought. If therefore it can be shown that theoretical reasoning requires some form of generalization, this would shed light on the question how morality should be conceived, and also whether to prefer extreme to strong particularism. Do we need some form of generality when explaining how a feature behaved in a concrete situation, for instance how a dose of chloroform affected some human person?⁵³ The explanation might consist in telling what concretely happened when we applied the chemical: "First, the person felt nothing, but two minutes later, her pulse slowed down, and shortly afterwards, she started sleeping etc." It might even be stressed that in slightly different circumstances, the injection would have had a contrary effect or would have been neutralised. This explanation is *complete* in the sense that a competent expert would not need any further explanation for a full understanding of what happened. To see why this has an impact on the present issue, consider a second story: "I applied liquid *honey*, and first, the person felt nothing, but two minutes

⁵³This example is taken from Chappell (2004).

later, her pulse slowed down, and shortly afterwards, she fell asleep etc.” While the first explanation would not prompt an expert to ask for further information, the second story seems incomplete. The reason is that the first story represents a *usual* case, while the second case is “scientifically bizarre”.⁵⁴ An expert would wonder why honey has such an effect here, given that *normally* it has no apparent impact on whether we feel sleepy or not. The lesson to be drawn from this is that in the area of theoretical reasons, complete explanations are implicitly general. They work on the background assumption that everything behaves “as usual” – a condition that is usually left out but which could be mentioned as well. It is, even if unmentioned, a necessary condition for a complete explanation.

Practical reasons behave similarly, as examples easily demonstrate. Imagine somebody telling the following story: “It was already dark and when he attacked her, she started crying for help. I took this as a reason to intervene.” A competent moral agent will accept this explanation as complete and take it for granted that anything aberrant from usual behaviour would have been mentioned.⁵⁵ Hence, it seems that sound moral reasoning is like reasoning in the theoretical realm referring to the general, normal behaviour of reasons. These generalizations do not need to be exceptionless, but they rather function as a help for orientation – if the reason behaves differently, there will be some unexpected change in context that requires our attention.

At this point, my intention is not to take up a position on *how* these generalizations have to be conceived, but I rather want to show that since generalizations *do* play a role in moral judgements, we should prefer strong over extreme particularism.⁵⁶ It is the task of particularism to find a way to

⁵⁴Chappell (2004).

⁵⁵E.g. that the person reporting this incident has forgotten to mention that it happened on stage in a theatre.

⁵⁶Again, I only claim that strong particularism is the best position when accepting Dancy’s – not yet discussed – background assumptions. In the next chapter, I will challenge some of them, and as a result, I shall prefer a different form of particularism.

explain how these generalizations work without interfering with holism in the theory of reasons. This will be the aim of Chapter 8; but before I turn to the task of developing the most promising formulation of particularism, I first want to pay attention to a further question concerning the very understanding of the particularist's project.

Appendix to Chapter 6

In order to clarify the differences between the various forms of particularism, it might be helpful to compare them directly:

| | Does moral judgement depend on principles? | Do moral principles exist? | Are invariant reasons possible? | Do moral generalizations play a role in moral judgement? |
|------------------------------------|--|--|---------------------------------|--|
| Extreme Particularism (1981, 1983) | No | No | No | No |
| Strong Particularism (1993) | No | No | No | Yes |
| Weak Particularism (2001, 2004) | No | It is unlikely that principles exist, but it cannot be excluded. | Yes | Yes |

From the table, it can easily be observed that the more Dancy's theory develops, the more liberal it becomes in incorporating elements that were originally conceived as generalist: while extreme particularism firmly denies that that moral principles exist, that invariant reasons are possible and that moral generalizations play a role in moral judgement, all of these points are part of weak particularism.

Part III

Limitations of Dancy's particularism

Chapter 7

Particularism as a metaphysical or an epistemic theory

7.1 Dancy's conception of particularism as a metaphysical and an epistemic theory

"Particularism: the possibility of moral thought and judgement does not depend on the provision of a suitable supply of moral principles".¹

Returning to the definition of weak particularism and considering the kind of theory that is on offer, it becomes apparent that the formulation just quoted tries to give an answer to an *epistemic* question: Are principles necessary for an adequate *explanation* of our moral reasons?²

Later in *Ethics Without Principles*, Dancy puts emphasis on particularism as a *metaphysical* claim:

¹Dancy (2004), 7.

²Unfortunately, Dancy does in this context not explain in what exactly moral judgement or thought consists, other than that it is concerned with the explanation of our moral reasons. I take it therefore that the aim of moral judgement and thought is to explain how reasons work.

“As I have presented it in this book, particularism is a view in moral metaphysics: it is a view about the ways in which actions get to be right and wrong.”³

This is interesting since, as we have seen in the previous chapter, earlier on in his (2004), Dancy is denying that weak particularism has a metaphysical view about whether principles exist or not; what counts for weak particularism is that we do not rely on principles in our moral deliberation, and it would be “pure serendipity” if the question how actions get right or wrong has a principled answer. For the present context, it is however not so important why Dancy seems to have changed his view within his book, but that there are two distinct *kinds* of questions.

The questions of what makes an action right or wrong and what gives an adequate explanation of our moral reasons are different. Is particularism the adequate answer for both questions, i.e. is particularism entitled to claim neither that moral judgement depends on principles nor that there are any moral principles?⁴ To see that the two areas may fall apart, consider the example of the Asian game “Go”. Here, it is possible that the question of what makes a position favourable for white or black has an answer, i.e. that there is an algorithm that determines which side is able to win if the players play faultlessly, but such a principle is so enormously complex that human beings cannot grasp it.⁵ When human beings are asked for an explanation

³Dancy (2004), 140. In his discussion of extreme and strong particularism, Dancy oscillates as well between both claims. Since he gives no formal definition of those forms of particularism, it is easier to demonstrate the problem with the formulation of weak particularism.

⁴Dancy himself asks whether “it is possible for the epistemology of a domain to come apart in this sort of way from metaphysics”, but moves fairly quickly on to deny this possibility since “[w]hether we are thinking about reasons for doing an action or about reasons why it would be right to do it, any feature that is a reason in one case may be no reason at all, or an opposite reason, in another” Dancy (2004), 80. I will however try to show that the question cannot so easily be dismissed.

⁵In the case of the game of Go it is so difficult to find a rule that determines which side has the advantage that even the most powerful computers are unable to beat an average

of their judgement on a position, they are often unable to offer more than rough rules of thumb and to appeal to intuition.⁶ Hence, the question of what makes a position better or worse for one side has a – principled – answer, while an adequate explanation of a judgement about the position has no answer that can be given in terms of principles. The same might be possible with ethics: there are principles, but agents do not refer to them for explanation of their reasons why they did a certain action.

7.2 Two kinds of holism

As we have already discussed, particularism is an implication of holism in the theory of reasons. In order to see whether particularism gives the answer to an epistemic or to a metaphysical claim, it is necessary to turn again to the concept on which particularism is based. The strategy consists in reflecting on the presuppositions of holism. This helps us to see more clearly what question holism is able to answer.

(H): A feature that is a reason in one case (1) may be no reason at all (2), or an opposite reason (3) in another.

It is crucial for (H) that in cases (1)–(3), it is always the *same* feature that counts in favour, against or not at all, and not an agglomerate of the feature and the specific context. To illustrate this important point and in order to show that it is not the only way of conceiving the issue, take the example of a spice: translated into culinary vocabulary, the behaviour of salt can be described as holistic.

player. Notice that here, a tension in Dancy's definition of "principles" that has been discussed in Chapter 5 becomes obvious: principles *qua standards* must provide a complete explanation why the principle makes a certain claim, while principles *qua guides* must be such that that the principles are applicable. In the case of Go, principles can only fulfil the first of the two conditions.

⁶Usually, the better Go-players become, the more they rely on their intuition which shows that the "ideal player" would operate totally without any generalization.

(Hs): While a pinch of salt is responsible for the good taste in a portion of fish and chips (1), it might not affect the taste of a pot of acid (2), or even be responsible for the bad taste when put in a piece of cream gateau (3).⁷

Holism of salt depends on a peculiar theory of what is responsible for good or bad taste: fish and chips, the pot of acid or the piece of cream gateau are the “context” that determines whether salt makes these “meals” tasty or unpalatable (“Mmmh, the salt in my portion of fish and chips makes it delicious!” – “Aargh, the salt in the piece of cream gateau is responsible for its disgusting taste” – “Well, the salt in my pot of acid does not make any difference”). From a different point of view, the contribution salt makes to the tastiness of the whole “meal” cannot be considered in isolation. Rather, the *combination* of all ingredients produces a good or bad taste. It is not the salt itself that is responsible for the bad or good taste of the “meal”, but the interaction of all elements. (“Mmmh, this combination of ingredients makes a delicious portion of fish and chips” – “Aargh, these ingredients together have ruined the taste of the piece of cream gateau” – “Well, whether this pot of acid contains salt or not, it tastes all the same”). This theory can be formulated in contrast to (Hs):

While the combination of salt, fish and chips results in good taste (1), the combination of salt and some acids is not different in taste from the mere combination of some acids (2), and the combination of salt and the ingredients for cream gateau results in an unpleasant taste (3).

To illustrate the difference between the two theories about the effects of salt imagine somebody unfamiliar with common tastes and the preparation

⁷“is responsible for the good taste” might be translated into “is a reason in favour of desire to eat it”, “is responsible for the bad taste” into “is a reason against the desire to eat it” and “does not affect the taste” into “is not a reason which should affect my desire to eat it”.

of food. In the process of preparing cream gateau, he adds salt instead of sugar. How do we explain to him the difference the addition of salt instead of sugar makes? Those defending (Hs) will answer along these lines: “In the context of cream gateau, the addition of salt decreases the tastiness”. Those thinking that only the combination of the ingredients explains their taste will say: “If you follow the instructions for producing a cream gateau, but at the end you add salt instead of sugar, the *overall* outcome will not be very tasty”.

Dancy is aware of both ways in which the relationship between a feature and its context can be interpreted. He takes Robert Brandom to defend the view that the *combination* counts and not the contribution a single feature makes.⁸ Insofar as Brandom’s view is opposed to the atomist position that features make the same contribution wherever they appear, it can be called holistic, but not in Dancy’s sense. What Brandom attacks in atomism is that a feature alone is making a certain contribution – in his picture, only the whole can be said to count in a certain way. Dancy however accepts that the feature itself counts in favour or against and not the combination of the feature and the context:

“The difference lies in what is doing the speaking against in cases where features are combined. In the former case (Brandom’s) it is the combination; in the latter case (mine) it is the feature that originally spoke in favour.⁹”

⁸Dancy introduces Brandom’s theory with a slightly different example: When I strike a match, it will light. Certain conditions might however occur and cause the match not to light; further conditions might occur as well and disable the effect of the conditions that stop the match from lighting, so that the match lights after all etc; see Dancy (2004), 8. Brandom’s example differs from mine in that the feature he starts with – the lighting of a match – has itself an effect, while in my example, salt makes a difference to the quality of the taste only when added to other ingredients. Both examples illustrate however the main point that when a feature is added to others, the difference that is caused can only be attributed to the whole.

⁹Dancy (2004), 8. Whether in fact Brandom defends such a theory is another question.

Why is it so important for Dancy to understand holism this way? What would happen if he accepted Brandom's interpretation? It would deprive Dancy from holding that what is a reason in one case counts differently in other cases because, with Brandom-style holism, it is not possible to *isolate* certain features as reasons: what is doing the counting is the whole. But if this cannot be done, then it cannot be shown that the *same* feature counts in different cases in different directions.¹⁰ And if this is not possible, holism the way Brandom conceives it does not imply particularism since the denial of principles hinges on the claim that the ethical valence of a certain, isolated feature depends on context. What Brandom-style holism does is to apply the idea of the context-dependency of reasons to a different theory about what counts as a reason. Therefore, Brandom-style holism cannot be used to sustain Dancy-style particularism since both rely on different presuppositions of what is a reason in the first place. Hence, one decisive question, if not the real battleground for particularism, is whether context should be considered as part of a reason or not. It might even be argued that once Dancy has successfully established that reasons can be isolated from the context and that context can affect how the reason counts, the

What is important for the present purpose is only that Dancy clarifies his version of holism by putting it apart from other possible interpretations, and it does not matter to whom these other possible interpretations can be ascribed.

¹⁰The difference between the two types of holism becomes more apparent when considering (H') which is, as discussed above, even closer to the spirit of Dancy's idea of holism: (H') A feature that is important for determining the rightness or wrongness of an action can always vary in a new situation in its impact because other features might change the way it is important for determining the rightness or wrongness of this action. In this formulation of holism, Dancy's presupposition in the theory of reasons, the sharp distinction between "a feature that is important for determining the rightness or wrongness of an action" and those "features that might change the way it is important" is the cornerstone of the formulation. Here, the incompatibility with Brandom-style holism is still clearer.

main philosophical work is done and the rest is just the spelling out of the implications: holism and particularism.¹¹

7.3 Favourers and enablers

In order to defend his view against alternative theories like Brandom's, Dancy explains his distinction between reasons and context with an example:

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."¹²

(5) is the "conclusion" of the "premises" (1)-(4).¹³ The elements that lead to the "conclusion" play different roles. Dancy takes (1) to favour (5), while (2) – (4) are necessary for (1) to count in favour of (5), but they do not count themselves in favour of it.

"What this means is that in the absence of (2), (1) would not have favoured the action. In this sense, the presence of (2) *enables* (1) to favour (5). In my preferred terminology, (1) is a *favourer*, and (2) is an enabling condition or *enabler*."¹⁴

¹¹The vocabulary of "reasons" and "context" is used in Dancy (2004); in his (1993), Dancy relies on the tripartite distinction between moral reasons, active background and inert background, where active background refers to those features of the context that are able to make an impact on the reason and inert background refers to those features that have no impact. See especially Dancy (1993), 55f. and Robinson (2006), 336f. In my discussion, I will stick to Dancy's terminology in his (2004).

¹²Dancy (2004), 38.

¹³He recognizes that these terms cannot be taken literally here, since "it is perhaps awkward to think of an action as the conclusion of anything".

¹⁴Dancy (2004), 39; the last two emphasis are added. Dancy (2004), 38.

The favourer (1) is according to Dancy identical with the *reason*;¹⁵ enablers are those features of the *context* that are able to affect the favourer.¹⁶ Instead of taking (1) as the only element of what favours the action, it might be suggested that (1) and (2) play this role together: the reason to do the action is not that “I promised to do it” but rather that “I promised freely to do it”. The justification for the suggestion might be that, in contrast to a freely given promise, a coerced promise does not give any reason to act. Dancy holds however that “[o]ne does not construct a larger favouring consideration merely by putting together a favourer and an enabler”.¹⁷ If (1) counts already in favour of (5), then (2) must play a different role and cannot be “agglomerated” to the favourer. It is important to stress the significance of the question of whether (2), an enabler, is part of what favours the action or not – on the answer depends whether the context is part of the reason or not.¹⁸ In order to demonstrate that (1) does not require (2) to favour (5), he argues that even if we perceive that a promise has been deceitfully extracted, we often “feel some compunction in not doing what [we] promised”.¹⁹ Hence, (1) counts in favour of (5) even if (2) is not present. Is this a convincing example? Those questioning that (1) alone favours (5) might reply that the agent is simply misled by his feelings, and that a falsely extracted promise does not give any rational constraint on my actions: in choosing what to do, I can ignore the content of the alleged

¹⁵See as well Dancy (2004), 29: “[T]o be a reason for action is to stand in a certain relation to action, and the relation at issue is that of favouring”.

¹⁶Later, Dancy additionally introduces intensifiers and attenuators whose function is to augment or to reduce the weight of the favourer. However, these “forms of relevance” (Dancy (2004), 42) play no important role for the current discussion and I will not discuss them any further here. For more, see Dancy (2004), 41f. They correspond to what Dancy calls in his (1993) the “active background”.

¹⁷Dancy (2004), 39. Here, the discussion between Brandom and Dancy about holism pops up again in the terminology of reasons, enablers and favourers.

¹⁸Dancy recognizes how important it is that the distinction between favourers and enablers in his sense is consistent: “[T]he favouring/enabling distinction is in fact central to the particularist’s approach to these issues” Dancy (2004), 73.

¹⁹Dancy (2004), 39.

promise because, as it turned out, it has been extracted from me under conditions that annul its validity. To reject this claim, Dancy would have to show *why* the compunction is justified, and not merely *that* it exists.²⁰ If (1) alone does not favour (5), it becomes plausible to suppose that some other elements like (2) that are considered as enablers in Dancy's original picture are also part of what favours (5). Otherwise, there might be situations where a favourer like (1) is not favouring at all, and this would not be in line with Dancy's position.²¹ And if the reason is identical with the feature that favours the action, then Dancy is wrong in claiming that (1) which counts in his theory as a favourer alone constitutes the reason. Generalized, given these worries, it cannot be taken for granted that reasons are identical with what Dancy calls favourers since they alone might not be able to favour the action. This is bad news for Dancy since it questions the usefulness of his distinction between favourers and enablers in order to find out what really favours an action and what counts as a reason. Interestingly, Dancy does not discuss this central problem at a general level; rather, he takes the identity of reasons and favourers like (1) as given:

“That I promised to do it is (in this context at least) a reason in favour of doing it. I am not going to argue for this; it is an assumption of the example”²²

As we have just seen, this assumption is far from being uncontroversial. To make the issue still unclearer, Dancy himself is not consistent in his use of these concepts. In an example in support of the claim that a favourer

²⁰See as well Raz (2006), 105.

²¹See the next quote in the main text.

²²Dancy (2004), 39.

alone is identical with the reason,²³ he admits that in order for the reason to exist, certain enablers must be in place.

“[T]hat someone is asking you the time is a reason to tell them, a reason that would not exist if their purpose were to distract you so that their accomplice can steal your bag. I would not be very tempted to say that the reason is really that they are asking you the time for a genuine rather than a surreptitious purpose.”²⁴

If this is the case, then the reason alone does not favour, since it depends on certain enablers. It could be the case that there is a reason – somebody is asking you for the time – but that since a disabler is present – they want to distract you in order to steal your bag – the reason does not favour.²⁵

The issue of whether a favourer favours alone or requires enablers to favour forces Dancy into a dilemma: Either, reasons consist merely in favourers but, as we have just seen, do not favour action unless the appropriate enablers are present; this is something Dancy explicitly rejects.²⁶ Or, reasons do favour, but also contain enablers. Neither horn can satisfy Dancy since for holism to work, reason and context, i.e. favourer and enabler, have to fulfil separate and distinct roles so that it is possible to isolate those features which function as reasons.

²³The illustration is introduced as “another example” alongside the first example of the promise that has not been given freely but still exercises some compunction. As this first example was supposed to show that enablers are not part of what *favours* an action, and as the second example has the aim of demonstrating that enablers are not part of what counts as a *reason*, this supports the claim that for Dancy, favourers and reasons are coextensive.

²⁴Dancy (2004), 40.

²⁵Note that this is a charitable reading of Dancy. It could also be argued that his formulation does not make much sense, since it says that the asking for the time alone is a reason, but in the next sentence denies that this is a reason unless a further element, an enabler is present. The more charitable interpretation takes into account that by “to be a reason”, Dancy might in the in the second instance just mean “to favour”: “That someone is asking you the time is a reason to tell them, but this would not favour doing it if their purpose were to distract you so that their accomplice can steal your bag”.

²⁶See Dancy (2004), 29.

The problem can be traced to two sources. The first is that Dancy tries to base holism on two mutually exclusive ideas. One idea is that some features of a situation count as favourers that *alone* favour an action. This is necessary in order to isolate some features, which, as discussed above, is one presupposition on which Dancy's formulation of holism in the theory of reasons is built. The second idea is that the context of a situation must also be able to contribute to what action is favoured. Otherwise, favourers would always count in the same way, but to grant this would be to give up opposition to atomism. Hence, the idea of enablers that have an impact on favourers is the other presupposition of holism. The two ideas stand however opposed to each other. The first tries to isolate favourers from enablers, and the second attempts to account for the impact of enablers on favourers.

7.4 A new definition of "favourer" and "reason"

The second source of Dancy's problem is that there is no answer to the question of what it exactly *means* to favour an action. He bypasses the question by claiming that we "already have an implicit grip"²⁷ on the concepts of favourers and enablers, and that with the help of some examples, we are able to understand the distinction.²⁸ Dancy's justification for this is that favourers and enablers are "philosophically significant concepts one cannot explicate"²⁹ but unfortunately, he does not tell us what makes them incapable of explanation.

²⁷Dancy (2004), 38.

²⁸Those who do not agree with Dancy's distinction just need according to him to improve their understanding of the examples. What might stand behind this peculiar methodology – instead of convincing opponents by arguments, Dancy tries to "show" what is the correct understanding – is a conception of how (primarily ethical) disagreements are to be resolved which has been presented in his *Moral Reasons*, 63f. and has originally been introduced into the discussion of particularism by John McDowell.

²⁹Dancy (2004), 38.

A way out of these issues that raise problems for Dancy's formulation of holism is to start at this point and clarify what "favourer" means. A plausible suggestion of an explicit definition of what role a feature has to play in order to count as a favourer is to say that the feature has to show that there is some advantage in doing the action.³⁰ There might be various ways of answering the question "Why have you bought this book?" which all explain the advantage of doing the action: "because the semester is starting and I want to be well prepared" (to my mother who does not know any details about courses, reading-lists etc.); "because it is on the reading-list for the ethics-course and I need it for my preparations" (to a fellow student); "because I am going to university" (to somebody on the street who is curious why anybody should buy such a book). Although these are different ways of suggesting that there is an advantage in buying the book, they all refer to one and the same reason.³¹ The example demonstrates that what we quote as a favourer can vary according to whom we address the justification. Hence, which features are quoted as favourer is determined by *epistemic* factors: it must respond to our worries and depends on our background knowledge and our expectations.³² In this, a favourer is distinct from a reason. Following Raz' suggestion, a reason might be described as follows:

"[R]easons make the actions for which they are reasons eligible. [...] What then is required for an action to be eligible? One suggestion is that it takes the presence of an evaluative feature which is so related to the action as to endow it with value. A

³⁰This idea (and the following distinction between a reason and a favourer) is borrowed from Raz (2006), 108-110.

³¹More on the notion of a reason below.

³²How are enablers to be defined here? They might be understood as those features who cannot be quoted as an explanation of why a feature favours an action – that an action was not executed under duress like condition (2) in Dancy's original example can itself not be quoted as an explanation of why an action should be favoured – but which are presupposed by the favourer: If "premise" (2) had not been in place, it would be wrong to quote (1) as a favourer in order to justify (5).

reason is roughly the presence of an evaluative feature and of the facts which connect it to the action in the right way (i.e. those which show that the action has it, will preserve it or will bring it about, or stop to damage it, etc.).”³³

What does the reason consist of in the book-example? We need an evaluative feature and an explanation of how it is related to the action. The evaluative feature might be something like the aim of being a well-educated person, and since in order to achieve this aim, it helps to be suitably equipped, there is a link to the buying of the book. But the list of what is part of the reason is not closed yet – in fact, it never can be. There might be many features which could interrupt the link between the evaluative feature and the action, and whose absence is required for the reason to be in place – e.g. that I am blind and that therefore the book is useless for me, that I have mistakenly picked up the wrong course-description etc. – or there are other events or features which must be in place in order for the link to be established – that the professor has spelled the titles correctly on the course-handout, that I am indeed a student at this university etc. There seems to be no stopping point behind which no further enablers or the absence of disablers could be added any more since there are always further possible circumstances which have not yet been taken into account. This does however not mean that everything can be part of the reason. Unrelated facts, i.e. those facts not concerning the link between the evaluative feature and the action, are by definition excluded.³⁴ Importantly, what is part of the reason does not follow our epistemic needs. As the list of features that have to be mentioned as part of the reason is open, its description is never complete. Instead of being epistemic, the concept of a reason is

³³Raz (2006), 109.

³⁴Raz (2006), 109: “For example, none of the following is part of that reason: unrelated evaluative features which constitute other independent reasons; the presence of features which are reasons against the action; features which while consistent with the reason having existed establish that it exists no longer, for one of its vital elements is no longer present (e.g., some promises lapse once the promisee dies).”

metaphysical: the question it addresses is what a complete reason consists of. The concept of favourers offers an answer to a different question: Which reason speaks in favour of the action? The answer does not need to entail a complete list of all features that are part of the reason in order to successfully refer to it. It just points out one feature which helps to identify the reason. When answering in the book-example “I have bought the book because I am going to university”, nobody would suppose that I have given a complete description, but everybody who is informed about my context knows which reason I am referring to.³⁵ It is in this sense that a favourer shows that there is some advantage in doing the action. Therefore, it would not be appropriate to respond “Yes, but your professor might have given you the wrong course-description, and you have not mentioned this in your answer and therefore I cannot take what you have said to illuminate why this favours the buying of the book”, because the favourer is “backed up” by a reason that entails all enablers and the absence of disablers. To think otherwise would be to confuse the concept of a reason with that of a favourer.³⁶

How do favourers relate to reasons? Since they are answering different questions, it cannot be that a reason consists in a favourer – the latter is just an epistemic reference to the former.³⁷

³⁵Somebody ignorant about this context, for example a Martian, would not be able to interfere from this favourer the reason I am referring to. Instead, he would require a different favourer, e.g. “I need this for my education.”

³⁶To illustrate this point, imagine the answer: “You are right, but I presupposed that nothing like this has happened. I just wanted to show you my reasons for buying the book, and not to exclude all strange kinds of things which have not happened”.

³⁷It is interesting to notice that the relation between favourers and reasons turns out to be similar to the relation between resultance and supervenience as discussed in Chapter 2: resultance is serving an epistemic purpose and cannot be used to establish principles because of the influence of context, and supervenience is too complex to serve as a basis for principles. Note however that the supervenience base contains *all* features of a situation, but reasons do not contain some of the features of the supervenience base as discussed above in the text.

7.5 Holism of reasons versus holism of favourers

This has a direct bearing on the initial question whether holism can be used to establish particularism as an epistemic or a metaphysical theory. (H) takes features that are *reasons* to behave holistically.³⁸ This presupposes however that a single, isolated feature can be identical to a complete reason. If this were true, then holism in the theory of reasons would be a metaphysical theory of how features form reasons. As holism implies particularism, the latter could as well be claimed to be a metaphysical theory, giving a negative answer to the question whether what makes an action right follows lawlike generalizations that form principles: the same feature that functions as a reason in one case might form a reason that counts in the reverse direction compared to the first one in another case or it might even form no reason at all. Therefore, principles do not exist and the possibility of moral thought and judgement cannot depend on them. But as discussed below, the identity of isolable features with reasons is a dubious claim. Addressing the initial question, this means that on the *metaphysical* level, there is no holism in the theory of reasons and consequently no particularism.

The other option is to reformulate holism for features that are favourers instead of reasons. Features that play the role of a favourer are, as we have seen, isolable. That I go to university can be an isolated feature that plays the role of a favourer, referring to a reason which cannot be pinned down to a single feature. Furthermore, this feature behaves holistically: Sometimes, the fact that I go to university counts against buying this specific book, e.g. because it is available in the library; and sometimes, the fact that I go to university is no reason at all. Favourers behave holistically because the same favourer can refer in different contexts to different reasons. Hence, holism should be reformulated as follows:

³⁸In (H) it is implied that an isolable feature can be a reason: “a feature that is a reason in one case. . .”

(Hf): A feature that is a favourer in one case may be no favourer at all, or an opposite favourer, in another.

As the concept of a favourer is epistemic, the holism that is built on it is epistemic as well; it says something about how our *explanations* of reasons rely on features that may in different circumstances count in different ways.³⁹ The particularism that follows from this holism is epistemic as well: in our moral thought and judgement, we do not rely on moral principles because the features we use in order to refer to moral reasons behave holistically. What does this mean for particularism as a metaphysical theory? Particularism as a metaphysical claim entails epistemic particularism: if no principles exist, the question whether we rely on them in our moral judgement *has* to be answered negatively as well. If however epistemical particularism is true, this does not automatically entail metaphysical particularism: it is conceivable that we do not rely on principles in our moral judgement although they exist. It might, for example, be the case that at the level of reasons, a very complex form of utilitarianism is true – a form that spells fully out how to measure different forms happiness and how to weigh different forms of happiness against each other. So, if all conditions of this extremely long and complex list of features that takes into account all possible enablers and favourers are fulfilled, the action might always count in favour of doing what a certain very complex principle demands. This invariability would not have to be compatible with holism since there is no holism at the level of reasons.⁴⁰

³⁹“Explanation of a reason” means here that it is explained which reason counts in favour of the action, and not that all elements that are part of the reason are listed. When asking “Can you explain to me why you have bought the book”, you usually do not expect an answer like “I want to be a well-educated person; therefore I go to university; my course-description requires that I buy this book; unless I am blind; the professor has quit etc. I have therefore a reason to buy it” but only “It was on my course-handout”.

⁴⁰However, such a principle could not be action-guiding as Dancy requires it; but, as discussed above, his conditions for principles are anyway difficult to reconcile, and

7.6 Conclusion

To summarize, particularism as Dancy conceives it is both a metaphysical and an epistemic theory: principles do not exist and our moral judgement does not rely on them. The conclusiveness of this theory depends however on a conception of holism as a claim about how moral reasons behave. The formulation of holism presupposes that reasons are isolable features. As it turns out, this conception of reasons is wrong: a complete formulation of a reason entails besides favourers other features like the presence of enablers and the absence of disablers. Reasons are not identical with favourers, but consist of an evaluative feature and features that link it with the action. Therefore, reasons are not isolable and do not behave holistically. However, favourers can be isolated and serve as a base for holism, but this new holism is weaker than in the original conception. It is silent about whether moral principles exist or not; it merely establishes that in our moral thought and judgement, we cannot rely on principles since the features we use to identify reasons might in a different contexts refer to other reasons. So, in answer to the initial question, particularism does not tell us whether moral principles exist or not, but only that moral thought and judgement do not depend on them.

therefore it is not a problem of the present case if not all conditions for principles can be fulfilled, but of the very concept of Dancy's principles.

Chapter 8

Principles within particularism

8.1 Particularism and ethical concepts

As we have seen at the end of Chapter 6.3., generalizations play an important role for our moral judgements. If particularism wants to remain close to moral phenomenology, it has therefore to allow for some kind of generalization. Strong moral particularism, the most plausible formulation of the theory, is, as discussed above, committed to reconcile both particularism and generalizations. The challenge is to make space for the requirements of our moral phenomenology while at the same time remaining loyal to the achievements of particularism.

In their article *Unprincipled Ethics*, David McNaughton and Piers Rawling try to pursue such a project. The basic idea is that moral particularism is a theory which concerns only the relation between non-moral properties – e.g. the causing of pain, the distribution of wealth etc. – and ethical concepts – e.g. that an act lacks gratitude, is beneficent or wrong.¹ Particularism, so McNaughton and Rawling's claim, does however not extend to the relation *between* the various ethical concepts. These can be divided into thin and thick ethical concepts, where thick ethical concepts like cruelty, justice or

¹The distinction between thin and thick ethical properties has been introduced by Williams (1985), 129f.; 140-144.

fidelity are defined by non-moral and evaluative features, while thin ethical concepts like good, bad, right and wrong contain no non-moral elements. The relations between thick and thin ethical concepts are structured in a principled way;² thick ethical concepts possess a counterfactually invariant valence – e.g. to be just counts always for the good, while maleficence to others makes an action always worse. These thick ethical concepts count therefore always in favour of the same thin ethical properties.

8.2 Thick ethical concepts as prima facie duties

McNaughton and Rawling's theory takes as a model a certain interpretation of Ross's theory of prima facie duties. What is crucial in their way of viewing Ross is that these prima facie duties consist of thick ethical concepts. Prima facie duties can be summarized into six categories:

1. "Duties resting on a previous act of my own. These in turn divide into two main categories
 - (a) Duties of *fidelity*; these result from my having made a promise or something like a promise;
 - (b) Duties of *reparation*; these stem from my having done something wrong so that I am now required to make amends.
2. Duties resting on previous acts of others; these are duties of *gratitude*, which I owe to those who have helped me.
3. Duties to prevent (or overturn) a distribution of benefits and burdens which is not in accordance with the merit of the persons concerned; these are duties of *justice*.

²The list of thick ethical concepts that relate in a principled way to thin ethical concepts is however limited to prima facie reasons; see above.

4. Duties which rest on the fact that there are other people in the world whose condition we could make better; these are duties of *beneficence*.
5. Duties which rest on the fact that I could better myself; these are duties of *self-improvement*.
6. Duties of not injuring others; these are duties of *non-maleficence*.³

Prima facie duties are “morally fundamental”;⁴ the list is supposed to contain no duties that can be derived from more basic ones. For example, the duty not to lie is not part of the list because it stems from two more elemental duties: those of non-maleficence and of fidelity. Normally, somebody who lies may injure the person betrayed; furthermore, he breaks a mutual promise to tell the truth which is an implicit presupposition of communication. Violation of these fundamental duties is what makes lying wrong. There might however be cases where lying is not considered as the violation of a moral duty since none of the prima facie duties it is normally linked to is at stake:⁵ no mutual agreement is in place when talking to a compulsive liar, or when playing together a game whose aim it is to lie successfully.⁶ In such a game, nobody is harmed, and nothing speaks against pursuing such an activity. Generally spoken, the link between lying and the prima facie duties of non-maleficence and fidelity is *contingent*. In general, the link between thick ethical concepts which are not on the list of prima facie duties and thin ethical concepts is contingent as well, because they are not basic and can, depending on the situation, be reduced in several ways to basic thick ethical concepts, i.e. to the those thick ethical concepts that are part of the list of prima facie reasons. Generosity for example usually counts in favour of an act because it can be reduced to

³McNaughton (2002), 79.

⁴McNaughton (2002), 82.

⁵See McNaughton (2002), 80f.

⁶See Dancy (1993), 60f.

the prima facie duties of beneficence and non-maleficence. If somebody is however generous to an extremist group, this instance of benevolence can be reduced to beneficence and to the violation of non-maleficence; here, generosity counts against the action.⁷ This is however not the case for the link between prima facie duties and thin ethical properties since prima facie duties cannot be further reduced, and whether they speak against or in favour of an action does not depend on further factors. If an act violates a certain prima facie duty, this counts always against the action.⁸ Hence, the link between a prima facie duty and a thin ethical concept is not contingent. This is the thought behind James Urmson's distinction between primary and secondary reasons:

"Some fact will be a primary reason for acting in a certain way if that fact's obtaining is always a reason for acting that way, though not necessarily a sufficient reason. Some fact will be a secondary reason for acting in a certain way if that fact's obtaining brings about some fact which is a primary reason for acting in that way."⁹

McNaughton and Rawling take this definition to grasp the core of their theory which they label as "thick intuitionism" and which holds that all prima facie duties are primary reasons in Urmson's sense (i.e., invariant), while all other moral reasons that are neither prima facie duties nor consist in a thin ethical concept are secondary reasons; examples for secondary reasons include that the act is an instance of lying, that the act would cause pain to somebody etc.¹⁰ Thick intuitionism is opposed to "thin intuitionism" which is defended by Dancy who holds together with thick intuitionism

⁷A detailed account of the relation between those thick ethical concepts that are not on the list of prima facie duties and those that are cannot be given here. McNaughton (2002) tries to explicate the relation.

⁸This is not to say that it is necessarily wrong to pursue the act, but merely that the prima facie duty is *one* factor which counts against doing it.

⁹Urmson (1975), 112.

¹⁰See McNaughton and Rawling (2000), 259 and 266f.

that there is “an irreducible multiplicity of morally relevant considerations”, but rejects the thick intuitionist’s claim that there is an invariant core of thick ethical concepts.¹¹

8.3 Thick intuitionism and holism

Now, McNaughton and Rawling’s thick intuitionism must defend its core claim, the invariance of thick ethical concepts, against the particularist’s master argument against invariance, holism in the theory of reasons.

Rather quickly, McNaughton and Rawling conclude that all holism is able to show is the variance of those reasons quoted in the examples used to establish holism itself. Otherwise, it is “powerless” in its attempt to show that no primary reasons exist.¹² But their attempt to reject the force of holism can be questioned from two sides: as we have seen in the discussion of Dancy’s attempt to show that invariant reasons are compatible with weak particularism in Chapter 6.2.1., holism cannot be so easily dismissed. The result of the discussion was that holism shows that potentially *every* feature might turn out to have a varying impact on whether an act is ethically permissible or not; therefore, there can be no principles that rely on an invariant ethical valence of a certain feature. The reason for this is that unpredictable situations might occur in which the context of the situation affects the feature in question. Hence, it might be argued that holism is stronger than supposed by McNaughton and Rawling. On the other hand,

¹¹McNaughton and Rawling (2000), 261. Whether Dancy regards himself as an intuitionist is not clear. In *Moral Reasons*, he sees his theory as a “successor to the intuitionistic tradition” (ix).

¹²McNaughton and Rawling (2000), 267. “Particularists hope to establish holism by appeal to particular examples. But what these examples establish is only that there are many considerations whose valence can and does change with context. [. . .] It is hard to see, however, how appeal to a few examples can establish that there are no considerations with unvarying valence. If one holds to the distinction between primary and secondary reasons then any convincing example of a switch in valence will merely be taken to show that the consideration in the examples are not primary reasons.”

it would be problematic for them if holism was as weak as they argue since then, the whole enterprise of particularism would be questioned. Only the reasons used in the examples to introduce holism would for sure be holistic, leaving open how all other reasons behave. The challenge would then not be to argue that some form of principles exist within particularism, but the other way around: do reasons in general behave holistically, and can it still be argued that therefore, principles are not possible? The risk would be to narrow down the impact of holism so much in order to allow for some principles within particularism that it becomes difficult to defend particularism itself. As McNaughton and Rawling accept particularism for the relation between non-moral and moral reasons, this would be a problematic result for them. If thick intuitionists want to defend that thick ethical concepts behave invariantly and be at the same time moral particularists, they must find a better response to the challenge of holism.

Given this lack of convincing arguments in McNaughton and Rawling's theory, it is easy for Dancy to defend the contrary position in explicit opposition to thick intuitionism:

“My own view is that almost all the standard thick concepts, such as integrity, fidelity, gratitude, reparation, and so on, are of variant valence.”¹³

His critique is not only that McNaughton and Rawling do not produce any argument in favour of their position, but as well that most *prima facie* duties turn out not to be invariant. There is, for instance, not always a *prima facie* duty to keep promises if what I have promised turns out to be deeply immoral. Sometimes, there might as well be no *prima facie* reason to pay a reparation for an unjust harm done, and the same goes for fidelity and gratitude and most other *prima facie* duties apart from justice. Unfortunately, Dancy does not supply his claims with concrete examples and it seems, contrary to what he proposes, difficult to imagine cases where

¹³Dancy (1994), 121.

there is not even a prima facie duty to make a reparation for an unjust harm. The fact that it is hard to imagine a feature as variant is however not, as discussed in Chapter 6.2.1.2., a reason in favour of its invariance. I take Dancy's criticism therefore to be that McNaughton and Rawling lack a positive argument in favour of the invariance of prima facie duties.

Is there a defence for thick intuitionism? First of all, to show that some elements on the list of prima facie duties are variant is not enough to refute McNaughton and Rawling's claim which is intended to defend a general claim about how prima facie reasons behave and not about single elements of the list; if necessary, the list could simply be corrected.¹⁴ This does however not address the basic problem (and besides, it sounds to weak since Dancy tries to show that almost *all* prima facie duties are variant): Why should we believe in the first place that prima facie duties are invariant? If holism in the theory of reason implies that all features we use to refer to reasons behave according to context, why should we suppose that this is not the case with thick ethical features?¹⁵ The key is to argue that holism extends only over non-moral, and not over evaluative features. To see how this idea works, it is helpful to consider one immediate benefit of the conception of prima facie reasons as thick ethical concepts, which is that it can be used as a rejoinder against Dancy's argument against the invariance of various prima facie duties. Promise-keeping, he complained, does not always count in favour of an action. The thick intuitionist might reply that since promise-keeping as a thick ethical concept cannot be spelled out in purely non-moral terms, it might be part of the concept of promise-keeping that it is impossible to promise deeply immoral acts:

“Since promising is an institution for placing oneself under a moral obligation to perform an act, there would be clearly be something self-defeating in allowing that one could use the

¹⁴McNaughton and Rawling (2000), 268.

¹⁵McNaughton and Rawling clearly recognize the force of this attack; see their (2000), 263.

institution to place oneself under a moral obligation to do an immoral act – an act that one had a moral obligation not to do.”¹⁶

Similar points can be made about other prima facie duties, and McNaughton and Rawling try to show at length that all items on Ross’s list entail normative elements so that they must always count in the same direction. To quote two further cases they discuss: the concept of justice depends on the normative notion of merit, and the concept of fidelity presupposes that the promise has not been extracted under duress. Where these normative elements – merit, the absence of duress, or whatever is part of the specific prima facie duty – are not in place, the situation cannot be an instance of this prima facie duty.¹⁷

What these examples of thick ethical concepts have in common is that the evaluative content that is part of their definition establishes a *necessary* link between the prima facie duty and a thin ethical concept. It always and necessarily counts in favour of an action if it is the fulfilment of a promise, since it is part of the concept of fulfilling a promise to have a positive ethical valence. The evaluative part of the concept “blocks” all situations whose context would stop the promise from counting in favour of the action – e.g. if the promise would commit to a deeply immoral act. It is part of the understanding of the concept of promising that it always counts for the right.¹⁸ It is analytically false that I promised to do *x* if *x* is deeply morally wrong. This entitles thick intuitionism to a response against the charge that due to holism, there can be no invariance. Evaluative features are able to limit the *kind* of situations in which the thick ethical concept occurs: contexts that reverse its valence are excluded by definition. Hence, holism has no power over thick ethical concepts and invariance is possible.

¹⁶McNaughton and Rawling (2000), 270.

¹⁷See McNaughton and Rawling (2000), 269f.

¹⁸McNaughton and Rawling (2000), 266 argue with the example of justice, but the same goes for promise-keeping as well: “Justice is a moral concept, and we suggest that understanding it, qua supervening term, requires an apprehension of its essential connection to the right.”

Unfortunately, McNaughton and Rawling fail to clarify the impact of thick concepts and their evaluative features on the argument of holism against principles. Although it is implicit in their discussion, the argument just presented is not spelled out in their article, and this might be the reason why Dancy complained about the lack of a proper argument in favour of the invariance of prima facie reasons.

In his attempt to establish invariant reasons within weak particularism, Dancy argued earlier on in Chapter 6.2.1. that some reasons behave in such a way because of their content, e.g. that causing pain to those who have not consented to it counts always against an action. I have tried to show that content understood in non-moral terms is not able to fulfil this function. Thick intuitionism argues differently from weak particularism: it is the *kind* of content of the concept of promise-keeping that makes thick ethical concepts invariant. Evaluative, in contrast to non-moral features, are such that they link the concepts they are part of to a thin ethical concept. While Dancy tried to argue that the *concrete* content of a reason is what makes it invariant – e.g. because it consists in the causing of pain to somebody who has not consented to it – and not the “logic of reasons”, i.e. how reasons behave in general, the thick intuitionist goes the other way around: moral reasons involving thick ethical terms behave *in general* such that their thick ethical component links the prima facie reason necessarily and always in the same way to a thin ethical concept and this makes it invariant. Here, the *kind* of the content of the reason, namely the fact that the prima facie reason consists of non-evaluative and of thick ethical concepts is responsible for the invariance.

8.4 Is thick intuitionism a trivial theory?

Margaret Little agrees that thick ethical features are univalent while non-moral ones are not, but she thinks that this is no significant achievement:

“Thick moral features differ from non-moral ones precisely

because, so identified, they are guaranteed of carrying a given valence of moral significance (part of what it is to *count* as a moral feature, to earn the status as a moral feature so identified, is to count as a moral reason of a given direction). [. . .] In the end, the most one can say is that, in contexts in which a feature is good-making, it is good making – not exactly late-breaking news.”¹⁹

Little is right in claiming that thick ethical principles do not tell us which non-moral features always count in which way. Rather, the use of thick ethical concepts presupposes the ability to judge which non-moral features instantiate which prima facie duties. Prima facie duties understood as thick ethical concepts could not serve the purpose of justifying an act towards somebody who is unfamiliar with the concept itself. As Dancy puts it, moral concepts are “shapeless” in regard to the non-moral properties they supervene upon, which means that while non-moral properties are the subvenient base of the moral concepts, the latter cannot be reduced to the former because the non-moral features cannot explain when the moral concept applies.²⁰

Hence, the thick intuitionist’s principles are unable to give any principles for the relation between non-moral and moral concepts – that would in the context of particularism indeed be late-breaking news. Rather, the thick intuitionist’s principles state that when we use generalizations, these generalizations behave like principles in an invariant fashion because it is part of their meaning to behave this way. The news is that thick ethical

¹⁹Little (2000), 288f.

²⁰In his (1993), 79, Dancy quotes with approval McDowell, when he makes a similar point about moral terms which supervene upon non-moral features: “however long a list we give of the items to which a supervening term applies, described in terms of the level supervened upon, there might be no way, expressible at the level supervened upon, of grouping just such items together (. . .) Understanding why just those things belong together may essentially require understanding the supervening term”. See McDowell (1981), 145.

concepts are such that they contain invariance. This does however not mean – as Little argues – that it is not significant if thick ethical concepts behave invariantly. Rather, they play an important role in moral justification.

8.5 Conclusion

If McNaughton and Rawling were right, this would draw a different picture of morality compared to Dancy. It is important to stress here that thick ethical concepts are no odd invention of moral philosophers, but play a crucial role in our moral deliberation. Morality would not be possible without them since an essential part of moral deliberation is based upon principles, namely thick ethical concepts that “correspond to the traditional virtues and vices”²¹ Hence, how thick ethical concepts behave is an important question not only for the moral particularist.

In Dancy’s theory, only thin ethical concepts are per definition invariant, but the rest is not ordered in any law-like structure – although there might be some generalizations which fall however short of providing principles.

Since thick intuitionism explicitly allows that there is no lawlike relation or principles between non-moral and moral concepts, particularists should be happy to accept thick intuitionism. After all, it is the particularist’s intention to come close to everyday moral practice,²² and it sounds plausible to claim that we take it for granted in our deliberation that e.g. the fact that an action is just *always* and automatically counts in favour of it. On the other hand, if thick intuitionism is compatible with particularism, this makes it harder for particularism to claim to be a radical theory. If many aspects of our everyday moral practice are in line with particularism, even the fact that we often use some sort of principle in our moral deliberation, why should we suppose that Dancy succeeds with his claim that particularism

²¹McNaughton and Rawling (2000), 273.

²²This is so at least in case of the strong and weak formulation of particularism; extreme particularism is to my knowledge not defended anymore by anybody, and it can be interpreted as an exaggerated reaction against principled ethics.

has the purpose “of changing the ways in which we think about what to do, and thereby of changing what we do”?²³

²³Dancy (2004), 2f.

Chapter 9

Conclusion

9.1 Is particularism true?

What is ethical particularism, is it true and is it a threat to traditional moral theory?

This was the leading question introduced in Chapter 1. By now, we should be able to give an answer to it.

In the introduction, I have identified three main steps in Dancy's argument. To recall them, let's quote the steps again:

1. *The distinction between favourers and enablers.* Favourers are those features that count for doing an action. Reasons are identical with favourers. Enablers are those features of the context which have to be in place in order for the favourer/reason to work. Disablers stop a favourer/reason from working. Enablers and disablers are not themselves part of the reason.
2. *Holism in the theory of reasons.* The context of a situation determines whether a feature counts in favour or against an action or whether it plays no role in determining its right- or wrongness, as stated in (1). Therefore, no feature can be said to have an invariant ethical valence.

3. *Moral Particularism*. Principles of the form “if x, then y”, where x is a non-moral feature and y a moral predicate, presuppose that feature x invariantly counts in the same direction. Since holism as stated in (2) shows that it cannot be excluded that x is changed in its ethical valence by context, neither moral principles exist nor should we in our moral thought and judgement rely on them.

Given this way of structuring the argument, (1) implies (2), and (2) implies (3).

Concerning (1), it has been shown in Chapter 7 that this conception of favourers, enablers and reasons is untenable. The role of favourers and enablers cannot be separated as easily as suggested by Dancy, and in consequence, reasons have to be understood in a different way. This has a direct impact on the question of whether (1) implies (2): if Dancy’s conception of favourers and enablers is wrong, his notion of holism that is supposed to be a consequence of this conception cannot be right. The way out for the particularist is to stick to a different definition of the basic terms introduced in (1) and to change holism accordingly. In this new argument, favourers are not identical with reasons, but are only used to refer to them. Reasons contain also enablers and are much larger than in Dancy’s version of (1). Therefore, we are unable to quote them completely. Here, we cannot any more formulate holism in the theory of reasons because this requires that we identify a single feature as the reason. This is however possible for favourers. The outcome is that we can formulate holism only for favourers, and not for reasons. Not surprisingly, this has consequences for the step from (2) to (3): particularism relies on holism, and since holism of reasons is dead, there is no particularism about reasons, or, as I understand it, on a metaphysical level answering the question whether principles exist or not. In contrast, holism of favourers allows maintaining particularism for our moral epistemology where the question is whether favourers, i.e. those features that we quote in order to refer to a reason, can be put into principles.

Back to (2), another issue concerning holism is whether it does, as Dancy claims, exclude principles. Some philosophers like McKeever and Ridge have tried to show that holism is perfectly compatible with principles and that it can therefore not count as an argument in favour of particularism. In Chapter 4, I discuss this challenge against particularism, and with a better formulation of holism that takes into account Dancy's original intention when formulating the claim, I am able to refute their argument. This allows the particularist to hold that holism, (2), implies particularism, (3). Two other issues with particularism concern (3), the formulation of particularism.

The first problem is how to define principles. It turns out that Dancy has such a strong view on what counts as a principle – principles must, as we have seen in Chapter 5, explain the moral status of *every* action, explain *why* the action has the status and be able to *guide* the agent, to quote only three of the conditions – that it might just be replied by his adversaries that a principled ethical system is possible as long as it is not insisted that all of these conditions have to be fulfilled. The first and the third conditions for principles quoted here stand even in tension: principles that are so fine-grained that they apply to all possible cases might be too complicated to serve the guiding-function.

The second issue, discussed in Chapter 6, turns on the exact understanding of what particularism is. Dancy progresses over time in his thoughts about his theory, and there is reason to doubt that his last version of particularism is the best. Not only does he try on shaky grounds to introduce invariant reasons within particularism, but his very formulation of the theory also fails to address the problem it is supposed to solve, namely the attack on holism from McKeever and Ridge discussed in Chapter 4. But since I disagree with their argument for other reasons, even the original motivation for the last version of Dancy's theory ceases to apply and it is more attractive to prefer an older, stronger version of particularism. It must however be noted that this is only the case when accepting the grounds upon which Dancy builds his theory, holism. Since earlier on in

the discussion of (1), I rejected these grounds, all that the discussion in Chapter 6 does is to see what formulation of particularism is the internally most coherent one for Dancy – Chapter 7 questions, as discussed above, the whole enterprise of holism of reasons and comes to a different result about the force of particularism. A last issue, discussed in Chapter 8, deals with the question of whether it might not be possible to allow for principles within particularism as long as they do not concern the relation between non-moral and moral properties. I try to advance an argument similar to McNaughton and Rawling that prima facie duties, understood as thick ethical concepts, are invariant because of their evaluative component that links them necessarily to a thin ethical property. Chapter 3 prepares the ground for this move by arguing against Dancy that the definition of prima facie duties is coherent. If prima facie duties are invariant and form principles, this would be a step towards answering the last part of the leading question, namely how serious the particularist challenge is for traditional ethical theories. But before turning to this point, I shall consider whether the first part of the leading question, what particularism is and whether it is a tenable view, can be answered. To do this, it is helpful to see whether the basic steps (1)-(3) in the particularist's argument and their relation as Dancy conceives it can be accepted in the light of the previous discussions:

- (1), the distinction between favourers and enablers and as well Dancy's conception of what counts as a reason has been rejected and replaced by a different understanding of the terms. This new conception can however still be used to ground a form of holism. Hence, a modified version of (1) is defensible and implies some form of (2), holism.
- (2), holism of reasons, has been replaced by holism of favourers. Insofar as this is still enough to ground a (weaker) version of (3), particularism, the particularist should be happy with this. In fact, (2) implies, contrary to what some philosophers argue, (3). Hence,

a modified version of (2) is defensible and implies some form of (3), particularism.

- (3), moral particularism, must be understood as an epistemic, and not as a metaphysical theory. It should allow for some form of ethical generalizations. The concept of principles Dancy's particularism relies on is however problematic and too narrow. Nevertheless, (3), the main claim that moral thought and judgement should not rely on principles, is defensible.

9.2 Particularism and traditional ethical theories

Once this is established, the question of how serious particularism is becomes pressing. Has Dancy revealed that an important presupposition of traditional moral theory is wrong? A detailed answer to this question would require an analysis of the various normative ethical systems put forward in the history of philosophy – utilitarianism, Kantian ethics, contractualism and virtue ethics – and to ask how they deal with principles: do they use ethical generalizations in such a way that they fulfil the conditions Dancy require for principles? If yes, does the role they attribute to principles conflict with holism? Such a project is beyond the scope of this dissertation, but I will hint at an answer by pointing out three results of the previous discussions:

1. Dancy's requirements for counting as a principle are so strong that those defending a traditional ethical system might simply reply that their notion of principle is weaker and therefore bypasses the particularist's attack. For example, they might deny that principles have to explain the status of *every* action.
2. Since holism is only defensible for favourers and consequently, particularism holds only at an epistemic level, it is still possible that very complex principles exist that do not play a role in our moral thought

and judgement. For example, a utilitarian could argue that although a very long-winded utilitarian principle is true, we do better to stick to our learned rules of behaviour in order to maximize happiness.

3. There are plenty of principles we can use in moral deliberation without violating particularism. The only condition is, as shown in Chapter 8, that these principles contain only thick and thin ethical concepts.

These limitations of particularism show that there are resources for traditional moral theories to work with principles. This gives rise to the suspicion that particularism might be less radical than it appears at first sight.

9.3 The bottom line

The title of Dancy's last book, "Ethics without principles", looks like the header of an intimidating theory for all traditional ethical theories. If true, one might think, a lot of ethical theorising has to be re-written. If considered in detail, the conclusion looks however not as far-reaching: particularism – taking into account the reformulations discussed above – seems to be true, but not nearly as important as intended by Dancy. Traditional moral theorists should be able to accommodate the insight of particularism that a certain form of principles is impossible and still continue to hold their views.

Chapter 10

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