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ROSSIAN MORAL PLURALISM: A (PARTIAL) DEFENSE

by

ANGELA J DESAULNIERS

Under the Direction of Andrew Altman

ABSTRACT

Rossian moral pluralism's rejection of a founding moral principle and use of 'prima facie duties' as opposed to absolute duties makes it unique from most other major ethical theories. It has been attacked in a myriad of different ways because of this. Brad Hooker has proposed two objections based on these ideas. The first is that moral pluralism is lacking justification because of its rejection of a founding moral principle. The second is that because of this, and its lack of absolute duties, moral pluralism is an indeterminate theory. In this paper I will look at Hooker's objections as well as two responses that have been proposed as solutions. Having shown these solutions to be insufficient I will then propose a way to look at Ross' moral pluralism that saves it from Hooker's objections and clearly lays out Ross' understanding of how we should deliberate about moral matters.

INDEX WORDS: Gaut, Hooker, McNaughton, Moral Pluralism, W.D. Ross

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INTRODUCTION:

Instructions on how to live ‘a good life’ have been sought after since well before the time of Plato. Ethicists have been dissecting the way we live as well as the way we think we should be living in the hope of finding something to base our moral decisions on. The vast majority of theories have been constructed with the thought in mind that every decision we make must eventually rely on one and only one principle. What this principle is has been the main point of contention. Some have thought that it should be our goal in every action that we attempt to produce as much happiness as possible (Utilitarianism).¹ Others have thought that the production of our own virtue was what we should strive towards (Aristotelian Virtue Ethics).² Still others have thought that we should do actions which it is our duty to do (Kantian Deontology).³ Unfortunately many problems have been found with each of these theories and a set of clear, consistent, and determinate instructions for humans to live by, based on a single underlying principle, has continued to elude ethicists.

One idea that has not been seriously considered by many is that it is possible that our moral inclinations are not monist and founded in one singular moral principle, but pluralistic and founded in many moral principles. A theorist who has taken this idea seriously is W.D. Ross. In his book, *The Right and the Good*, Ross outlines a pluralist

¹ See Jeremy Bentham’s *An Introduction to the Principles of Morals and Legislation*, (New York: Hafner), 1948, or John Stewart Mill’s *Utilitarianism*, (Indianapolis: Hackett), 1979.

² See Aristotle’s *Nicomachean Ethics*.

³ See Immanuel Kant’s *Groundwork of the Metaphysics of Morals* and *The Metaphysics of Morals*.

view of morality and attempts to ground our moral decisions in not just one principle but many.

This pluralist way of looking at moral theory has sparked both interest and criticism from many theorists. For example, in “Ross-style Pluralism versus Rule-consequentialism”, Brad Hooker raises many criticisms against Ross’ theory as well as the general idea of a pluralistic moral theory. Many responses have been attempted to combat such criticisms but none of them have been able to successfully refute all of the seemingly damning arguments that Hooker makes against Ross and his pluralism.

In this paper I will attempt to defend Ross against the objections presented by Hooker. I will first lay out Ross’ moral pluralism and the general objections to his theory. I will then present the specific objections raised by Hooker to Rossian moral pluralism as well as their effect on the theory if they cannot be refuted. Then I will critically examine two recent responses to Hooker’s objections and show how they fail to adequately defend Ross. Finally I will present a defense of Ross’ moral pluralism against the objections raised by Hooker that, at the end of the day, will place Ross’ theory in a more favorable light and save it from its potential demise at the hands of the objections raised against it.

CHAPTER 1: ROSSIAN MORAL PLURALISM

Ross’ Attempt at a ‘New’ Moral Theory

W.D. Ross constructed most of his moral pluralism in *The Right and the Good*. He was prompted to draw out a pluralistic ethical theory after previous careful

examinations of the many monist theories already in existence. To Ross, it seemed as if none of those theories had ever been able to fully grasp the grounds on which we make decisions about how we should act in any given situation. After its initial publication there were many questions and objections to the specifications and distinctions he drew, so he was prompted to publish a second piece clarifying his initial observations. In *Foundations of Ethics*, Ross answered many of the initial questions people had regarding moral pluralism. These questions were raised mainly because up until this point the idea of there being any alternative to a monistic moral theory had been foreign to most theorists.

Unfortunately for Ross his theory never gained the same strength and importance in the eyes of ethical theorists as previous theories had been able to. The reason for this seems to be that his theory relies on a theory that was ‘refuted’ and then never taken seriously again until recently: intuitionism. While whether or not we can rely on our intuitions to make moral judgments is once again an active philosophical question, it is outside the scope of my project. Many philosophers have now agreed with Ross and do feel that we can rely on intuitions for many things, including moral judgments. For purposes of this paper, I will be assuming that intuitions can be relied on and that we are justified in using them to construct a moral theory.

The Idea Behind the Theory

In developing his moral theory, Ross aimed at finding a way to ground our moral decisions in something other than just one small aspect of each action we take. He, like many other philosophers, felt that monistic theories were “overly reductive: they attempt

to boil all morally relevant considerations down to a single, fundamental feature possessed of moral relevance.”⁴ When we reason about a situation, according to Ross, we generally take more into account about the situation than just whether it produces pleasing consequences or if we have an absolute duty to keep our promises. If we were to take into account only one of these aspects we seem to lose something because “normally promise keeping...should come before benevolence, but...when and only when the good to be produced by the benevolent act is very great and the promise comparatively trivial, the act of benevolence becomes our duty.”⁵ There must be a way to keep both of these ideas, as well as any others that we may find necessary, in mind when we need to decide which course of action to take.

For Ross, the way to find all of the relevant considerations is by looking at the relationships we have with people. While a beneficiary relationship with others is one of the most common types of relationships that we are in, it is not the only relationship we have. Others “do stand in this relationship to me, and this relation is morally significant. But they may also stand to me in the relation of promisee to promiser, of creditor to debtor, of wife to husband, of child to parent, of friend to friend, of fellow countryman to fellow countryman, and the like.”⁶ Each of these relationships needs to be reflected in the moral theory that we use to make our decisions. If we leave them out, then we leave out the majority of the considerations we normally take into account when we are making a decision to take a certain action. Whether these considerations can be acted on, and

⁴ Timmons p.190.

⁵ Ross 1946 p. 19.

⁶ Ross 1946 p. 19.

how I can act on them if I am allowed to is something for the moral theory we use to decide. As we will see soon, Ross creates his theory so that we can respect these relationships we have with people.

While the first goal of Ross' theory is to create a theory that reflects our intuitions and normal decision making process, a secondary goal in this process was to ensure that the theory truly reflect our intuitions and therefore not be grounded in any one moral principle. Any attempt to ground the theory in a singular moral principle, according to Ross, will and should fail. We need to look at something other than what a potential single underlying principle would be. According to Ross, because of the varying relationships that we have with people, as well as the varying situations we can be confronted with, all that we can truly rely on are the intuitions we have or our 'common-sense morality'. Anyone who is has "reached sufficient mental maturity and ha[s] given sufficient attention to the proposition"⁷ will be able to rightly decide which courses of action are right and wrong if they have the correct system with which to do so. The one and only way to figure out what to do is to look at the entirety of the situation one is in and look at the relationships (and as we will see soon the duties that come out of these relationships) one is in. In doing this, the right action will always be evident to the rational, adult mind.

The first problem that comes to mind with this idea of a 'common-sense' morality is that it seems that we cannot always rely on our own common-sense because there are times when our convictions fail us in some way and lead us in the wrong direction. What

⁷ Ross 1946 p.29.

we need to keep in mind though is that Ross is not telling us to adopt our common-sense convictions solely as they are but tells us, as Berys Gaut puts it, that “when we begin critical thinking about morality...we start with a rich set of convictions and begin to reflect on these convictions with the tools we have available: the principles of deliberation internal to that morality, the convictions themselves and our experience of the world.”⁸ When we engage in this rational deliberation and look at what our common-sense morality has told us, we can decide if it does in fact correctly reflect the way the world is. Even if our initial intuitions about the world were incorrect, through this process we can develop correct intuitions so that we can understand what is morally right and also what is morally good.

Morally Right vs. Morally Good

As can be expected from the title of his book, Ross is concerned with something more than just the outlining of a new moral theory. His main project within *The Right and the Good* is to explain the difference between something's being morally right and its being morally good. While I am not going to go into as full detail as Ross has, I do feel that it is necessary to look at the distinction between the two terms. This classification may prove to be useful when we look later on at the objections to Ross' theory.

While some theorists have held that there is no difference between what is morally right and what is morally good, Ross believes that these are two very distinct ideas. Ross holds that the term ‘morally right’ is almost synonymous with ‘morally obligatory’. He states that the term ‘right act’ refers to a “change in the state of affairs

⁸ Gaut 1999 p.34.

irrespective of motive.”⁹ Whether an act is ‘right’ or ‘wrong’ solely depends on the intrinsic nature of the act. Regardless of our motives, we will still be doing the right act if it is the act that is morally obligatory at that time. If it is morally obligatory then it will be a morally right act; if it is morally forbidden then it will be a morally wrong act. This act will either be condoned or forbidden based solely on its nature and not on anything to do with the consequences of the act or the motives from which the act is done. If it is in the nature of a certain act to bring about a certain state of affairs then it is a right act solely in its production of that state of affairs and not in what it specifically produces. Take, for example, the duty to keep a promise to pick a friend up from the airport (later, in the section on Prima Facie Duties, we will see more about how one could be held to act according to this duty). If one does in fact pick their friend up at the airport, it is not the consequences of this action (such as your friend not having to take public transportation to get home or the solidifying of your friendship, etc.) that make it the right action. What makes it the right action is that it was sufficient to fulfill the promise that had been made. What actually comes from the action is irrelevant to the rightness or wrongness of the action. Ross states “an act is not right because it, being one thing, produces good results different from itself; it is right because it is itself the production of a certain state of affairs. Such production is right in itself, apart from any consequences”¹⁰.

The question of whether or not the doing of an action is morally good is, according to Ross, a different question altogether. While “right and wrong refer entirely

⁹ Ross 1946 p.6-7.

¹⁰ Ross 1946 p. 46-47.

to the thing done, morally good and morally bad [refer] entirely to the motive from which it is done.”¹¹ This means that it is possible for an act to be morally right but, at the same time, morally bad because it does not come from good motives. This also means that even if we do the morally right action, it will have no intrinsic value if it is not done from good motives and is not morally good. For example, if we were to make and keep a promise to a friend simply because we know we will benefit in the end, we are doing the act from selfish motivations and the act is no longer morally good. Alternatively, if we make a keep a promise to a friend because they are our friend and we have a genuine desire to do this because of our friendship with them, we are acting from altruistic motivations and the act is morally good.

Ross admits to his reader that he knows it is impossible to create a good motive to do an act if it is not immediately present. His solution is to say that “I can act from a certain motive only if I have the motive; if not the most I can do is cultivate it...so that on some future occasion it will be present to me and I shall be able to act from it.”¹² This idea of cultivating good motives goes hand in hand with what it means for something to be a ‘good’ motive for Ross. For an act to come from good motives means that it is done from a sense of duty or one of the other senses which are intrinsically good. If it is the case that one does not have the correct motivations for doing an act, then, over time, a person can cultivate these motivations within themselves by doing what is morally right and promoting things that are intrinsically good. Eventually the intrinsically good

¹¹ Ross 1946 p. 7.

¹² Ross 1946 p. 5.

motivations will realize and develop themselves and one will be able to do morally good actions.

Intrinsic Goods

Now that we see their role in Ross' theory it will definitely help to know what exactly he thinks can be an intrinsic good. What it means for something to be intrinsically good is that "it would be good even if nothing else existed."¹³ There are four things like this. In order to find them he takes a look at the idea of a world devoid of everything, except the quality in consideration. If the existence of the quality in a world would make that world a better or more desirable state of affairs, then the quality in question is an intrinsic good.

The first quality Ross finds to be intrinsically good is the characteristic of being virtuous. He explains this as an "action, or disposition to act, from any one of certain motives, of which at all events the most notable are the desire to do one's duty, the desire to bring into being something that is good, and the desire to give pleasure or save pain to others."¹⁴ A state of affairs in which virtue existed would be much more desirable than one in which it did not. Any action that comes from this motive will be a morally good action regardless of the consequences. Whether it is a morally right act or not, though, will depend on the nature of the act and whether or not you had a higher duty to perform some other act, something we will come to in the next section.

¹³ Ross 1946 p. 75.

¹⁴ Ross 1946 p. 134.

The second quality that is intrinsically good is “the apportionment of pleasure and pain to the virtuous and vicious respectively”¹⁵. Any world in which those who acted virtuously received benefits such as pleasure would be better than one in which they were the victims of pain. Ross believes this is an intrinsic good not only because of the fact that a world with it would be better than a world without it, but also because we seem to have some sort of natural inclination toward justice, toward seeing that those who do morally good things receive benefits in life rather than have benefits taken from them. We do not think this is an agreeable state of affairs because of the consequences of the virtuous receiving pleasures but because there seems to be something wrong with the idea of those who act from a sense of duty or one of the other virtuous dispositions, the way we all should be acting, having bad things happen to them because of their actions. A world in which there is a question whether a virtuous or non-virtuous person receives an available benefit would be better if the virtuous person received the benefit rather than the non-virtuous person. This is what our common-sense morality and intuitions tend to tell us.

The third quality Ross mentions is knowledge. Any type of knowledge about matters of fact, nature, or universal laws will be a good thing for people to have rather than be unaware of or mistaken about. Ross also tells us that ‘right opinion’ is a better state of affairs to have than ‘wrong opinion’. In comparing two worlds, if one of the worlds was a state of affairs in which people had far greater knowledge than the other, we can provisionally accept that the world with knowledge would be better than the world

¹⁵ Ross 1946 p. 138.

without knowledge. I say here, ‘provisionally accept’ because questions will arise about situations in which it would be better for a person to not have a piece of information.

Ross is able to quickly respond to this and say that “it seems that in such cases it is not the knowledge but the consequences in the way of pain or vicious action that we think bad,”¹⁶ vindicating our always attempting to have as much knowledge as possible.

The last intrinsic good that Ross believes exists is highly controversial, especially in the wake of moral theories such as hedonistic utilitarianism. For Ross, pleasure is an intrinsic good, but an intrinsic good that we have to be very careful with. He tells us that “a state of pleasure has the property, not necessarily of being good, but of being something that is good if the state has no other characteristic that prevents it from being good. The two characteristics that may interfere with its being good are (a) that of being contrary to desert, and (b) that of being a state which is the realization of a bad disposition.”¹⁷ He also tells us that there is more than one type of pleasure. There are the obviously good pleasures which are those that come from good desires. There are bad pleasures which come from bad desires. Last but not least there are indifferent pleasures which come from neither of these desires and seem to come from a position of ignorance, either intentional or accidental, as to what one should be doing in the situation. With all of these qualifications in mind, Ross goes on to say that we can attempt to produce good pleasure but only when it does not conflict with the production of virtue. In other words, while this type of qualified pleasure is an intrinsic good, and comparable to virtue, we must try to cultivate virtue over pleasure. He says, “It seems to me...that no amount of

¹⁶ Ross 1946 p. 139.

¹⁷ Ross 1946 p. 138.

pleasure is equal to any amount of virtue, that in fact virtue belongs to a higher order value, beginning at a point higher on the scale of value than that which pleasure ever reaches.”¹⁸

Prima Facie Duties

We can now turn to what Ross thinks a practical ethical theory should be. In our examination thus far, the concept of having a duty to perform certain actions has appeared several times. According to Ross, there are a number of duties that we have in life besides those which are typically laid out in an ethical theory. We are told, in most ethical theories, that we have an absolute duty to do X. What X is varies from theory to theory but what doesn't is the idea of an absolute duty. Absolute duties are duties which one must always uphold regardless of the situation. One is always required to do actions which are absolute duties and is not allowed to pick and choose some and not others. If one has an absolute duty to keep promises one must always do so regardless of the specific promise made. In each of the major ethical theories there is an absolute duty placed on the follower of that theory to make sure that whatever the theory holds to be important is always the main factor in the decision-making process.

Theories resting on these absolute duties, according to Ross, fail to respect the many relationships that we are in with people. As was mentioned previously, people are not just in a beneficiary relationship with us but also those of a parent, friend, employee, etc. These relationships put duties on us that other theories seem to ignore but that Ross thinks are absolutely necessary to creating an ethical theory. The duties that we have to

¹⁸ Ross 1946 p. 150.

these people are not like absolute duties according to Ross because they are not always relevant in a situation and change in their stringency.

Ross's answer to the question of what types of duties we have to those we are in specific relationships with is to say that we have 'prima facie' duties. "Each of these relations is the foundation of a prima facie duty, which is more or less incumbent on me according to the circumstances of the case."¹⁹ An act that is a prima facie duty has the tendency to be our duty in situations. "It is in fact not a duty, but something related in a special way to duty"²⁰ in that it points us towards what can be considered our absolute duty in the situation. For example, in most situations we tend to have the duty to keep our promises to people, unless some other duty tells us otherwise. Another example is that we tend to have the duty to help someone, once again, unless some other duty tells us otherwise. That an act is a prima facie duty is, according to Ross, "the characteristic...which an act has, in virtue of being of a certain kind...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."²¹

Out of the many relationships that we are in with other people, Ross finds seven prima facie duties that are binding on us. These prima facie duties can be divided into two categories; duties of special obligation and value based duties.²² The duties of special obligation are the duty of fidelity, the duty of reparation, and the duty of gratitude.

¹⁹ Ross 1946 p.19.

²⁰ Ross 1946 p.20.

²¹ Ross 1946 p.19.

²² The names of the categories for the division of the prima facie duties are those of Mark Timmons.

They are agent-relative in that they “give different moral aims to different individuals”²³ based on their personal relationships and they exist because of actions I or others have taken in the past. The duty of fidelity is the prima facie duty to keep our promises and avoid lying or deceiving people. The duty of reparation is the prima facie duty to ‘make-up-for’ wrongs that have been done to people either by you or because of your actions. The duty of gratitude is the prima facie duty we have to reciprocate for actions people have taken for our benefit in the past. Whether or not we think someone deserves to have their promise kept or for us to make up for some harm we caused them we still have the inclination that something would not be right if we were to withhold our actions. If we promise to help someone reap their crops if they will help us with ours but in the time between their having helped us and our time to help them we find that they have done something we disagree with (for instance hired a slave) we still have the duty to help them. We will see later that there are ways in which our duty to them can be overpowered by other duties more stringent than the one already at hand.

The second category of prima facie duties is that of the value-based duties. Value-based duties are distinct from duties of special obligation because value based duties are generally agent-neutral “giv[ing] all people the same moral aim”²⁴ regardless of their personal situation and relationships and have nothing to do with my or others past actions. The value based duties are the duty of justice, the duty of beneficence, the duty of self-improvement, and the duty of non-maleficence. The duty of justice reflects the tendency we have to distribute goods among people according to merit. They “rest on the

²³ Brock p. 944.

²⁴ Brock p.944.

fact or possibility of a distribution of pleasure or happiness...which is not in accordance with the merit of the persons concerned; in such cases there arises a duty to upset or prevent such a distribution.”²⁵ The duty of beneficence simply tells us that there is a strong tendency for it to be our duty to do beneficial actions for others. The duty of self-improvement tells us that “actions through which we would improve our own character or intelligence are actions we have a prima facie duty to perform.”²⁶ And finally, the duty of non-maleficence is the duty to avoid actions that could injure others. This is distinct from the duty of beneficence in that it is the active safeguarding against causing harm rather than making sure that good things happen to people rather than bad things.

These seven duties compose Ross’ moral pluralism. They are what Ross believes lie at the bottom of our everyday moral reasoning about situations and actions. He tells us that “the main moral convictions of the plain man seem to me to be, not opinions which it is for philosophy to prove or disprove, but knowledge from the start.”²⁷ These duties are then a part of our common-sense morality. Any other duties we can think of will either be found not to be a duty at all or will be a combination of two or more of the already established duties. While Ross believes that any attempt to find more prima facie duties will fail, he does not claim that his list is complete or final. It is possible that we do not yet possess the knowledge necessary to see other potential prima facie duties. All that we can do is continue to cultivate our intellect and reevaluate from time to time whether we have gained any new knowledge that would lead us to a new prima facie

²⁵ Ross 1946 p. 21.

²⁶ Timmons p. 194.

²⁷ Ross 1946 p.21f.

duty. In saying this, Ross also leaves open the possibility that there may be a founding principle out there that these prima facie duties all rest on. While he thinks that it is impossible for us to ever find it and that it simply does not and can not exist, he does acknowledge the fact that someday, once our knowledge has increased, we may find something new and need to reevaluate.

Moral Pluralism

The prima facie duties just outlined are the building blocks of Ross' moral pluralism. In order for one to decide which course of action should be taken in any given situation, the situation is evaluated in light of the prima facie duties. We make our decision on which act to take based on which of the duties is the most pressing in the situation. If only one prima facie duty is relevant to the situation, then the action that duty tells you to take is the action you are morally obliged to take. If no prima facie duties are relevant to the situation, then one has no moral obligation and can choose a course of action at will because action becomes morally optional. The last possibility is that there is more than one prima facie duty relevant to the situation. In this case one has the more difficult task of figuring out which action is the right action to take.

When confronted with a situation where more than one prima facie duty is relevant, the agent must figure out which of the prima facie duties is more stringent at that particular time. If the two (or more) are equally stringent, and are not contradictory to each other, then the actions are morally optional. One may choose whichever action one desires so long as it does not prevent her from doing another action which is her duty to do. If, as would happen in optimal situations, one of the relevant prima facie duties is

obviously more stringent than the other, the agent is morally obligated to do the action whose duty is more stringent and morally forbidden from doing the other action. The majority of the time, however, life is not this simple. When we have to decide which course of action to take, it may be incredibly difficult to see which duty is more stringent. For example, if I have promised to go to the movies with you and on my way I encounter an accident scene, I may be required to break my promise to you and help the accident victims if I am and the only person nearby who can help. But, in an alternate scenario where there are already people there to help the accident victims, and any extra help I could give would be minimal, I am required to keep my promise to you to go to the movies. Finally, if on my way to meet you, I remember that at the time I had made my promise to you I made a similar promise to another friend I become stuck in a moral dilemma. If it is the case that, while both duties are equally stringent, thus making the actions appear morally optional (even though at least one must be done), the duties tell you to take opposite courses of action. Ross tells us that in this situation, there is always one prima facie duty that is more stringent than the others even if we cannot see it at the time. We need to track down which one that is and then take the course of action it prescribes.

What Do We Do When Duties Conflict?

It is at this point in Ross' theory that people generally begin to doubt its applicability, usefulness, and determinacy. Most of this doubt stems from two problems. The first is that the theory has no way of actually telling us what to do in a situation. The moral agent seems to be left relying on their own sensibilities and has no real direction in

their decision making process. When two duties conflict and tell us to do two incompatible actions the agent seems to be left at a standstill. When we create a moral theory, one of the main goals is to have it be determinate. It needs to tell us what we need to do. In Chapter Three we look at Brad Hooker's argument from this vein of thought.

The second general problem is also due to the idea that it is possible for prima facie duties to end up in an irresolvable conflict. When conflicts like this happen the moral agent is left to use his own moral judgment to decide on the action he is obliged to take. This is an unattractive idea for many people who believe that if there were a higher principle to appeal to these apparently irresolvable conflicts would never occur. They believe that a higher principle is absolutely necessary for a theory if not solely to avoid situations such as these. This would seem to solve our problem immediately, but Ross would strongly disagree. Adding a higher principle would make having the prima facie duties null and void. The theory would become monistic rather than the pluralistic system Ross originally intended to set out. While Ross' answer to this objection seems rather obvious, there are many theorists who have taken this idea as just another reason why we need a monistic rather than pluralistic theory. A monistic theory will be simpler and more determinate. It will make the task of the moral agent easier in creating a higher success rate of doing what is morally right. But Ross replies that "it is more important that the theory fit the facts than it be simple."²⁸ We will see a version of this argument against Ross as well in Chapter Two when we look at Hooker's second argument.

²⁸ Ross 1946 p. 19.

Rossian Moral Pluralism

Ross' version of moral pluralism is founded on the idea that there is a plurality of duties in the world due to the plurality of kinds of relationships we have in the world. A moral theory that ignores this fact and attempts to boil down all moral considerations to one principle will invariably fail because it is an inaccurate representation of the world we live in. The duties that we do have are prima facie because their stringency can change from situation to situation. It will not always be the case that we should refrain from lying. While we do have a duty of fidelity, if another duty is more stringent in a particular situation, then we must follow what that duty tells us to do. The duties will help us to figure out what course of action is morally right, and if we act with the goal in mind of following these duties we can be assured that our morally right action is also morally good. Following the prima facie duties in situations will also help us to cultivate knowledge (an intrinsic good) and make the task of determining the right course of action easier over time. With this version of Ross's theory in mind let's now turn to some specific objections to it.

CHAPTER 2: IS A GROUNDING MORAL PRINCIPLE NECESSARY TO JUSTIFY MORAL PLURALISM?

Brad Hooker's Argument

In his article "Ross-style Pluralism versus Rule-consequentialism", Brad Hooker attempts to show that his preferred ethical theory, rule-consequentialism, is "even more

attractive than Ross-style Pluralism.”²⁹ In doing this he attempts to show how rule-consequentialism better fulfills the qualities we require an ethical theory to show. These qualities are; “1) Moral theories must be internally coherent. 2) Moral theories should have implications that match the various moral convictions we share and have confidence in... 3) Moral theories should specify what (if anything) ties together our various general principles and justifies them. [And] 4) Moral theories should help us deal with moral questions about which we are not confident, or do not agree.”³⁰ In light of these qualities Hooker believes that Ross-style pluralism, as laid out previously, might be the best moral theory available.

While Hooker is able to see the potential value in Ross-style pluralism, he also feels that pluralism might be lacking in certain areas. He reminds his reader that “just as we must not assume Ross-style pluralism is *not* the best theory, we must not assume it *is* the best theory [emphasis Hooker’s].”³¹ We need to ask ourselves what could make a theory better than pluralism. If there is anything, which would make a theory more decisive or able to better match our intuitions, then we should most definitely use that theory as opposed to pluralism. If we are able to find “a theory with one first premise which justifies all the general duties of Ross-style pluralism, [then] such a theory would have everything Ross-style pluralism has *plus something extra* [emphasis Hooker’s].”³² It is Hooker’s opinion that rule-consequentialism is able to explain our intuitions just as well as Ross-style pluralism but that it has this something extra that will make it a more

²⁹ Hooker p. 531.

³⁰ Hooker p. 531.

³¹ Hooker p. 536.

³² Hooker p. 536.

useful and better overall theory. “A theory which specifies an underlying rationale for our various general principles is, other things being at least roughly equal, better than one which doesn’t...we would also like (which is not to say we can get) a moral theory that ties together and justifies our various moral intuitions.”³³

Rule-consequentialism, as Hooker advocates, states that “consequences are to be used to select rules which then determine the moral permissibility of acts...the most plausible version of rule-consequentialism asks which are the possible codes of rules whose inculcation in the overwhelming majority of the next generation could reasonably be expected to result in as good consequences...as could reasonably be expected to result from any other identifiable code.”³⁴ Hooker then goes on to state that rule-consequentialism does just as good a job as Ross-style pluralism with making sense of our various intuitions. Whether this is truly the case or not will not be debated here. Assuming he is correct, Hooker continues saying that while pluralism tells us about our intuitions, rule-consequentialism tells us what those intuitions are based on.

The rule-consequentialist decides which rules to follow based on two considerations “expected equality or fairness as well as aggregate well-being,”³⁵ rather than the multiplicity of principles Ross describes. What exactly Hooker means by ‘expected equality’ and ‘fairness’ is left unexplained but, because of this quality of rule-consequentialism, some people have argued it is another form of pluralism, just one with fewer first-principles. Hooker clears up this confusion in his argument by expressing the

³³ Hooker p.536.

³⁴ Hooker p.537.

³⁵ Hooker p.539.

fact that while there are two things that need to be judged about when figuring out which action to take, there is one principle on which decisions are made regarding which rules should exist. This principle is “whether [the rule’s] inculcation could reasonably be expected to maximize the good.”³⁶ Ross-style pluralism holds that there is no one principle on which we can base decisions about general duties. It is therefore Hooker’s belief that rule-consequentialism is a theory that “seems to have everything Ross-style pluralism has – *plus something extra*, a principle for selecting general duties. Thus, rule-consequentialism seems to have more systematic unity than Ross-style pluralism [emphasis Hooker’s].”³⁷

David McNaughton’s Response to Hooker

In his article “An Unconnected Heap of Duties?” David McNaughton attempts to give a solution to the types of problems raised by Hooker. As we will see after examining his response, McNaughton fails to fully defend Ross and the idea of a truly pluralistic theory. In response to the criticism of Ross-style pluralism McNaughton thinks that “Ross has an entire answer to those who maintain that his theory is unsystematic”³⁸ or that it needs a basic principle that unifies all of the other principles it has. He characterizes the objection to pluralism’s many principles as the following:

“An intuitionist³⁹, such as Ross, merely presents us with a more or less arbitrarily selected list of the more common (*prima facie*) duties and announces them to be self-evident. Since there is no structure to this list, there seems to be no explanation of why some items are on the list and not others, and therefore no

³⁶ Hooker p.539.

³⁷ Hooker p.540.

³⁸ McNaughton 1996 p.434.

³⁹ All references to ‘intuitionists’ in McNaughton’s article are references to pluralists, more specifically Ross-style pluralists (as they were called in Hooker’s article).

room for rational debate in the event of disagreement about what should be included...Moral theory should facilitate reasoned debate, not forestall it...it is doubtful whether intuitionism, unlike utilitarianism, can lay claim to be a moral theory at all.”⁴⁰

McNaughton then goes on to claim that intuitionism attempts to systematize morality just as consequentialism does. There is one main difference in their attempts at systematization though. While consequentialists believe that the principle of beneficence is what suffices for a systematization of morality, the intuitionist attempts to “show that the plethora of precepts which constitute common-sense morality can be derived from a very small number of self-evident basic duties.”⁴¹ (Note that although McNaughton says a very small number of basic duties, he does not say one single basic moral duty) While some theorists claim that Ross’ list of prima facie duties is merely ‘an unconnected heap’ (a random pile of duties that Ross seems to have thrown together for no apparent reason), McNaughton disagrees. The reason why some duties are included in Ross’ list and not others is that any other duty besides those given can be employed by simply referring back to those duties from which they ultimately came. The duty to obey the laws of one’s country is a prime example of this. It “arise[s] partly...from the duty of gratitude for the benefits one has received from it; partly from the implicit promise to obey...and partly (if we are fortunate in our country) from the fact that its laws are potent instruments for the general good.”⁴² Because of this, McNaughton thinks that the objection that there is no way to determine which sorts of principles should and should

⁴⁰ McNaughton 1996 p.434.

⁴¹ McNaughton 1996 p.435.

⁴² Ross 1946 p.27-28.

not be on ‘the list’ is unfounded. As we just briefly saw, there are guidelines to Ross’ list of prima facie duties. The list is not nearly as arbitrary as one would think at the outset.

The second half of McNaughton’s response to the problem of the unconnected heap directly tackles the question Hooker raised in his article, that “while Ross’ list is by no means an arbitrary heap, the basic duties are still unconnected, and that this is a weakness in his theory.”⁴³ There is a plethora of reasons why someone might claim this against pluralism. They might think that a simpler theory is more pregnant and practical for everyday usage but McNaughton reminds us of Ross’ general idea when constructing his theory in *The Right and the Good*. Ross told us in the midst of sketching this somewhat confusing ethical theory that not only does a theory need explanatory power but also that “it is more important that the theory fit the facts than it be simple.”⁴⁴

McNaughton next mentions the objection that “a theory which admits the existence of distinct and irreducible moral principles gains in systemic unity if those principles are generated by some unitary justificatory procedure, as is the case with Kantianism, or with rule-consequentialism.”⁴⁵ His response to this potential problem is that while other theories have a test that determines principles independently of one another, Ross also has a test to determine the principles. Kantianism’s test to determine what principles we should use is the Categorical Imperative while rule-consequentialism’s test is what could be expected to produce good consequences when adopted by the next generation. Ross’ test though determines the prima facie duties as

⁴³ McNaughton 1996 p.440.

⁴⁴ Ross 1946 p.19.

⁴⁵ McNaughton 1996 p.441.

they relate to each other. He looks at whether any potentially new prima facie duties can be found in some combination of the others already established or if they are actually some more fundamental prima facie duty than those already established. This is the entirety of McNaughton's response to the type of objection to Ross-style pluralism as we saw put forward by Hooker. The general idea of the response is that moral pluralism's prima facie duties are selected because they are not derivative from each other and are the most fundamental principles one can get from our intuitions. The idea that there is nothing tying them together does not fit the theory because their relationship to each other as the most basic duties we have based on the relationships we are in is what makes the duties a whole and what does the connecting. They rely on each other and that they come from our relationships for their justification.

The Failure of McNaughton's Solution

In an attempt to defend moral pluralism against opponents who believe that the principles (prima facie duties) it holds are unconnected and just a random group, McNaughton attempts to show how the duties that Ross has established are wholly distinct from one another in that they cannot be derived from each other. As we know from Ross' initial lay out of his theory, he automatically uses this response in order to try and stop this type of specific objection before it ever leaves the ground. As was seen in the example Ross gives regarding why we should follow the laws of our own country, any duties we may think should be included in Ross' list are covered by the duties already present. It is in this way that we only end up with the most basic of the duties we need and have the definitive list Ross created. Of all of the prima facie duties listed by

Ross, none can be derived from the others or an amalgamation of more than one of them. McNaughton brings this idea out at the start of his attempt at refuting Hooker's objection.

The next step that McNaughton takes in defending Ross is to say that while Hooker believes some principle is necessary to ground and justify the prima facie duties Ross has created, a principle is not necessary. While I agree with McNaughton's general idea that a principle is not necessary, I do not agree with his reasons for saying so. As we will see in the next section, there is a way of grounding and justifying the moral principles we have without appealing to some principle. McNaughton's specific response as to why we do not have to appeal to any sort of principle in order to justify or ground the moral principles we adopt is that the relationship between the principles we have adopted is enough justification to fully ground the principles. The relationship between the individual prima facie duties, what connects them together, is that they all come from our relationships with others. This idea implies that he believes there is some sort of specific relationship between the seven prima facie duties but he later states that a specific relationship exists between only three of Ross' basic seven prima facie duties. "At least some of and perhaps all of our duties, both basic and derivative, do have something in common: they rest on relationships between persons, each different relationship generating a specific duty...Of the seven basic duties which Ross has on his original list, three – fidelity, gratitude, and reparation – seem to fit this description neatly."⁴⁶ Unless a relationship exists definitively between each of the prima facie duties,

⁴⁶ McNaughton 1996 p.441.

McNaughton cannot rely on this idea of their relationships to ground and justify the duties in question.

In addition to this initial problem with McNaughton's defense there is also something else that seems strange. McNaughton seems to go through some pains to effectively make the statement that each of the prima facie duties is included on Ross' list of duties because they are distinct from one another and cannot be reduced into each other or into another more fundamental principle but above we saw him say that "at least some and perhaps all of our duties...rest on relationships between persons."⁴⁷ If this statement is true, and McNaughton solves the initial problem we have just raised by telling us that each of the prima facie duties does have that concrete relationship with the others, the quality of having something to do with the relationships between persons, then it seems we have not only found something to ground all of the prima facie duties on, but also something more fundamental than them. Ross' theory could potentially be grounded on a moral principle that tells us to perform those actions that will honor our relationships. There is one main problem with McNaughton's solution. The idea behind moral pluralism is that there is no one moral principle on which the seven prima facie duties can rest. To connect each of the duties in this way is doing something that Ross would not have agreed with. It would change the prima facie duties into merely secondary considerations behind the more important absolute duty to honor our relationships when in fact we need the prima facie duties as they are. An absolute duty to honor our relationships would strip us of our ability to put them aside when necessary.

⁴⁷ McNaughton 1996 p.441.

While Ross does tell us that “each of these relations[hips] is the foundation of a prima facie duty”⁴⁸ he does not mean this to be taken any further than just a way to decipher which duties our common-sense morality generally imposes on us. Each of the prima facie duties comes from a common attribute found in our relationships with people. The fact that they are all slightly connected in their having been found while examining our relationships is something that is trivially true and is in no way meant to be a justificatory procedure. To answer why it is that these prima facie duties need to be adhered to when it happens they become our specific duty we need something more than how we were able to discover what they are. If we relied solely on McNaughton’s reasons for justifying the prima facie duties then it is probably the case that we would have adopted other prima facie duties out of our relationships solely because they will better preserve and honor our relationships. It is not far fetched, especially in today’s world, to imagine a prima facie duty prohibiting arguing or free speech altogether, all for the sake of our relationships. There has to be some other way we can attempt to bind together and justify our moral principles. As we will see in the next section, Berys Gaut is someone who has been able to formulate just how it is that we are able to justify Ross’ prima facie duties.

Berys Gaut’s Response to Hooker

In his article “Rag-bags, Disputes and Moral Pluralism”, Berys Gaut makes a direct attempt, unlike McNaughton, to dispel the objections raised by Hooker. As a preliminary to examining how Hooker is mistaken in his objections Gaut first lays out

⁴⁸ Ross 1946 p.19.

how Hooker's assumption that rule-consequentialism can reflect our intuitions just as well as Ross-style pluralism is unfounded and not necessarily true. Hooker's rule-consequentialism is only able to reflect our intuitions in a way similar to moral pluralism because it also provides a plurality of principles for us to use in a decision making process. Instead of the pluralist being required to show how it is not just another version of rule-consequentialism, Gaut believes that Hooker must provide reasons why rule-consequentialism is not just another form of moral pluralism. This defense Hooker needs occurs when he adopts the agent-neutral principle that rules should only be adopted which could be expected to produce the greatest number of good if adopted by generations to follow. The fact that this principle is agent-neutral is what "gives his theory its consequentialism tenor."⁴⁹ His adoption of this agent-neutral principle allows rule-consequentialism to represent some of our intuitions from our common sense morality, but it is not able to represent all of them.

In order to represent our intuitions as well as moral pluralism does, rule-consequentialism has to also cover agent-relative conceptions of moral commitment from this agent-neutral perspective. Gaut supplies the example of "the rule that each person has special duties of care towards her own children."⁵⁰ While Hooker can say that there is a general rule "that each person has some minimal duties of care to everyone,"⁵¹ he must be able to justify that we have some duty to our own children from this agent-neutral perspective. "To do so [he] will have to appeal to empirical psychological facts,

⁴⁹ Gaut 1999 p.39.

⁵⁰ Gaut 1999 p.39.

⁵¹ Gaut 1999 p.39.

such as that children will likely be better looked after by their own parents than by others.”⁵² According to Gaut, a justification such as this does not completely cover the force behind why it is that I have this special duty to my children. Our common-sense morality tells us that there is something special about the relationship between me and my children, besides the fact that I may be able to better care for them than someone else, that imparts on me the duty to care for them. Just like the rest of Ross’ pluralism, the benefit that can be gained from taking a specific action is not what is important. What is important is the specific, agent-relative, parent-child relationship that exists. There is no way for any agent-neutral conception of why parents should care for their own children to cover this area of the relationship. The agent-neutral idea that children are likely to be better cared for by their own parents ignores why it actually is the case that children are better off with their parents. There is something special about the parent-child relationship that makes this so and only an agent-relative theory can fully cover this. Hooker’s rule-consequentialism is unable to fully capture this special relationship that we seem to find in our common-sense morality so, according to Gaut it cannot be as good as moral pluralism in matching our intuitions.

In attempting to refute Hooker’s objection that rule-consequentialism is better than Ross-style pluralism (hereafter referred to as simply moral pluralism) Gaut reminds us that what we consider our common sense morality is essentially pluralistic because we appeal to many principles when generally deciding what to do, and, “given the credence our pre-reflective beliefs possess, we would need to be given good reasons for supposing

⁵² Gaut 1999 p.39-40.

that this pluralism is mere appearance, hiding a deeper, single moral principle.”⁵³

“Having something extra is not always welcome.”⁵⁴ While Hooker claims that we need to have something extra around to unify the moral principles we have, Gaut captures the spirit of moral pluralism and states that this is exactly what is up for debate between the pluralist and the monist. “If the extra offered is a single moral principle which unifies all other moral principles, then it is a moot point for the consequentialist to claim this as an advantage of his theory, since it is precisely the existence of such a principle that is in dispute between him and the pluralist.”⁵⁵ While we would all probably agree that it would be good to have something available to bind and justify our moral principles, Gaut goes on to argue that there is no reason to assume, as Hooker and his rule-consequentialists do, that it has to be a moral principle doing the binding and justifying. “The issue is about *what* is to do this tying together and justifying – whether it is to be done by a *moral* principle, or by some general *rational justification procedure* for the principles that the pluralist advances [emphasis Gaut’s].”⁵⁶

The answer to Gaut’s questions is clearly that the pluralist would agree that there is a rational justification procedure that binds and justifies the moral principles together. There is no first principle from which they all have developed but a procedure on which they can be grounded. The procedure the pluralist uses is reflective equilibrium.

⁵³ Gaut 1999 p.38.

⁵⁴ Gaut 1999 p.40.

⁵⁵ Gaut 1999 p.40.

⁵⁶ Gaut 1999 p.40. The idea of a ‘rational justification procedure’ is that of John Rawls. Further information can be found in *Theories of Justice* (Cambridge, Massachusetts: Belknap Press of Harvard University Press), 1971 and *Justice as Fairness* (Cambridge, Massachusetts: Belknap Press of Harvard University Press), 2001.

“She takes these moral intuitions and principles we pre-reflectively endorse (i.e. common sense morality) and attempts to render them consistent with each other; she corrects for distortions in our moral reasoning that can be traced to unfair deliberative conditions...The reflective equilibrium to which she appeals is not just narrow (adjusting moral principles to moral intuitions), but is wide, appealing to non-evaluative facts...and to evaluations that encompass more than merely moral matters, such as those evaluations displayed in many of our personal relationships...The pluralist’s account of why we possess just these moral principles, then, rests on the initial credence of our pre-reflectively endorsed intuitions and principles, and their increased credence when they are subjected to a greater degree of reflective improvement drawing on a wide variety of resources, both evaluative and non-evaluative.”⁵⁷

With this procedure in place there is no need for the pluralist to have a first principle on which to ground their other moral principles. The procedure of reflective equilibrium is more than enough to justify how all of the principles come together and why we have the principles we have and no others. It is not just a random group of principles thrown together, but a meticulously formed list that is constantly being evaluated in order to assure its adherence to our intuitions and the facts that we know about the world. “It is difficult to see what additional argument there could be for the claim that justification by a single moral principle is also required”⁵⁸ because the reasons Hooker gives for the necessity of a moral principle are fulfilled by the use of the reflective equilibrium process.

It is possible, as Gaut points out, that opponents of pluralism will insist that it is possible, when the pluralist attempts to expand on her account of moral commitments that the appeal of a single moral principle will once again come into play. One such example of what the pluralist may be tempted to say, according to opponents, will be that “the best

⁵⁷ Gaut 1999 p.41.

⁵⁸ Gaut 1999 p.41.

account of why we have the moral system we do will ground the moral rules on the good consequences of observing them. The challenge to the pluralist is then to show that this reduction to a single moral principle will not take place.”⁵⁹ To show this Gaut mentions how the specific relationships we are in with people give us certain moral commitments. In regard to someone we love, there are many ways in which we feel we have obligations toward them that, if we were to neglect, would result in the disintegration of the relationship. “Such special obligations must be acknowledged if love is to possess its recognizable and characteristic shape.”⁶⁰ In this example Gaut feels he is able to “derive moral commitments from a broader evaluative stance, a stance that is partially constitutive of valuable social relationships.”⁶¹ These agent-relative duties that derive from the relationships we are in are necessary in order for us to continue having these relationships.

We, as communal beings, are also able to associate ourselves with others and put ourselves in their position. “By imaginatively detaching myself from my own perspective and that of my community, I can recognize that the activities and feelings of outsiders may be as intrinsically valuable as my own. Hence by deploying my imaginative capacities, I can recognize the existence of the agent-neutral value of certain states of affairs.”⁶² The fact that we are able to derive both agent-neutral and agent-relative values, using our common sense capacities, tells us that “we cannot without grievous loss either to our relationships or to our cognitive capacities give either side

⁵⁹ Gaut 1999 p.42.

⁶⁰ Gaut 1999 p.42.

⁶¹ Gaut 1999 p.42.

⁶² Gaut 1999 p.43.

up.”⁶³ Both are necessary in order to do sufficient justice to our intuitions. It is impossible to reduce one to the other because the agent-relative values come solely from our relationships which “we value independently from an agent-neutrally impartial view,”⁶⁴ regardless of their influence on the general good. There is therefore no way to tie all the moral commitments we have together based on one single aspect the way in which rule-consequentialism does without leaving behind or neglecting some crucial aspect of our commitments and values. The question of whether the pluralist can explain why we have our moral commitments without resorting to any sort of consequentialist answer is therefore put to bed. Pluralists have a way of binding and justifying their principles that does not rely on one ultimate moral principle, and they can explain why we have commitments without everything boiling down to some version of consequentialism at the end of the day.

The Success of Reflective Equilibrium

The response given by Berys Gaut to Hooker’s objection that moral pluralism needs some sort of justifying and grounding first moral principle for it to be as good a theory as rule-consequentialism is something that Ross would have completely agreed with. In his exposition of the idea of reflective equilibrium, he lays out exactly what Ross seems to be trying to say. Reflective equilibrium is explained by John Rawls to be the process of “going back and forth, sometimes altering the conditions of the contractual circumstances, at others withdrawing our judgments and conforming them to

⁶³ Gaut 1999 p.44.

⁶⁴ Gaut 1999 p.44.

principle...eventually we shall find a description of the initial situation that both expresses reasonable conditions and yields principles that match our considered judgments duly pruned and adjusted.”⁶⁵ In describing how it is that we can ever know the moral principles we hold when they are not evident from the beginning of our lives, Gaut tells us that “they come to be self-evident to us just as mathematical axioms do...by experience...we see the prima facie rightness of an act which would be the fulfillment of a particular promise, and of another which would be the fulfillment of another promise, and when we have reached sufficient maturity to think in general terms, we apprehend prima facie rightness to belong to the nature of any fulfillment of promise” (Ross 1946).

This process, as outlined by Rawls and Gaut, of learning and adjusting what our moral principles are and constantly looking at them through the lens of whether they conflict with known empirical fact or what our intuitions seem to tell us is one that Ross uses many times throughout *The Right and the Good*. We see it first when he looks at the difference between morally right and morally good and then again when he tries to lay out which types of things can be considered intrinsic goods. There is no reason to reject the idea that Ross used this process to discover his prima facie duties. He uses a process of reflection to look at the relationships we have with other people and then reflective equilibrium to see which of the duties we have because of these relationships are the most fundamental. According to Ross, people “stand to me in the relation of promisee to promiser, of creditor to debtor, of wife to husband, of child to parent, of friend to friend, of fellow countryman to fellow countryman, and the like; and each of these relations is

⁶⁵ Rawls p.20.

the foundation of a prima facie duty, which is more or less incumbent on me according to the circumstances of the case.”⁶⁶ We have these moral principles/prima facie duties because of the relationships that we are in but they are discovered, guided, bound, and justified based on a process of reflective equilibrium in line with what Gaut has laid out. Ross would agree with Rawls’ statement that “justification rests upon the entire conception and how it fits in with and organizes our considered judgments in reflective equilibrium...justification is a matter of the mutual support of many considerations, of everything fitting together into one coherent view.”⁶⁷

CHAPTER 3: CAN MORAL PLURALISM SOLVE MORAL DILEMMAS?

Hooker’s Second Argument

A second fact Hooker thinks we should keep in mind regarding the benefit of having a first principle in our moral theory is how useful it can really be. “Finding out that some more basic principle underwrites our various shared and confident general moral principles would presumably be not only *satisfying intellectually* but also *important practically* [emphasis Hooker’s].”⁶⁸ According to Hooker, there are some moral dilemmas and “unsettled moral questions”⁶⁹ that pluralism just can not solve without the aid of a higher moral principle. Discovering this principle is necessary in order to have a fully determinate moral theory that can help us escape moral dilemmas.

⁶⁶ Ross 1946 p.19.

⁶⁷ Rawls p.579.

⁶⁸ Hooker p.536.

⁶⁹ Hooker p.536.

“A moral theory that did not help with unsettled moral questions would let us down. Other things being equal, a theory that helps more is better.”⁷⁰

If, as Hooker claims, rule-consequentialism is a better and more determinate theory than Ross-style pluralism, then rule-consequentialism should be able to help us resolve disputes much better than the alternative could. According to Hooker, Ross-style pluralism has two attributes that allow it to respond to moral disputes. The first is that moral pluralism “can call for improvements in the light of improved empirical information.”⁷¹ When information is found that shows that either our general principles or specific judgments are off or mistaken, Ross-style pluralism allows for the adjusting of them to reflect our newly gathered information. The second is that “we can also criticize our moral practices on the basis of any of our general principles.”⁷² What this means is that if some moral practice seems to be the norm but was instated as the norm during a time where conditions were not fair, we have every reason to reevaluate the situation in fair conditions and declare the moral practice to be followed or abandoned.

Rule-consequentialism, according to Hooker, can and does do a better job at resolving disputes than Ross-style pluralism does. Because of its greater determinacy, it has many more qualities that allow it to resolve disputes than pluralism’s lonely two attributes. Moral pluralism’s indeterminacy is personified by its inability to resolve disputes. The example Hooker uses to elucidate Ross-style pluralism’s difficulty with adjudicating disputes and criticizing moral principles is the principle of chastity. The

⁷⁰ Hooker p.537.

⁷¹ Hooker p.541.

⁷² Hooker p.541.

principle of chastity is the historically basic principle that prohibits “sex outside marriage.”⁷³ This principle is no longer the staple in society that it once was and has been heavily disputed as to whether it should still be accepted as a reason for refraining from certain behaviors. According to Hooker, the only way for a pluralist to enter this dispute and potentially challenge the principle of chastity, as he supposes any moral theory would want to, is to either say that it has a potential conflict with the duty of beneficence or that it is ungrounded.

The moral pluralist will want to challenge this principle because the list of prima-facie duties is supposed to be fairly complete according to Ross and accepting the principle of chastity would create a need to add a new prima facie duty, a duty which is fairly controversial, to Ross’ list. To say that it has a potential conflict with the duty of beneficence is not a way of dismissing the principle of chastity in Hooker’s view because it is possible for any principle to conflict with the duty of beneficence because of the nature of the principle of beneficence.⁷⁴ There is always a chance that what a principle requires us to do will not result in as much good as an alternative principle. The duties and principles already established by Ross all have this characteristic of potentially conflicting with the duty of beneficence so if the principle of chastity is to be dismissed, it must be for something other than this potential conflict. Also, saying that the principle of chastity is ungrounded does not work for the pluralist in Hooker’s view. “Ross-style pluralism proclaims that *all* the other basic general principles it affirms likewise have no

⁷³ Hooker p.541.

⁷⁴ For further treatment of the nature of the duty of beneficence see Stephen Darwall’s “Under Moore’s Spell” (*Utilitas*, 10(3), 1998, 286-291) and Jonathan Dancy’s “Wiggins and Ross” (*Utilitas*, 10(3), 1998, 281-285).

deeper grounding [emphasis Hooker's]"⁷⁵ so the principle of chastity, if it were to be accepted, would be no different from the principles pluralism already accepts. It is in its inability to give any sort of argument unseating the principle that moral pluralism shows its indeterminacy. Rule-consequentialism, on the other hand, can attack chastity by showing how chastity is not the best way to maximize happiness in the world. Hooker's theory has some other principle to attack the principle of chastity with that does not damage his theory when used. How well it can do this and whether Hooker is correct in assuming this will not be discussed here. Assuming that it is true that rule-consequentialism is 'better' than Ross-style pluralism in this way, our task later will be to show that Ross' theory is just as good, if not better, at entering into the debate about alternative moral principles.

Another area where Ross-style pluralism is lacking, according to Hooker, is in tackling not just disputes about moral principles but also disputes about moral issues. Hooker takes up the problem of euthanasia in order to draw out where pluralism is lacking in solving moral problems. Hooker says, "By "euthanasia", I mean killing or letting die *for the good of the patient*. Of course there are questions about who (if anyone) is to carry out the euthanasia and about what safeguards need to be in place. But will Ross-style pluralism get as far as these questions, or will it rule out euthanasia from the start [emphasis Hooker's]"⁷⁶ The reason why Hooker asks this question is because there is more than one way to interpret Ross' prima facie duty of non-maleficence. It has to be taken at the very least as the duty to prevent physical injury. According to Hooker,

⁷⁵ Hooker p.542.

⁷⁶ Hooker p.542.

this seems to leave open the problems of indirect harm, mental injury, and other non-physical injuries that are able to be inflicted on a person. When a situation occurs where one would be inflicting physical harm on someone in order to relieve another more severe type of harm, for instance killing them in a pain free manner in order to relieve them of the pain they will have to endure while they die from a vicious incurable disease, Hooker wonders how the pluralist will go about making a decision to kill them or not.

He hypothesizes that the Ross-style pluralist's response will be to say that this is a situation where our solution requires that the duty of non-maleficence "should be modified *so as to produce more overall good*. However, if Ross-style pluralists appeal to this thought, they seem to have fallen back on rule-consequentialist thinking [emphasis Hooker's]."⁷⁷ It is because of this that Hooker thinks any real attempt for the pluralist to resolve moral dilemmas will ultimately fall back on rule-consequentialist thinking, making rule-consequentialism a superior theory to Ross-style pluralism. The detail of Ross' theory that comes into question here is not just whether it is possible for duties to conflict or not but also whether it is possible for there to be a ranking of the duties. If there were a viable ranking, then it seems that one could just appeal to the higher ranking principle to solve a moral dilemma. If this course of action is taken, though, Ross' pluralism seems to turn into a monistic theory appealing to the highest principle. It is also, as Hooker points out, in grave danger of simply appealing to the prima facie duty of beneficence and falling back on rule-consequentialism to resolve its disputes.

⁷⁷ Hooker p.543.

McNaughton's Response to the Moral Dilemma Problem

In an attempt to respond to the criticisms raised against pluralism's ability to solve moral problems or disputes (as we just saw exemplified by Hooker), McNaughton lays out how the *prima facie* duties relate to each other within deliberation.

Unfortunately for McNaughton this response does not do much to quell the questions Hooker has raised about Ross-style pluralism. Before he goes into detail, McNaughton gives us a brief synopsis of what many believe Ross' general position is. He states that "Ross is standardly interpreted as claiming that a conflict between duties in a particular case can only be resolved by determining what weight those duties carry in that case; nothing in general can be said about the relative weight of different kinds of duties... This interpretation runs counter to the text."⁷⁸ This leads McNaughton to tell us what the correct interpretation of Ross theory regarding conflict of duties would be.

In *The Right and the Good*, according to McNaughton, Ross is attempting to find some sort of middle ground between "the complete generalism of absolutism (or indeed of a lexical ordering of duties) which gives no consideration to the circumstances of the particular case, and a doctrine of *prima facie* duties which makes the outcome of any conflict depend solely upon the wholly individual circumstances of the particular case [emphasis McNaughton's]."⁷⁹ This would allow for Ross to have a general ranking of the duties, a way they tend to stack up, and say that some seem to be intrinsically weightier than others. The first duty McNaughton mentions as special and distinct from the others in some way is the duty of non-maleficence. Ross lays out that the duty of

⁷⁸ McNaughton 1996 p.442.

⁷⁹ McNaughton 1996 p.442-443.

non-maleficence is “both distinct from and more binding than the duty of beneficence,”⁸⁰ as was previously mentioned.

McNaughton then goes on to claim that this idea of non-maleficence being more binding than beneficence is unnecessary. All that we need in order to make decisions regarding actions, according to McNaughton, is to claim that each of the duties Ross lays out are distinct from one another. This, he thinks, will clear up any problems we may encounter in the decision making process. For example, the duties of fidelity and non-maleficence are distinct and separate duties from the duty of beneficence. According to McNaughton, it is from this that we are able to infer that “first, where the balance of good between the two courses of action is (roughly) equal, the other duty will be decisive, because beneficence will not favor one course over the other.”⁸¹ An example of this would be if we had to choose who to save when two people are drowning. We can generally cause the same amount of good to come about by saving either of them but if another *prima facie* duty is relevant to the situation then that duty will be the decisive factor in telling us who we should save.

McNaughton tells us that we are also able to infer that “where the balance of good, and therefore beneficence, counts morally in favor of one course of action, but some other duty...counts against doing it, then beneficence will only win if it has sufficient weight to outweigh the other duty.”⁸² This can be seen in the question of whether or not to incarcerate a criminal. Putting the person in prison will create a good

⁸⁰ McNaughton 1996 p.443.

⁸¹ McNaughton 1996 p.443.

⁸² McNaughton 1996 p.443-444.

for society but it will also strip that person of their freedom and potentially do irreparable harm to them. The only way the pluralist can be justified in putting the person in prison is if the good created by their removal from society will outweigh the harm caused to them. The duty that will create some good will have to create an enormous surplus of good so that the breach of duties can be justified. Unless that burden is satisfied the other duties must be respected and upheld.

McNaughton does mention a problem with this idea that only a sufficient amount of good can cause us to breach one of our other duties in a situation. When looking at the ranges of possibilities of the importance or stringency of the duties, we find that “there seems to be no limit to the amount of benefit that might flow from a single action, there is no top to the scale of beneficence.”⁸³ This means that it will be incredibly difficult to know when another duty could possibly outweigh the duty of beneficence. The only possible way out of this would be if, when we spoke of, say, the duty of fidelity we looked not at whether our promise was more stringent than the good we could produce by breaking it, but at whether the promise, in the grand scheme of promises, was trivial or particularly stringent and binding. If it is particularly binding then no amount of good we could produce could free us of that promise. “The weight to be accorded to a duty is not just a function of the good produced, there does not seem to be anything in his system which prevents his claiming that serious cases of promise-breaking could have a moral weight which could not be outweighed by any amount of good to be achieved on the

⁸³ McNaughton 1996 p.445.

other side.”⁸⁴ McNaughton then goes on to say that while this is the case, there is no textual evidence Ross ever held this view and continues by claiming that “most of us feel that there are situations in which it would be right to break a promise, however solemn.”⁸⁵

McNaughton then continues by saying that something like this idea about solemn promises can be used in regard to the prima facie duty of non-maleficence. “While it can be right to inflict some comparatively slight harm in order to secure a great good or avert a disaster, it may be that it can never be right to inflict a very serious harm, such as killing an innocent child, to achieve a good end.”⁸⁶ According to McNaughton, Ross cannot hold the idea that it is never right to inflict serious harm though because the same problems we saw with the idea of never breaking a solemn promise come up. If he did accept it, it could make room within Ross’ prima facie duties for “an absolute constraint against killing the innocent”⁸⁷ just as we had with fidelity and a potential absolute constraint against breaking solemn promises. This is, McNaughton acknowledges, what Ross wanted to avoid at all costs so it must not be what Ross meant when he claimed that some duties are generally always more stringent than others.

With all of this in mind McNaughton is left to claim that “Ross was just confused when he thought that he needed, in order to explain our moral judgments, to claim not only that there were duties distinct from beneficence, but also that the former were more stringent than the latter. We are left, then, with the claim that all we can do, when faced

⁸⁴ McNaughton 1996 p.445.

⁸⁵ McNaughton 1996 p.445.

⁸⁶ McNaughton 1996 p.445.

⁸⁷ McNaughton 1996 p.446.

with a moral conflict, is to look carefully at the particular case in all its complexity and form a reasonable judgment as to which duty (or duties) carry the most weight.”⁸⁸ The fact that pluralism, according to his exposition, does not provide a way to solve moral disputes is not a problem with Ross’ theory in his eyes. According to McNaughton, it is a failure of intuitionism in general that it doesn’t give guidance regarding resolution of moral conflicts but it is not a failure of pluralism. This is because giving guidance about moral conflicts was not a part of Ross’ aim. Critics of pluralism’s lack of problem solving are expecting too much from Ross’ theory. They expect a moral theory to offer general guidance about how to solve a moral conflict. “Ross has a much less ambitious picture of the role of moral theory than that. The job of moral theory is simply to see which general account of the nature of our duties (and of goodness) give the best overall picture of our moral thinking. There is no question of theory revealing answers to moral questions that cannot otherwise be answered, or justifying what would not otherwise be justified.”⁸⁹ Trying to find the answers to moral questions within an abstract theory is to look in the wrong place. Ross’ theory was never meant to solve these kinds of questions because no theory can ever really solve these types of questions and still be true to our intuition that there is some sort of conflict there. Thus, McNaughton gives a defense of Ross-style pluralism against the attacks it receives because of its apparent inability to solve moral disputes and dilemmas.

⁸⁸ McNaughton 1996 p.446.

⁸⁹ McNaughton 1996 p.446.

How McNaughton's Solution Fails to Solve Moral Dilemmas

When McNaughton attempts to rescue pluralism from problems similar to those Hooker raised regarding its seeming inability to resolve moral dilemmas or evaluate moral principles, he began by looking at what he thinks Ross was trying to do when he drew out the relationships the prima facie duties have with one another in practice. According to McNaughton, Ross tells us that the duty of non-maleficence is not only distinct from the duty of beneficence but also more binding than it. This distinction is something that McNaughton feels is unnecessary and that Ross was confused in making. It seems that he thinks Ross just decided that the theory would be better if non-maleficence was more stringent than beneficence so he declared it to be so. This is not the case. In every decision and move Ross made throughout *The Right and the Good*, he followed our common sense morality and attempted to give a thorough explanation of why it is we tend to have the duties and take the actions that we do. It would make no sense if Ross decided to conveniently forget one large part of our common sense morality. That the prima facie duties do in fact seem to stack up in specific ways in specific situations is evident from looking at the relationships we have. The fact that the prima facie duty of non-maleficence *tends* to be more stringent than the duty of beneficence is something that cannot be ignored.

In most everyday personal interactions with others we find when made to choose whether to produce or prevent comparable amounts of benefit for them or harm to them, we will generally choose to prevent the harm. Granted there are many situations where we could imagine choosing to produce the benefit rather than prevent the harm, but

regardless of what we chose to do, another of Ross' prima facie duties comes into play, the duty of reparation. If we prevent someone from receiving some benefit or cause someone to endure some harm, we tend to feel a duty to make it up to that person. This impetus to make up for wrongs people endure that we could have prevented seems to be much stronger when we have caused them to endure some kind of pain or harm than if they were kept from receiving some benefit. Knowing this tells us that our common sense morality tends to make us feel worse about what we have done if we have given someone pleasure at the sake of someone else being left to endure some sort of pain. Therefore it seems that the prima facie duty of non-maleficence tends to take precedent over the prima facie duty of beneficence. This might not always be the case, but it is the way the situation tends to work out. Ross was not confused in stating that some of the prima facie duties are generally more stringent than others; he was simply revealing what was already existent in our intuitions and common sense morality. Later in this chapter we will look more at what these tendencies mean for the possibility of solving moral dilemmas.

A second problem that McNaughton raises with the idea that some prima facie duties can be more stringent than the duty of beneficence is the idea that there is no limit to the amount of benefit someone can receive from an action. With any event, there is an amount of benefit someone can receive from it immediately, but there is also an amount of benefit that may come over time from that action. It is even possible that the person receives no benefit at the time the act occurs and only receives benefit from it later on. What McNaughton is trying to say here is that you can never know how much benefit

someone will ever really receive from an action. Without knowing this, you cannot say that an act does not produce enough of a surplus of good to override another duty. While McNaughton is correct in saying that the benefit we can receive from a situation does not all occur instantaneously, with the majority of actions, it tends to be the case that the benefit one would receive from an action can be substantially determined at the time the action takes place. In most cases, the benefit that does not occur initially is miniscule in comparison to what was initially created so anything occurring after the fact is not incredibly influential. In other cases, such as education, we can easily foresee the benefit one will receive from it in the long run. Any minute benefits the action causes later on do not generally change our opinion as to whether or not the action should be pursued. They add very little to the initial value of the action. If we are in a situation where the main benefit of the action only occurs later on, this is something that is taken into account when deciding whether or not to take up the action. The fact that the initial benefit of the action is zero is not what we would be concerned with in the situation. While McNaughton is correct in saying that the possible benefit we can get from an action has no pre-set limit, this does not prevent us from looking at the duty of beneficence in relation to the other duties and deciding whether or not some of them tend to be more stringent than it and should be followed rather than following the duty of beneficence.

The main problem with McNaughton's solution to the problem of moral dilemmas is that he declares that Ross never says, or would want to say, that "serious cases of promise-breaking could have a moral weight which could not be outweighed by

any amount of good to be achieved on the other side.”⁹⁰ This would leave room for absolute prohibitions on killing an innocent person in McNaughton’s eyes. He is absolutely correct in saying that Ross would never say or want to say something like that. Unfortunately for him, he is correct but for the wrong reasons. Ross would never say that there are certain promises which can never be overridden because he is not an absolutist. His entire theory is about the tendencies we have to behave in certain ways and never once declares that we always take up a certain action in a certain situation. What Ross would agree to, along these same lines, is that there are serious cases of promise-breaking that could have a moral weight which tends to not be outweighed by any amount of good to be achieved on the other side. We already know, through common-sense morality that we should generally not break solemn promises or kill the innocent but we also know that there may tend to be times where according to the prima facie duties we are required to break a promise that may be considered solemn or to kill someone who is innocent. In a situation where we must either keep our solemn promise to a person or save their life or, alternatively, if we must either kill one innocent person or let one-hundred other people die, we must do the action we would normally prohibit or be guilty of neglecting our moral obligations.

Certain moral dilemmas, like Hooker’s example of euthanasia, cannot be solved in McNaughton’s eyes. Any attempts saying we must never undertake acts like euthanasia or breaking solemn promises will end up creating an absolutist principle. There is no evidence in Ross’ work that he would accept such a principle nor should it be

⁹⁰ McNaughton 1996 p.445.

accepted based on the content of his theory. This leaves McNaughton to mistakenly claim that Ross thinks “there is no question of revealing answers to moral questions that cannot otherwise be answered or justifying what would not otherwise be justified...where there are puzzling moral conflicts, moral theory will not help to resolve them.”⁹¹ On the contrary Ross believes that there is a way to escape moral conflicts such as these. A specific explanation of the way Ross prescribes we resolve moral conflicts will be explained in the last section of this chapter. For now it will suffice to say that Ross believes that a moral theory’s role is not just to give a “general account of the nature of our duties”⁹² but that it should “fit the facts.”⁹³ There is no evidence in *The Right and the Good* that Ross would agree with McNaughton in saying that moral theory is not meant to solve moral dilemmas. The task of proving that Ross’ moral pluralism can solve moral dilemmas and can therefore compete with theories such as Hooker’s rule-consequentialism has not been accomplished by McNaughton.

Gaut’s Response to the Moral Dilemma Problem

Hooker’s second argument that moral pluralism is not able to solve moral problems is also tackled by Gaut. After having laid out that there is no need to have an underlying principle and showing that pluralism does not just fall back into rule-consequentialism when explaining why we have moral commitments, Gaut attempts to show how pluralism can respond to the accusation that it is unable to solve moral dilemmas.

⁹¹ McNaughton 1996 p.446.

⁹² McNaughton 1996 p.446.

⁹³ Ross 1946 p.19.

The rational justification procedure that Gaut lays out for how we can bind and justify our moral principles is the same way in which we can change and “overturn many of our cherished moral intuitions, since they may be shown to be subtly inconsistent with our principles, to rest on false empirical beliefs, or to be such as to be agreed to only under unfair deliberative conditions.”⁹⁴ Hooker acknowledges that moral pluralism can do this, but he still thinks that his rule-consequentialism can do a better job solving disputes. Gaut thinks that he has found the same problem with Hooker’s second problem as he did with Hooker’s first. While Hooker is looking for moral pluralism to do something specific, he might not be looking in the right place. Gaut posits the idea that “the inability to resolve a dispute may not stem from a failure in a moral theory, but it may be the result of a genuine indeterminacy about what morally ought to be done in the case of certain moral problems...and also in respect of certain moral dilemmas.”⁹⁵ It is wholly possible that some situations do not have the simple solution that Hooker is looking for. It is also possible that some situations truly are moral dilemmas and just do not have one specific solution that absolutely must be the case.

The next aspect that Gaut looks at in trying to eliminate Hooker’s problem is the difference between disputes involving particulars, or particular cases, and universals, or general problems. In the particular examples, Gaut looks at situations where one is wondering “whether it is wrong to break a promise I yesterday made to Jack in order to help needy Jill.”⁹⁶ In a situation like this the pluralist seems to be much worse off than

⁹⁴ Gaut 1999 p.44-45.

⁹⁵ Gaut 1999 p.45.

⁹⁶ Gaut 1999 p.45.

the consequentialist because the pluralist holds that both of the principles that come into play in this situation are relevant and neither can be decided on over the other according to Gaut. The consequentialist at least only has one principle to rely on and therefore will not end up in a situation where they do not know what the theory would tell them to do. This appearance of being unable to solve the dilemma is actually, according to Gaut, just an appearance. In a situation where a moral dilemma exists the moral pluralist will say that we should “cultivate moral experience and the capacities of moral reflection in oneself, and also to inquire of those who possess such experience and reflection what ought to be done...at certain points appeal has to be made to judges, not to principles.”⁹⁷ It is therefore possible for the moral pluralist to solve moral dilemmas in particular situations.

The situation with the pluralist attempting to solve universal or general problems is slightly different, according to Gaut. Gaut examines the problem raised by Hooker surrounding universals, specifically the problems with rejecting principles such as the chastity principle and the problem surrounding euthanasia as the following: “Hooker believes in effect that either the pluralist must be a moral conservative, supporting whatever principles happen to be accepted by her society, or if she is to find good reasons for their modification, her position is in danger of collapsing into rule-consequentialism.”⁹⁸

With the euthanasia example Hooker uses, the main problem is that if the pluralist appeals to what would be likely to produce the most overall good to make their decision

⁹⁷ Gaut 1999 p.45.

⁹⁸ Gaut 1999 p.46.

regarding what to do, he/she is considered a rule-consequentialist. What is actually the case though is that the pluralist is appealing to the consequences of the situation as one of many relevant moral criteria for judgment. The consequences of a situation are “a part of the normal argumentative strategies employed in common-sense morality. But what the rule-consequentialist holds to be the only ultimate moral criterion for the acceptability of a rule, the pluralist can think of as a moral criterion for its acceptability.”⁹⁹ In addition to this information, Gaut also mentions that it is possible for a pluralist to agree to or argue about a change in the meaning of the duty of non-maleficence; something Hooker does not believe is possible because of the danger of the theory collapsing back into rule-consequentialism. Even if Hooker is correct in his thinking that there are times where a duty should be modified in order to produce more good this, according to Gaut, does not make the theory collapse into rule-consequentialism because, as we just mentioned, consequences are relevant to the situation we are judging, but they are one of many considerations, not the only one.

In response to Hooker’s principle of chastity problem, Gaut agrees that the pluralist cannot appeal to any potential conflicts there might be with the principle of beneficence but disagrees with Hooker’s statement that the pluralist cannot say the principle is simply ungrounded. When Hooker says this cannot happen, it is because the entire pluralist system rests on the idea that there is no grounding for any of the principles it uses. This would make the principle of chastity no different from the others. Gaut reminds us, as we saw in Chapter 2, that the principles can in fact “be grounded or

⁹⁹ Gaut 1999 p.46.

undermined by use of reflective equilibrium.”¹⁰⁰ He claims that it is possible for the pluralist to undermine the principle of chastity by using the same reflective equilibrium process that was previously used to determine which moral principles will be included in the list of prima facie duties. After careful consideration of the principle and the possible reasons why someone could accept it or reject it as well as whether or not the reasons can be empirically held up and respect the relationships we have with others, Gaut comes to the conclusion that a pluralist has many things they could claim in order to reject the principle of chastity. “Some of these considerations appeal to the consequences of adopting the chastity rule, but others appeal to consistency with other principles we implicitly accept (such as that one ought not to restrict someone’s liberty without good reason), and to values we acknowledge (such as the value of romantic love).”¹⁰¹ There is therefore a way for the pluralist to argue about the principle of chastity even though Hooker thought that it was impossible.

How Gaut’s Solution Only Solves Part of the Problem

In his attempt to fully refute the arguments Hooker has presented against moral pluralism, Gaut gives an explanation of how, regardless of the type of moral dilemma, moral pluralists are able to resolve the issue. Gaut breaks moral dilemmas down into two types, those regarding particular situations (Hooker’s euthanasia example), and those regarding universal or general situations (Hooker’s chastity principle example). He gives a fair defense of problems regarding universals by explaining that, while it is true that the

¹⁰⁰ Gaut 1999 p.47.

¹⁰¹ Gaut 1999 p.47

pluralist cannot reject the principle of chastity because it might potentially conflict with beneficence, the pluralist is able to appeal to the idea that the principle is ungrounded. The pluralist can make this appeal because of the fact that the moral principles that comprise moral pluralism are in fact grounded in reflective equilibrium. Unless the principle of chastity can survive this process, and there are many possible ways in which it can both survive and/or fail, it will not be considered a principle that we need to follow.

The ease with which Gaut is able to solve the moral dilemma surrounding general situations does not carry over to his attempt at solving moral dilemmas regarding particular situations. In attempting to solve problems such as whether or not the pluralist should allow euthanasia in particular situations, Gaut begins to refer to ideas like “the inability to resolve a dispute...may be the result of a genuine indeterminacy about what morally ought to be done in the case of certain moral problems”¹⁰² and that we should “inquire of those who possess such experience and reflection what ought to be done.”¹⁰³ The fact that a dispute may just be unable to be solved is something that Ross acknowledges but it is not something that he thinks will happen everyday. Using this as a way out of the problem Hooker has raised will not work because there are situations which lead us to moral dilemmas which, it seems, must have some sort of solution. Any example of a moral dilemma can be used here because we have, within our common-sense morality, the idea that there is always some action that would be better for us to take than others. What prevents us from taking the action the majority of the time is not the act itself (although I do acknowledge that it is the case that the weight or intimidation

¹⁰² Gaut 1999 p.45.

¹⁰³ Gaut 1999 p.45.

of the act itself can prevent us from doing it automatically) but something other than the act in question such as fear of retribution or failure. As a part of Ross' theory we cannot just throw up our hands at the first sign of a moral dilemma saying that it cannot be solved. In the words of Hooker, a better theory would give us that something extra, something more with which to solve these moral disputes. This idea that some moral dilemmas cannot be solved also seems to be very uncharacteristic for Gaut. Throughout his article he pushes the idea of how wonderful reflective equilibrium, the process of constant evaluation and reevaluation, is and how it enables us to escape the binds of a first principle as well as general dilemmas. In the next section we will see how it may be possible for reflective equilibrium to do this something extra we are looking for here as well.

Gaut's second response to the particular situation problem is that if we are in a moral dilemma we should refer back to "judges, not to principles"¹⁰⁴ and ask those who have experience in situations which action we should take. This solution not only makes Ross' theory much less determinate than rule-consequentialism but also does not cohere with Ross' theory, the nature of our relationships, the situations we find ourselves in, and the prima facie duties. One of the benefits of having prima facie duties on which to make our decisions is that in using them, rather than just one moral principle as other ethical theories would, we are able to take into account every relevant aspect of a situation. Nothing pertinent gets left out. We are also able to better develop our ability to gain knowledge and virtue, two of Ross' intrinsic goods. If we start relying on what experts or

¹⁰⁴ Gaut 1999 p.45.

people we know have done in past situations like ours we may neglect an aspect of the situation that is not only relevant but also a potential way to solve the dispute. Friends and experts are also human beings just like us. They are not infallible. There is no reason to base decision making in situations that are moral dilemmas on people who are not in the situation we are trying to decipher, and who even if they have been in a similar situation to ours, may not have done what they were morally obliged to do, the morally right action. While we may be in many different relationships with people in our lives, when it comes to our own actions, assuming we are of sound mind and in full capacity of our mental capabilities, we are not in a relationship with an other who is our decision-maker while we are merely action-takers. We must take part in the decision making process in order to sufficiently judge whether or not we should partake in a specific action. Ross' main criticism of other theories were that they "do not do full justice to the highly personal character of duty."¹⁰⁵ Adding in this idea of turning to experts for help, as Gaut does, is exactly the opposite of what Ross thinks right judgment is and how it should take place.

A Solution to the Moral Dilemma Problem

After having examined two potential solutions to the problem Hooker raised regarding moral dilemmas, we find that while we have a way to solve dilemmas about general principles, such as the chastity principle, we have not found a way of solving moral dilemmas concerning particular situations. McNaughton attempts to solve the problem by saying that, while Ross tries to solve this problem by using the different

¹⁰⁵ Ross 1946 p.22.

weights the prima facie duties can have, Ross is mistaken in using them because they are not always evident, and so we are left with only being able to look at the situation and “form a reasonable judgment as to which duty (or duties) carry the most weight.”¹⁰⁶ Gaut tries to solve the problem by saying that in particular situations of moral dilemmas we should look to the experts and people who have been in our situation before to help us determine the right course of action. He adds to this that it is possible a moral dilemma is unsolvable and truly a dilemma. As was explained previously in this chapter, both of these attempts at solving the moral dilemma problem are insufficient. In order to truly solve this problem Hooker has raised we must once again consider something McNaughton mentioned in his article.

At the point in his article when he has given up on the possibility of some of the duties naturally having more stringency than others in every situation, he throws up his hands and tells us that the only thing we can do is use our capacity to judge and make an attempt at deciding which of the prima facie duties is most stringent in that specific situation and then performing the action that prima facie duty prescribes. This act of using moral judgment and looking at the situation is exactly what Ross prescribed we do in a situation where we are not immediately able to see which course of action is morally right. It is a far cry from the last-ditch effort McNaughton seems to want to make it. When the euthanasia case that Hooker uses is taken into account, though, this very simple way of deciding which of two actions to take is no longer so simple. As we have seen in Hooker, opponents may think that moral pluralism is simply unable to solve problems

¹⁰⁶ McNaughton 1996 p.446.

like these. Any true attempt will fall into rule-consequentialism or violate another aspect of moral pluralism. The moral pluralist is still left trying to decide what to do in highly complicated moral dilemmas.

If we take a look back at what Ross initially says in *The Right and the Good* we will see that he has already thought about this problem and answered it in his usual fashion. “Where a possible act is seen to have two characteristics, in virtue of one of which it is prima facie right, and in virtue of the other prima facie wrong, we are (I think) well aware that we are not certain whether we ought or ought not to do it; that whether we do it or not, we are taking a moral risk. We come in the long run, after consideration, to think that one duty is more pressing than the other, but we do not feel certain that it is so.”¹⁰⁷ It is in this way that both McNaughton and Gaut had something right about how we are supposed to try and solve moral dilemmas of the particular kind. McNaughton was correct in stating that we must use our judgment to decide what we should do, and Gaut was correct in seeing that some moral dilemmas really cannot be solved to the degree we would like them to be. All that we can do in situations like Hooker’s euthanasia example is look at the facts and try to fully understand the situation. Once we have achieved this, we can look at these facts as they relate to the prima facie duties and, if we are in full capacity of our mental capabilities and have in fact been able to see the entirety of the situation, we can make a the correct decision regarding how we should act. It is possible for us to reason incorrectly and do the morally wrong action because we were lapse in our judgment, are not as mentally developed as we should be for some

¹⁰⁷ Ross 1946 p.30-31.

reason, or did not have all of the facts readily available to us at the time we had to make the decision but, although this act is morally wrong, it is still morally good because it came from good motives.

Because, in the euthanasia case, we are not sure of the moral weight of either letting the person die or keeping them alive, we end up with a situation where neither act is morally obligatory in Ross' view. What now is the case is that the act of taking either action is what is morally right. We generally cannot be obliged to take both actions because in situations such as the euthanasia example, the two actions involve contradictory events occurring, life and death. With this in mind we are obliged by morality (as well as potentially by society) to take up one of the two actions available and not just throw our hands in the air and walk away as Gaut and McNaughton seem to suggest. Which action we take is up for us to decide. As long as we have given sufficient thought to the situation, as described above, whatever we do will be morally good. Rather than being obligated to do one of the two acts over the other, we are simply obligated to do one of the acts, either one. Of course, once the action is taken, we are then released from this special situation. At this point we now have to look back on the situation and be sure we don't have a duty of reparation owed to anyone because of any of the other duties that were potentially overridden because of our course of action or because of the effects our action produced.

In light of the information just provided we can see that it is possible for the pluralist to respond to the objection raised by Hooker regarding moral dilemmas. While it might not be as clear cut a solution as rule-consequentialism claims to have when it

comes to solving moral disputes, it is a solution in keeping with the general ideas of moral pluralism. Also it is possible that Ross' moral pluralism, while relying on individual judgment to decide courses of action, will be more accurate in directing people towards the morally right action than rule-consequentialism. This is something Hooker cannot ignore. Moral pluralism lives to see another day.

CONCLUSION:

Now that we have thoroughly examined W. D. Ross' moral pluralism as well as possible objections to the theory raised by Hooker I think that we can say that moral pluralism is a theory that can stand on its own two feet against the many monist theories that exist. With the problems Hooker has raised for moral pluralism solved as well as Gaut's examination of whether it is actually possible for rule-consequentialism to match our intuitions as well as moral pluralism, I believe it is safe to say that moral pluralism is a much better match for our intuitions than rule-consequentialism and that it does not fall into any of the problems that Hooker thinks it does. Moral pluralism is on the whole a theory that is much more reflective of our intuitions than rule-consequentialism (and possibly every other moral theory) and it can do everything not only that rule-consequentialism can do but also what we believe a moral theory should be able to do.

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