USE OF THESES

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EXPLANATIONS OF MORAL FAILURE

by

David Mallock

A thesis submitted for the degree of Doctor of Philosophy in the Australian National University.
'But, when we are treating of conduct, it is experience of the facts of life that is the test of truth, for here it is experience that has the last word. We are bound then in our ethical studies to bring our preliminary statement of the case to the test of the facts of life. If this is in harmony with the facts, we can accept it; if it is not, we must look upon it as just a theory'.

Aristotle, *Nicomachean Ethics*, Bk.X.
Apart from the debts acknowledged in the Preface and the references cited throughout, this thesis is my own original work.

David Malkoch.
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PREFACE

While writing this thesis I was supported by a Research Scholarship from the Australian National University, for which I am most grateful. This thesis also owes a great deal to a number of individuals, and I should like to take this opportunity of thanking them, in particular my two research supervisors: Professor Peter Herbst, who discussed the whole thesis at length with me, generously gave me the benefit of his ideas, and allowed me to lecture on some of its topics to his undergraduate students; and Professor John Passmore, who with great patience read the entire manuscript, and made many helpful suggestions and criticisms of which I have taken advantage. I should also like to thank Donald Brook who, in spite of being very busy, performed a similar service.

D.M.

Canberra, May 1966.
SYNOPSIS

CHAPTER I

This introductory chapter consists mainly of an account of the way I use the terms 'explanation', 'moral', and 'failure'. The explanations discussed feature in everyday life and are not grounded on scientific accounts of human personality and behaviour. The term 'moral' has a narrow and a broad application deriving from two types of moral code. On the narrow view moral failure is closely tied to wrong-doing, while on the broad view it arises from an insufficiency in what a person makes of his life as a whole. Both these types of failure will be discussed in the thesis. The failures with which I am concerned are restricted in two ways: (1) they cover only cases in which the agent tried or at least wanted to do what he failed to do; (2) they presuppose that the agent was able to do the deed in question.

Some comments are made on the approach to Ethics employed in this thesis. It is maintained that a necessary preliminary to building a successful moral theory is the careful examination of actual moral experience, and accordingly this thesis is descriptive in its main emphasis.

The chapter concludes with a brief account of the arrangement and structure of the thesis.
CHAPTER II

The subject of this chapter is the person who knowingly does what he thinks he ought not to do, or fails to do what he thinks he ought to do. Moral weakness of this kind raises a problem for some ethical theories, and the views of two modern writers are discussed. R.M. Hare, in *Freedom and Reason*, attempts to evade the difficulties moral weakness raises for his prescriptive account of 'ought' sentences by claiming that the moral weakling cannot in fact do what he thinks he ought to do. This view is attacked, primarily on the ground that it destroys the distinction between the backslider and the addict, obsessional neurotic, or man acting on a post-hypnotic suggestion; a distinction that is marked by the fact that the backslider is normally censured for his behaviour while the others are not.

Nowell-Smith's decision account of first person 'ought' sentences, together with his view that decisions must issue in actions, commits him also to denying that moral weakness exists. Not only is this at odds with the facts, but it conflicts with attempts Nowell-Smith elsewhere makes to distinguish the moral weakling from the wicked man on the ground that the former does sincerely think that he ought to do what he fails to do, whereas the latter does not.

Attention is then directed to the notion of 'weakness of will'. It is argued that, while this notion has a much wider application than does that of 'moral weakness', it is commonly accepted as an explanation
of why people fail to do what they intend to do, and raises no
philosophical difficulties. Weakness of will, it is suggested,
provides an explanation of moral weakness. Finally, the possibility
that a person may not do what he thinks he morally ought to do and
yet not be weak-willed is considered. It is argued that it is a mistake
to rule out this possibility on *a priori* grounds. There are cases in
which it appears to happen, and some ways are suggested in which they
may be explained.

CHAPTERS III and IV.

These two chapters are concerned with the concept of action and
the ways in which actions are characterized. While this is something
of a digression from Ethics, it is thought that it will provide a firm
foundation on which to discuss those cases in which a person does what
he regards as wrong through ignorance.

Chapter III explores the relationship between actions and bodily
movements. It is argued that actions are to be distinguished from
bodily movements on the grounds that actions can be explained in terms
of the agent's reasons, whereas bodily movements cannot. A strong
objection to drawing the distinction in this way is admitted, but it
is argued that the objection is not fatal and that such a distinction
is illuminating. However, accounts that construe actions as bodily
movements plus the occurrence of some mental event are rejected - the
arguments employed being mainly derived from other writers. It is suggested that A.I. Melden's account, in *Free Action*, is more satisfactory. Melden argues that actions are bodily movements seen in a certain way, and supports this view with the analogy of how we see marks on paper as writing. On his view, one cannot analyse actions as such, but must exhibit the complex logical structure of the discourse in which they play a part. A criticism of Melden's view is considered; nevertheless, with some modifications, his view is accepted.

In Chapter IV it is maintained that most actions are susceptible to a number of characterizations. As a start to establishing this contention a recent paper by J.W. Meiland, in which he implies that an action has only one proper characterization, is criticized. It is argued that action characterizations are offered in contexts to serve the purposes both of the speaker and of his audience, and that what will be in question is their appropriateness in the context rather than their all-purpose propriety. However, the characterizations that are applicable to any particular action are limited by the bodily movements involved, by the situation in which the action was performed, and sometimes by the agent's intention. It is pointed out that action characterizations that appear to conflict may do so because they belong to different sets of discourse, an examination of which will show the characterizations not to be genuine rivals in the way supposed. A
as an excuse. Nowell-Smith, it seems, is prepared to say that a man is ignorant of right and wrong solely on the ground that does wrong. A paper of Ryle's, in which a similar view is implied, is discussed; and it is argued that it is a mistake to use the phrase 'ignorance of right and wrong' in this way, for it blurs distinctions that must be drawn, and confuses the issue of exculpation.

It is further maintained that the fact that a man was acting in accordance with a sincere though mistaken moral conviction may at least extenuate his wrong-doing. An assessment of a man's sincerity in professing such a moral conviction must take into account his beliefs and the society from which he comes, as well as the reasons he offers in support of it.

The role of ignorance of fact as an exculpation is more shortly dealt with. Ignorance of fact excuses unless that ignorance was culpable. No general rules can be laid down for saying when ignorance is and is not culpable; but the kind of considerations that are relevant in settling particular cases are indicated, and the connexion between ignorance and certain adverse comments - careless, inconsiderate, insensitive, and the like - is pointed out.

CHAPTER VII

Moral dilemmas - that is, those situations in which there are moral reasons to pursue both of two incompatible courses - are the
Ross's account of such situations in terms of prima facie duties is criticized on the grounds that it obscures rather than clarifies their nature. It is argued that the notion of 'absolute duty' is unhelpful and that to regard every moral consideration as a prima facie duty is misleading. Besides duties, there are obligations, moral principles, virtues and excellences, ideals, and the demands of sympathy; each of these may provide a moral reason to do something. The considerations that play a part in settling a simple dilemma are then brought out. Attention is next directed to dilemmas that cannot be settled simply, for the agent is confronted with two courses of action that seem equally stringent. Three cases of dilemmas of this sort, and the issues that are involved in facing them, are discussed.

CHAPTER VIII

This chapter is concerned with the kind of failure a man may make of himself and his life as a whole. Such failures, it is maintained, are not connected in any strict way with the rightness and wrongness of a man's particular actions. Three ways in which the notion of 'failing as a man' may be given content are then considered under the headings: Emotional Poverty; Slavery to Convention and Bad Faith; Poverty of Aspiration and Ideal.

Some implications of this discussion are taken up. In the first place, it is argued - specifically against Hare - that the pursuit of
'self-realization' may give rise to 'ought' sentences that are not universalizable, since they refer to the unique character of the agent. Secondly, it is pointed out that the pursuit of ideals and so forth may generate conflicts with other things that are held to be of moral worth, and that these present a particularly intractable kind of moral problem. Finally, it is admitted that such notions go beyond what is ordinarily required of a man and imply a view of the ideal man. Nevertheless, ideals of the good man are founded on the nature of actual man, and this is a subject with which Ethics must concern itself.
CHAPTER I

INTRODUCTORY

Most people, at one time or another, must have felt that a particular action of theirs, or more rarely, a pattern of life that emerged from a broad stretch of their behaviour, was an instance of moral failure. In this thesis I shall examine the varieties of moral failure, and discuss some of the concepts commonly employed in explanations of them. But first I had best give some account of the way I use the three terms 'explanation', 'moral', and 'failure'.

(a) 'Explanation'. I shall not dwell on this for what I have to say is familiar and for the most part uncontroversial. I use the term 'explanation' in the loose way in which it is employed in everyday life. In everyday life explanations are offered in many different contexts and in response to a variety of questions. It follows that in this sense there can be no single requirement, or even set of requirements, that an explanation must fulfil if it is to count as such, for what is taken as an explanation will depend

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1 See Professor Passmore's article 'Explanations in Everyday Life, in Science, and in History' in History and Theory, Vol.II, No.2 1962, pp.105-123. He very clearly sets out the range and diversity of such explanations.
upon the interests and knowledge both of the speaker and the audience. Roughly speaking, an explanation serves to clarify a person's understanding when he finds a situation, course of events, action, etc., in some way obscure or puzzling.

The explanations I shall discuss in this thesis are familiar in everyday life, and are in no way grounded upon scientific theories of personality or of human behaviour. They employ such concepts as weakness of will, ignorance, insensitivity, and thoughtlessness. Sometimes, in fact, the precise specification of the moral failure and its explanation will hardly be distinct. It may be, for example, that it is only when one realizes that a particular piece of behaviour was insensitive or thoughtless that one comes to regard it as a moral failure; and insensitivity or thoughtlessness will be the explanation of that failure. Such an explanation is somewhat analogous to explaining a football team's defeat by giving a more detailed description of the whole game.

But at this point it may be objected that such redescriptions of human behaviour can hardly serve as explanations of that behaviour. To explain a particular bit of human behaviour, it will be said, one must fit it into a comprehensive (and preferably scientific) theory of personality and human action. Such theories are usually fiercely disputed, but rival theorists will be unanimous in declaring that such concepts as weakness of will and insensitivity do not provide explanations of moral failure; they merely characterize it.
But I do not think we need let this objection detain us long. In
the first place, it may be replied that if the term 'explanation' is
to be pre-empted in this fashion for a special role then of course
the concepts with which we are concerned are not explanations; but
this fact is neither here nor there, for they are still employed in
answering questions as to how a man came to do X, and they genuinely
serve to improve the audience's understanding. If they are to be
called 'redescriptions' or 'interpretations' rather than 'explanations',
this does not one jot affect the task of analysing them. Secondly, we
may question whether in fact the line between description and
explanation can be clearly drawn. Rather, it seems, they slide into
and reinforce one another in such ramified ways that to separate them
can never be anything but arbitrary and legislative. I return briefly
to this point in Chapter IV, and shall not say more about it here for
I think it is clear that no overwhelming objection stands in the way
of the course I propose.

I should, however, make one last point about the term 'explanation'.
Frequently in the field of human conduct 'explanation' is used as a
synonym for 'justification' or 'excuse'.¹ One does something that is
apparently remiss, and is asked for an explanation. If one succeeds
in showing that it was not in fact remiss one gives a justification;

¹ Cf. J.A. Passmore, op.cit., p.106.
while if one shows that though remiss one could not help doing it, one offers an excuse. But the explanations of moral failure I shall consider need do neither of these things. Weakness of will, for example, is certainly not a justification, and not usually an excuse. An explanation of moral failure cannot in fact, for logical reasons, be a justification; for a justification consists in showing that one has not failed, and hence is not an explanation of failure.

'Explanation' as I use the term, then, is not synonymous with 'justification' or 'excuse'; though some of the explanations I discuss — invincible ignorance, for example — may serve as excuses. In fact, I devote most of Chapter VI to discussing the effectiveness of various kinds of ignorance as excuses.

(b) 'Moral'. In the first place I must make it clear that I am not engaged in any substantive activity of determining what is and what is not a moral failure. Given that an agent thinks that doing X would amount to a moral failure, my purpose is to discuss the types of explanation that may be forthcoming when he does X. And of course this will entail saying a great deal about what people regard as moral failures, for an explanation that is appropriate to one kind of failure will not suffice for another. I assume, in fact, that most people have

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1 For the distinction between justifications and excuses see J.L. Austin 'A Plea for Excuses' in *Philosophical Papers*, ed. J.O. Urmson and G.J. Warnock, pp.124-5.
something identifiable as a moral code or outlook - though its content will vary widely from society to society and even from individual to individual; the question of moral failure arises when a man infringes, ignores, or falls short of one of the requirements that is a component of his moral code or outlook.

However, it is necessary to draw attention to two rather different applications of the term 'moral' - a narrow and a wide application - that spring from two readily distinguishable types of moral code. The first type is the moral code that consists mainly of prohibitions together with a few positive rules that govern behaviour in circumscribed areas, such as a man's relationships with his parents. 'Wrong' is perhaps the key concept of this code, and only a small segment of a man's life and conduct falls within its province. Much of what one does will be outside the range of its prohibitions and positive rules: in terms of this code the word 'moral' has a very limited application. Moral failure on this view will consist simply in wrong-doing, and what counts as wrong-doing is highly specific and restricted to a small part of one's conduct.

The second type of code is positive, has a much wider application embracing the whole of a man's conduct, but is relatively unspecific. It is likely to consist of one or two vague and general statements about the goals and values of life, and some equally vague directives for attaining them. The sort of ends it tends to posit are happiness
(Aristotle), self-realization (Bradley), freedom (Existentialists), or a combination of these. Obviously, such a morality allows the individual great scope to exercise his imagination and creative abilities in exploring and widening the possibilities open to him; and it may extend so far that all his conduct is seen as having moral relevance. Accordingly the application of the word 'moral' will be widened and will not be clearly out of place in any context. What constitutes moral failure within such a moral code will not be simply specifiable; it will be linked to a deficiency in what a man makes of himself and his life as a whole, rather than to the wrongness of particular actions.

In practice these two types of moral code do not usually exist in isolation from one another; aspects of each are conjoined in the moral

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1 These two types of moral code are clearly distinguished by John Ladd in The Structure of a Moral Code. He calls them the 'ethics of restraint' and the 'ethics of direction', and writes:

A moral code of negative prescriptions, on the other hand, does draw a sharp line between permitted and unpermitted (wrong) acts. Those acts that are thought to be wrong are unequivocally so, and there is complete unrestricted freedom to do anything one wishes outside the area of conduct prohibited. So in negative morality we may expect to find large segments of behaviour which are not the subject of morality, as well as certain specific parts which are absolutely prohibited, whereas in a positive morality there may be no such clear-cut distinction between the moral and the nonmoral. A negative morality tends to limit the jurisdiction of morality, which in a positive morality is unlimited (p.123).
outlook of a society or of an individual. They may exist side by side and can create tensions in deciding what one ought to do. In this thesis I shall consider the different kinds of moral failure that are related to each of these codes. Chapters II, V, and VI will be largely concerned with wrong-doing, while Chapter VIII will deal with the kind of failure that a man may make of himself. I have devoted more space to the moral failures that may arise from wrong-doing, both because they are easier to be specific about and because they are more closely connected with the topics that have traditionally preoccupied British moral philosophers. However, by including a chapter on 'failure as a man' I hope to do something to counterbalance the weight of this traditional preoccupation.

(c) 'Failure'. The notion of 'failure' as I shall use it in this context is limited in two ways, both of which are implied in the ordinary use of the word. To say that a man failed to do something implies that he tried, or at least in some sense wanted, to do that thing. A man who does not sit for an exam cannot be said to have failed that exam, though certainly he has not passed it either. Failing and succeeding are not an exhaustive pair of opposites; there is the possibility of just not entering. The devil, for example, can hardly be said to be a moral failure in spite of his conduct. This means I shall not be concerned with the wicked man or other kinds of moral degenerate, for the villain and miscreant do not try, or want,
to do anything other than they do. I shall not avoid these notions altogether for on occasion they throw light on other concepts with which we are concerned; but I shall not discuss them for their own sake, interesting though they may be.

Secondly, it is only to the point to speak of failure when there is thought to be some chance of success. One does not, for example, speak of a man failing to jump over the moon just because this is something it is known to be impossible for a man to do. Thus, I shall not be discussing these cases where a man does what he regards as wrong, but in which he was unable to do otherwise; for it is inappropriate to refer to them as cases of moral failure. The legless man does not fail to walk, nor does the kleptomaniac fail to refrain from stealing; he simply cannot do so. This means I shall not discuss the varieties of compulsion and other psychological states that prevent a man doing what he thinks to be right; though once again I will mention them here and there as they serve to illuminate other notions.

At this point I should make explicit a presupposition that holds throughout this thesis. I assume that for the most part people have autonomy of choice and action; that is, it is in a person's power to do other than he does on any particular occasion. I further presuppose that people, within the limits imposed on them by their nature and environment, have considerable power to choose and mould the kind of persons they become. I cannot argue for this view here since to do so would involve undertaking a detailed discussion of the entangled
doctrines of Determinism and Fatalism, and a vast body of relevant literature. This would be much too lengthy a digression: I shall simply assume that we have autonomy of choice and action, for without this assumption, as E.J. Lemmon remarks, '...there does not seem to be much for ethics to be about'.

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I should also say something about the approach to Ethics that I have adopted in this thesis. All too often ethical theories are based on the most cursory examination of the facts of moral experience. As a result they tend to select one aspect of this experience as central, and then proceed to extend the concepts derived from it to cover the whole domain of morality. This inevitably leads to distortion of moral experience and loss of contact with its richness and variety. It seems to me, therefore, that a necessary preliminary to theory building is the task of giving a careful and realistic description of moral experience as it presents itself to an agent. Of course, in this area theory and description cannot be kept entirely distinct. The concepts employed in one's description will always carry theoretical implications, even if these are merely criticisms of other theories. It is likely, in

fact, that the two will go hand in hand; a theory emerging from the
description and the concepts being moulded as one goes along. But the
activity I have in mind will at least be descriptive in its main
emphasis. It is in the light of these contentions, and in the hope of
substantiating them, that I have approached the topics discussed in
this thesis.

This descriptive activity might well be called 'conceptual analysis',
for it consists in the close examination of concepts as they are used by
people in actual situations. The point is that such analysis of
concepts must take account, not only of what people say, but of all the
features of the situations in question. The practice of dealing in
schematic and simplified examples in the belief that they most readily
reveal the core of any moral issue seems to me mistaken; what is
essential cannot be settled in advance and apart from the complexities
of an actual case. The use of such schematic examples merely aids in
the propagation of theories that have little relation to the facts, for
what is taken as relevant in setting them out, and the terms employed in
their description, already reflect the contentions of the theory in
question. Accordingly I have drawn heavily upon literature for examples
and raw material, since in literature one finds moral situations
described with imagination, accuracy, and a wealth of detail, and with
comparative freedom from any professionally philosophical theoretical
allegiance.

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Lastly, a word about the arrangement and content of this thesis. Whether or not a man thinks at the time of acting that what he is doing is wrong provides a convenient division between types of moral failure. In Chapter II I discuss those cases in which a man is aware that he is doing wrong at the time that he does it, or what is commonly called 'moral weakness'. I then pass on to the wide variety of cases in which a man is not aware at the time of acting that what he is doing is wrong. However, a necessary preliminary to the fruitful discussion of these is a clear understanding of the ways in which actions may be characterized; for, while a man may know what he is doing under one characterization, he may be ignorant that his action sustains another characterization in the light of which he would regard it as wrong. This in turn requires some elucidation of the concept of action. Chapters III and IV are devoted to these topics; and in view of the now familiar plea that Ethics should be pursued in the light of Philosophical Psychology they will not, I trust, appear as an unwarranted digression from the main subject of this thesis. Chapter V deals with moral failure arising from some kind of ignorance, and Chapter VI with the role of ignorance as an exculpation, in particular with what is known as 'ignorance of right and wrong'. This leads me in Chapter VII to discuss the difficulties that sometimes arise in deciding what is the right thing to do. Finally, in Chapter VIII I leave the realm of wrong-doing and examine what for convenience I have called 'failure as a man'.
CHAPTER II

MORAL WEAKNESS

In this chapter I shall discuss the case of the man who knowingly does what he thinks he ought not to do, or fails to do what he thinks he ought to do. Such cases are familiar enough and there would be little interest in discussing them were it not for the fact that to some philosophers they have constituted a grave problem. Indeed, these philosophers have denied that such cases exist and have attempted to analyse away apparent instances. To do so, I shall argue, betrays a defect in the theory that makes such a move necessary. Also, and this applies to those who have found no problem as well as to those who have, it is frequently assumed that any case of moral weakness can be attributed to weakness of will. Some even use the two phrases, 'moral weakness' and 'weakness of will', interchangeably, as if the choice of one rather than the other were a matter of philosophic indifference. While there may well be a close link between them, it is important to distinguish them; and the nature of their relation is at least worth a closer examination than it is customarily given. The notion of 'weakness of will' is itself in need of analysis.

As is well known both Plato and Aristotle found moral weakness a problem. However, I shall not examine their exceedingly complex views
on the subject since there is already an extensive literature that deals with them.\(^1\) I shall content myself with considering the views of two recent writers on Ethics.

R.M. Hare considers that moral weakness raises a difficulty for any ethical theory. He writes:

> The problem is posed by the fact that moral judgements, in their central use, have it as their function to guide conduct. If this is their function, how can we think, for example, that we ought not to be doing a certain thing (i.e. accept the view that we ought not to be doing it as a guide to our conduct) and then not be guided by it? No one can say that there is no problem here, unless he denies that it is the function of moral judgements to guide conduct.\(^2\)

Certainly we may agree with Hare that it is one of the functions of moral judgements to guide conduct, but without conceding his conclusion.

Hare implies that if a man is not in fact guided by a moral judgement (i.e. if he does not act in accordance with it) then he cannot sincerely have assented to the judgement (i.e. accepted it as a guide to his conduct). But there is a confusion in the phrase 'accept as a guide'. Hare's argument depends upon taking 'accept as a guide' as equivalent to 'in fact be guided by'; and thus he makes it necessarily true that a man cannot have accepted a judgement as a guide

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1. Jerome Walsh, for example, devotes most of a book to Aristotle's account of the matter: *Aristotle's Account of Moral Weakness*.
2. *Freedom and Reason*, p.70.
if he is not in fact guided by it. However, 'accept as a guide' need not have this force. Consider an analogy: I am on a mountain with a guide, and I propose to tackle a particular ascent. The guide warns me that it would be dangerous and foolhardy to attempt it, but in spite of that I do so. There are two possible accounts of my behaviour. I might think that the guide was mistaken in claiming that the ascent was dangerous, in which case I do not accept him as a guide on this particular issue. On the other hand, I might accept that his view is correct, yet think the excitement, or something else I expect to get out of the climb, outweighs the risks. In this case I still accept the guide as a guide, though I am not in the particular instance guided by him. It is in this sense that a man who makes a moral judgement accepts it as a guide to conduct. In saying 'I ought to do X' a man indicates that he thinks there is a moral reason for doing X; but it does not therefore follow that he will in fact do X. It will be the business of the second half of this chapter to examine what may account for a man's not acting in accordance with a moral judgement he accepts.

Let us look now at the specific problem moral weakness raises for Hare's theory, and the way in which he attempts to deal with it. Hare argues that if one sincerely says 'I ought to do X' one is issuing a moral imperative to oneself; and, since one is giving it to oneself, one cannot but obey it. Indeed, the test of one's sincerity is one's
performances; as Hare remarks, 'If we were to ask of a person "What are his moral principles?" the way in which we could be most sure of a true answer would be by studying what he did'.\(^{1}\) In other words, if one does not in fact do X then one cannot sincerely have assented to the imperative 'I ought to do X'. This faces Hare with the problem of accounting for apparent cases of moral weakness - cases in which a man says (or thinks) that he ought to do X, but does not do it.

In *The Language of Morals* Hare maintains that in such cases the agent does not sincerely assent to the imperative 'I ought to do X': he is a hypocrite. This answer was expanded by H.J.N. Horsburgh in a paper entitled 'The Criteria of Assent to a Moral Rule'.\(^{2}\) He argues that there are degrees of assent and that a man cannot be said to have given his full assent to a moral rule unless he acts in accordance with it. He goes on to claim that moral strength just is giving one's full assent to a moral rule. This position has been convincingly argued against by C.K. Grant in his paper 'Akrasia and the Criteria of Assent to Practical Principles'.\(^{3}\) He points out that Horsburgh has not allowed for the distinction between the backslider and the hypocrite, and that without this distinction the problem of moral weakness is not even

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statable. To my mind Grant's argument is correct and I shall not
discuss it here, but shall examine the different answer offered by
Hare in *Freedom and Reason*.

Once again Hare maintains that in many cases where people say
they ought to do something and do not do it they are not sincere in
what they say. Also he points out that sometimes people are using
'ought' in an 'off-colour' way. What they mean is that by conventional
standards they ought, but they do not subscribe to those standards.
And naturally there is nothing surprising about a man not doing what he
says he ought to do if he is using 'ought' in this 'off-colour' way.
However, Hare does face the fact that there are cases where people
sincerely say that they ought to do something - they are using 'ought'
in its full-blooded sense - but still do not do it. How is he to
accommodate these within his theory? He suggests that in such cases
people in fact cannot do what they say they ought.

In order to prepare the ground for this solution he has argued in
an earlier chapter, entitled "'Ought' and 'Can'", that 'ought' does
not always imply 'can'. He points out that one may say without
inconsistency things like: 'I ought to go and see him this afternoon,
but I can't, because I don't know where he is'. One could not say
this if 'ought' always implied 'can'. Hare remarks that in such cases
the force of 'ought' is weakened slightly; for, to use his words, 'a
corner of the net is, as it were, lifted to allow the speaker himself
to escape. I prescribe, that is to say, for everyone in such and such
a situation, except myself; in my own case, I substitute for the prescription something weaker'. And he continues:

When I say 'I ought but I can't', I am prescribing in general for cases like mine; I certainly think that a man in my position ought, if he can, to do the act in question; but the prescription fails to apply in my case because of the impossibility of acting on it. It is as if I said 'If I were able it would be the case that I ought (full force); but since I'm not able, that lets me ought'.

This is unexceptional enough - certainly there are a number of uses of 'ought' that do not imply 'can': the puzzle is to see what good Hare thinks it does him. As we have seen, Hare considers that the function of moral judgements in their central use is to guide conduct; however, in a case in which the agent is unable to act in accordance with it the 'ought' can plainly have no conduct-guiding force. When a man says 'I ought, but I can't' he is not using 'ought' in Hare's full-blooded sense - that is, as an imperative issued to himself. Rather he is using it in some 'off-colour' way; as an indication of his moral views perhaps, or simply to provide background for his statement that he can't. The speaker cannot think the 'ought' binding on him here and now, in the circumstances that make it impossible for him to act in accordance with it. Indeed, Hare himself admits as much in the passage just quoted when he writes, 'a man in my

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1 Freedom and Reason, p.53.

2 ibid., p.53.
situation ought, if he can, to do the act in question', for the
implication is that if he cannot then the 'ought' is not binding on
him here and now. But, if this is the way a man who says 'I ought, but
I can't' is using 'ought', then it is clear there is no case of moral
weakness; for moral weakness only arises when a man does not act in
accordance with an 'ought' that he thinks is binding on him here and
now; when, in Hare's terms, he is using 'ought' to issue himself a
command. Hare had undertaken to account for those cases in which a man
does not do what he sincerely thinks he ought to do; in effect, he has
denied that there are any such cases.

However, there is a way in which Hare might avoid this predicament.
He might argue that morally weak men are not only unable to do what they
think they ought to do, but that they are also unaware of their own
limitations, so that they may sincerely believe that they ought to do
something or other, and yet not do it. This is by no means impossible,
although it does add a serious complication to the theory. The
backslider not only cannot do the act in question, but he must not know
this; thus Hare could still be correct in his main contention that moral
weaklings cannot do otherwise. I shall now examine this view more
directly.

Hare suggests that the 'cannot' in such cases arises from a
psychological powerlessness rather than from a physical inability. He
cites a passage about Medea from the Metamorphoses and another from
St Paul in Romans which appear convincingly to support his view.
Nevertheless, even if he is correct about Medea and St Paul - and that is an open question - it does not follow that his account will do for moral weakness. Indeed, there is a fatal objection to it: the claim that the backslider cannot destroys the distinction between him and the addict, obsessive neurotic, or man acting on a post hypnotic suggestion. The latter are commonly thought to be people who cannot do anything other than they do, and as a result they are not, at least by moralists, held responsible for their actions. We neither praise nor blame them. Moral weaklings, on the other hand, do usually come in for censure on the ground that it was in their power to do otherwise.

Hare himself is well aware of the critical attitude that is commonly adopted towards moral weakness, and he wishes to preserve it. He writes: 'It is therefore not a consequence of our account of the matter, which stresses the impossibility of resisting the temptation, that the morally weak man is exempt from adverse moral judgements'.

The reason such adverse judgements are in place is, he says: '...for, though unable to overcome this temptation, they keep alive the will-power which may overcome lesser ones'. These contentions I find extremely baffling, quite apart from the dubious propriety of censuring those who we think could not have done otherwise. If Hare is

1 ibid., p. 80.
2 ibid., p. 80.
prepared to allow that moral censure may properly be levelled at the morally weak man then clearly the 'cannot' in his case is very different to the 'cannot' in the case of, say, the kleptomaniac, for the latter is exempt from moral censure. But, if the 'cannot' of the moral weakling is different from the 'cannot' of the kleptomaniac, it is hard to see in what precise sense it is employed at all; it seems to be fast sliding into a 'will not'. The notion of psychological powerlessness hardly stands on its own feet, but derives its use from its connexions with such states as kleptomania. To claim that the moral weakling is psychologically unable to do other than he does, yet at the same time to deny his similarity to the kleptomaniac, is well-nigh unintelligible.

Furthermore, there is the question of those lesser temptations that moral censure is supposed to help the moral weakling overcome. If he does not overcome them are we to say once again that he could not have done so and, in effect, deny that the temptations were lesser? In that case it would only be possible to say, absurdly, that a temptation is lesser or resistable if in fact a man were to resist it. But this leaves Hare no means of showing that moral censure is effective in helping people overcome lesser or indeed any temptations; and thus deprives him of a basis for approving it. If, on the other hand, it is allowed that the moral weakling could have overcome those lesser temptations then we have a case in which a man does not do what he
genuinely thinks he ought; and the whole burden of Hare's analysis was to deny that there are such cases.

If Hare wishes to persist in saying that the morally weak man cannot do what he thinks he ought, to avoid difficulties of the kind just raised he must deny that moral censure is appropriate to the backslider any more than it is to the kleptomaniac; thus putting the 'cannot' in both cases on a level. This, though contrary to common opinion and practice, would at least be a coherent thesis and make it plain in what sense 'cannot' was to be understood. Indeed, such a position is not so far fetched as perhaps it sounds; developments in the mental sciences have shown that many of our actions proceed for reasons we know little of, and that our conscious autonomy is considerably less widespread than was formerly supposed. And certainly many determinists would maintain an even more extreme thesis of this kind. However, such a view would have to be supported by very different arguments from those employed by Hare, which amount to little more than ad hoc postulations skilfully advanced to reinforce an ethical theory that appears to run counter to the facts. Since it is quite plain, both from his remarks about moral censure and from the criticisms he elsewhere makes of determinism, that Hare believes we have some autonomy of choice and action, I shall take it that enough has been said to show that his thesis that morally weak people are unable to do what they think they ought will not do.
Before leaving the subject, however, I would like to point out that, in spite of its inadequacies as an overall account, Hare’s thesis does in fact have considerable application. Frequently cases that are taken as instances of moral weakness turn out to be ones in which the agent either did not think that he really ought to do the act in question or was unable to do it. Hare instances Medea’s speech about her desire for Jason¹ and St Paul’s anguished account of his failure to do what he knows to be God’s will.² Medea cries, ‘an unknown compulsion bears me, all reluctant, down’,³ and St Paul in the language of dual personality denies that he is really the agent of the wrong deeds, since they are against his will; rather, he says, they proceed from the sin that is in his members.

Now plainly we cannot, as Hare does, simply take such distressed remarks on the part of agents as proof that they were in fact unable to do what they thought they ought. Few people are capable of embracing what they know to be wrong with their eyes completely open; they employ many devices to protect them. These range from immensely complex and subtle rationalizations about the nature of the deed, to a fairly simple blocking out of the thought that it is wrong by

¹ Ovid, Metamorphoses.
² Romans, VII.
³ op.cit., VII, 20.
switching all attention to the pleasure involved. Hare's examples illustrate two of these contrivances. Medea claims that she was compelled - that is, that she could not have done otherwise; and St Paul denies that it was really he who did the wrong. This latter technique Fenichel mentions as being characteristic of children. He writes:

A variation of this mechanism is created by splitting the ego: 'It is not I who have committed the guilty act, but another bad child within me'. Such attitudes are a frequent occurrence in children, certain aspects of a demonology of this kind persisting even in adults.

The former technique is common; Byron, for example, perceptively draws attention to it when he says of the idealized self-portrait in Lara: 'He half mistook for fate the acts of will'. I do not want to claim, of course, that Medea and St Paul could have done otherwise; that is a question I see no way of settling. My intention was solely to show that their words alone cannot be taken as proof of their helplessness, for they fit another interpretation. I shall look now at some other reputed instances of moral weakness.

1 Such devices may profitably be likened to what Psycho-Analysis has called 'defences against guilt feelings'. For a clear account of the role of these, and some indication of their number and diversity, see Otto Fenichel, The Psycho-Analytic Theory of Neurosis, p.164ff and p.496ff.
2 ibid., p.500. See also p.157.
3 Lara, Canto I, 18.
Two of Euripides' characters have been alleged to exemplify moral weakness.¹ The first of these is Medea again, but Medea later in life when she is deserted by Jason and takes her terrible revenge on his bride-to-be and her own two children fathered by him. Now it is not at all clear from the play that Medea did see her actions as wrong, and certainly she does not undergo any sort of struggle between conscience and passion. Rather, she is aware of the horror of killing her children, but thinks of it as something she has to do; she is possessed by her mad vengeance. In the play, in spite of the protests and pleas of the chorus, Medea never seriously considers the possibility of taking any other course. Euripides' Medea is someone who if she did think that her action was wrong - and that is at least doubtful - fits Hare's account of being unable to do other than she did.

Euripides' second case is that of Phaedra in the Hippolytus. Unlike Medea, Phaedra is very conscious of doing wrong, and is filled with remorse and self disgust. Indeed, she says so: 'We know and see what is right, yet fail to carry it out. Some fail through sloth,

¹ Indeed, it has been held that Euripides was explicitly challenging Plato's denial of moral weakness. Jerome Walsh mentions this view in Aristotle's Account of Moral Weakness (p.16). However, I think it unlikely that this can have been Euripides' intention for, as we shall see, neither character is a good case of moral weakness.
others through valuing some pleasure more than goodness; and life offers us many pleasures'. ¹ But what is this wrong that so torments Phaedra? At this stage it is her unlawful love for her stepson Hippolytus. But loving someone is hardly something that it is in our power to do or not do, though one may well be able to control or inhibit the natural manifestations to which it gives rise. Phaedra up to this point has mastered these entirely; so much so that she has not told anybody about it, and is only forced to do so in explanation of her misery and sickness. She has done her very best to master this wrongful affection; as she says, she was 'prepared to endure this madness as I ought, by overcoming it with self-control'.² But she does not succeed; and in such a case where the thing held to be wrong is a feeling, and all efforts to master it are of no avail, it seems that once again we must conclude that the agent was a helpless victim. Indeed, this would seem to be Euripides' view since he suggests that the passion was 'God sent'.

Hamlet, too, is often taken to be a classic case of the morally weak man. S.T. Coleridge,³ along with others, has put forward this view to account for Hamlet's failure to revenge his father.

¹ Hippolytus in Alcestis and Other Plays, trans. Philip Vellacot, p.39.
² ibid., p.39.
³ The Lectures of 1811-12, Lecture XII
A.C. Bradley, however, again amongst others, has advanced good reasons for finding this explanation unsatisfactory; and Ernest Jones has used the findings of Psycho-Analysis to put forward a compelling argument that Hamlet was psychologically incapable of killing his uncle. It would be absurd to expect to add anything to this very controversial topic here; let it suffice to suggest that Hare's account may well fit Hamlet.

In drawing attention to these three cases, in which Hare's analysis appears to fit, my purpose has not been to retract the criticisms I made of that thesis; but rather to suggest that genuine moral weakness - that is, where the agent can do what he thinks he ought - is probably not so widespread as is commonly supposed, and is often taken to cover cases that in fact it does not fit. It has been argued in this section, then, that Hare's claim that the moral weakling cannot do what he thinks he ought is unacceptable, primarily on the ground that it destroys the distinction between the backslider and the obsessive neurotic, etc. However, explanations in terms of psychological incapacity will be appropriate to some cases of wrongdoing.

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1 Shakespearean Tragedy, Lecture III.
2 Hamlet and Oedipus.
I shall now consider the views of another writer for whom moral weakness raises a problem. P.H. Nowell-Smith holds that sentences of the form 'I ought to do X' serve, in at least one of their uses, to express a decision. Only one of their uses - for sometimes, he allows, a man might say 'I ought to do X' when he is in the process of deliberation and before reaching a decision. In such cases, Nowell-Smith holds, the agent is using the sentence as an injunction - as if someone else were to say to him: 'You ought to do X'. He is enacting the role of advocate to himself. However, this cannot be the main use of 'I ought...' sentences for, Nowell-Smith says, 'decisions never follow logically from injunctions';\(^1\) if there is not to be a gap between such moral remarks as 'I ought to do X' and the appropriate action, then such remarks must in some instances express decisions. Nowell-Smith maintains that expressing decisions is the central use of such remarks. Thus he writes: "Smith ought to do Y" when spoken by Smith expresses a decision, when spoken by Jones an injunction...\(^2\) When a man says 'I ought to do X' as a decision he has dropped the advocate's role and adopted that of the judge. It is only when he uses the sentence in this way that a man has really committed himself to the 'ought' in question and sincerely accepted the judgement as applying to him.

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\(^1\) Ethics, p.223

\(^2\) Ibid., p.195.
Nowell-Smith further maintains, as one would expect from his fear of gaps, that a decision entails that the man who made it should do the act in question. He writes:

But 'choosing' and 'deciding' are used in such a way that it is analytic to say that if a man has decided to do something and does not do it then either he was prevented or changed his mind. If neither of these explanations of the disparity between the decision and the choice can be given the man who in fact did X cannot be said to have decided to do Y.¹

But in moral weakness a man says (or thinks) 'I ought to do X' and fails to do it. If Nowell-Smith's account of 'I ought...' sentences as expressing decisions were correct, then here decision and action would fall apart, apparently without the agent being prevented or changing his mind. There is a problem here for Nowell-Smith. It seems that he must either deny that the morally weak man uses the 'I ought...' sentence to express a decision, or else he must revise his view that decisions of this sort entail actions. It is difficult, however, to be certain what exactly his view on this is; for he remarks at one point that his account conflicts with the fact that people do sometimes take what they think to be the morally worse course;² and although he promises to explain this later, he never in fact does so.

But clearly it will not do for Nowell-Smith to insist that the morally weak man who says 'I ought to do X', but does not do it, is

¹ ibid., p.102.
² ibid., p.178 note.
using the sentence in the advocate's sense and not the judge's. For, according to Nowell-Smith, a man who says to himself with advocate's force 'I ought to do X' has not committed himself to the view that he ought, anymore than when he hears his friend say, 'You ought to do X'. But if he has not really committed himself to the 'ought' then no problem of moral weakness arises. It is only, in Nowell-Smith's terms, if a man says with decision making force 'I ought to do X', and then does not do it, that he can be said to be morally weak. This solution would amount to a denial that there are cases of moral weakness. Not only is this at variance with the facts, but it also conflicts with what Nowell-Smith elsewhere says when he is at pains to distinguish the morally weak man from, on the one hand, the addict, and on the other, the wicked man who follows no moral principles or adopts vicious ones. He distinguishes the morally weak man from the wicked man primarily on the ground that the latter never thinks that he ought to do other than he does, at least not in the verdict giving sense of 'ought' - the implication being, presumably, that the morally weak is genuinely committed to 'oughts' to which he does not live up. Nowell-Smith also says that the difference between them 'lies partly in the fact that the morally weak man condemns himself, while the wicked man does not'.1 But if the morally weak man were not committed to the

1 ibid., p.265.
'ought' he did not carry out he would have nothing for which to condemn himself.

These difficulties bring out, I think, the inadequacies of Nowell-Smith's decision theory of 'I ought...' sentences. It is true that he might still try to protect the theory by revising his view that a decision entails action, and possibly there is room for revision here. I do not think, however, that this will be sufficient to save his view, for the weight of usage and experience seem to be against it. It is commonly recognized that people do not always decide to do what they sincerely think they ought to do. And as it stands there is nothing self contradictory in saying 'I know I ought to do X, but I don't think I will', where 'I don't think I will' is an expression of intention and not a prediction. Indeed, one of the most frequent occurrences of 'I ought to...' is when it is followed by '...but I won't'. The onus is on Nowell-Smith, therefore, to show that common usage is mistaken, and this he does not do.

Nowell-Smith has placed excessive reliance on two facts. First: often when a man thinks he ought to do something he does it without needing to go through any further process of deliberation. The fact that he thinks he ought to do it may be a sufficient reason for him to do it. Second: we do sometimes deliberate about what we ought to do, and the outcome of our deliberation is that we decide that we ought to do X. Now in the process of deliberation we possibly entertain two
conflicting 'oughts', and at this stage we may be said to be employing these 'oughts' as advocates do. When we give a verdict in favour of one, we have decided what we ought to do and have assumed the role of judge. Nowell-Smith's theory is couched in terms drawn from this kind of situation. However, in spite of the fact that 'oughts' may be employed in these different ways, and that thinking that one ought to do something may be a sufficient reason to do it, Nowell-Smith has gone too far in maintaining that a man could only be sincere in saying 'I ought to do X' if that expressed a decision to do it.

A brief comment on the relation between deciding and doing will be in order here. Broadly speaking, Nowell-Smith is right in saying that if a man decides to do something and then does not do it, it follows that he changed his mind or was prevented. Certainly there is something very puzzling about the notion of a man not doing what he says he has decided to do, and at the same time denying that he has changed his mind or been prevented. But I do not think the relation between decision and action is as tight as Nowell-Smith suggests, for there are cases where they apparently fall apart but in which we should be hasty to deny that the agent 'decided'. There are situations in which a resolution was made with much agitation to do something that was dreaded - make a painful confession, for example; one firmly set out to do it, but when it came to the point it proved too difficult, and one found oneself stammering - or enunciating coolly perhaps -
something completely beside the point. But at no time did one undergo a definite change of mind and decide not to make the confession; indeed one meant to confess all the time - until it was too late.

In such a case, it seems, there is an asymmetry between first and third person descriptions. From the point of view of an onlooker it may be quite in order to say that the agent changed his mind. But the agent himself may wish to resist this description because his experience is different to what it is in a case where he consciously decides not to do what he originally intended. It is true that such cases are the exception, and necessarily so since if they were not our use of the word 'decision' would be different; but it is absurd to deny that they exist or to insist that in such cases a man did not really decide. To do so is to make action the criterion of decision, which leads to the paradoxical situation that one could never say with absolute certainty that one had decided to do X until one had in fact done X.

Decisions do normally issue in the appropriate actions, but to insist that they always must is to leave no room in the theory for such cases as the one just outlined. True, it might plausibly be argued that in such situations something prevented the agent; but this would go a long way towards destroying the distinction between the weak-willed man and the addict; a distinction Nowell-Smith, at least, wants to preserve.

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After this protracted critical comment it is high time to say something constructive about moral weakness, and discuss its connexions with weakness of will. As I remarked at the beginning of this chapter some philosophers have used the two phrases, 'moral weakness' and 'weakness of will', as if they were synonymous. It is plain, however, that there is a distinction between them, and this has not gone unremarked.¹ By way of starting to get them disentangled it is important to notice that there are many cases of weakness of will that are not specifically moral at all. People struggle and fail to get out of bed at the hour they intended, put off visiting the dentist and writing difficult letters, help themselves to second slices of cake and to cigarettes when they are dieting or giving up smoking, and generally fail to do what they mean to do on countless similar occasions; and such failures are quite properly attributed to weakness of will. And these, save by the most extraordinary and puritan

¹ J.L. Austin, for instance, refers in a note, somewhat tangentially to his main subject, to the '...grotesque confusion of moral weakness with weakness of will', though without saying more about it. 'A Plea for Excuses' in Philosophical Papers, ed. J.O. Urmson and G.J. Warnock, p.146.
standards, could scarcely be called instances of moral wrong-doing. Furthermore, it is quite possible for a man to be deterred by weakness of will, or what he would regard as such, from committing an immoral act. Thus a man bent on robbery may be discouraged by the tears and protests of his wife from committing it, and afterwards regard this capitulation as displaying the most despicable weakness of will. At least it is clear, then, that weakness of will covers a much wider set of cases than does moral weakness.

Traditionally, weakness of will is closely linked to temptation. A man is tempted by desirable things or the prospect of some pleasure to adopt a course of action that he thinks to be wrong, imprudent, or contrary to his more rational intentions, and if he is weak-willed he succumbs. Also present in the traditional picture is the notion of an internal struggle between one's desiring nature and one's willing rational self, of which the latter gets the worst. Now, provided one does not take literally the metaphor of the divided self, there are plenty of situations, both moral and non-moral, which this account fits quite well; a man playing poker for high stakes with borrowed

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1 Of course, on the wide application of 'moral' discussed in Chapter I, weakness of will might itself be taken as a moral defect in a man; but then it is what he has made of himself rather than the nature of his deed that is being judged. It is not, say, the eating of a second slice of cake that gives rise to the criticism, but what is revealed about the agent's character by the fact that he did what he meant not to do.
money and when he has promised his wife not to might be a case in point. But to suppose that all cases of weakness of will are like this is to misrepresent them. A man may abandon the course he has embarked on in the face of difficulties or opposition with little or no struggle, and it would be quite improper to say that he was unable to master his desires or succumbed to pleasure. Ryle puts his finger on this aspect of the trait when he writes: 'A weak-willed person is one who is easily distracted or diverted, apt to convince himself that another time will be more suitable or that the reasons for undertaking the task were after all not very strong'.\(^1\) And: 'Strength of will is the propensity the exercises of which consist in sticking to tasks; that is, in not being deterred or diverted. Weakness of will is having too little of this propensity'.\(^2\) Oblomov, a man who fails to carry out his intentions through apathy and sloth, seems to be a paradigm of the weak-willed man, and to characterize his very attenuated motives as temptations to which he succumbs would be wholly out of place. Weakness of will, then, embraces a wide range of cases, from those in which a man is overcome by passion or desire, to those where, without exaggeration, it may be said that the weakness is just the lack of any very effective or consistently displayed purposes.

\(^1\) The Concept of Mind, p. 72.
\(^2\) ibid., p. 73.
Weakness of will presupposes the idea of some sort of difficulty which an effort is required to overcome, and which may be encountered in both moral and non-moral situations; it may be the difficulty of getting out of bed, of carrying on working when you are tired, or of controlling your social diffidence, your temper, cowardice, or lust. Here it is important to notice that it is not every failure to overcome difficulties that leads us to call a man weak-willed. Some difficulties are recognized as so grave that only the exceptional man can overcome them. Roughly speaking, a weak-willed man is the one who is beaten by difficulties or obstacles that most men surmount. He is the one who gives up sooner, or is more easily daunted than others. But something further is required; it is necessary that he should actually have been able to overcome it. Some men through psychological illness or addiction cannot overcome difficulties that other men find it easy to surmount, and we do not wish to call such men weak-willed with its large element of censure. But unless evidence of psychological incapacity other than the failure in question is brought forward, we accept the fact that most men could have overcome the difficulty as grounds for thinking that any particular man could have. We do not accept a man's claim that he was unable to overcome the difficulty on just that one occasion, though normally he would have been able to; for it is a claim that it is open to anyone to make on any occasion, and one that we have no conceivable means of checking; also it is contrary to what we know of the pattern of such psychological illnesses.
Weakness of will is also connected in an interesting way with a whole set of vices, or rather, if that is too strong a word, character defects, such as laziness, timidity, irascibility, greed, etc. A greedy man, for example, is one who is overfond of food in the sense that he eats more than he needs and tends to be careless of the requirements of others in this respect. Now of course he is not necessarily weak-willed just because he is greedy. It may never occur to him that there is anything to correct in his behaviour; indeed, why should he if other people do not suffer by it. But suppose he comes to disapprove of greed, or thinks his health suffers from it, and tries to curb it. Yet still, in spite of his intentions, he succumbs to second helpings and in general behaves at table much as before with, perhaps, an additional sauce of self reproach. Now we may call him weak-willed. In fact, whether we call him weak-willed or greedy will depend largely on our purposes, for each draws attention to rather different features of his character. Thus if we are giving information to someone who is going to undertake his cooking he will be content to say he is greedy; but if we are advising someone on his suitability for a certain job it may be more appropriate to describe him as weak-willed. Weakness of will usually, though not always, presupposes the presence of some character defect of the kind mentioned; that is, a claim that a man is weak-willed if challenged will often be supported by pointing to some such trait which he fails to overcome. However,
not all character defects have this connexion with weakness of will; jealousy and arrogance, for example, do not.¹

Now, as I have remarked, men frequently form intentions and fail through weakness of will to carry them out. Also, besides not carrying out their intentions, people fail to act on non-moral guides to conduct which they accept, such as 'Selling it would be the best thing to do' or 'I ought to give up smoking'. Either they will not face the difficulties that acting on the guide entails, or else they find the course enjoined by the guide in some way incompatible with their own nature; they fail to act on it through weakness of will. And as long as we can see some obstacle the agent encounters, whether it be in the situation or in himself, we find nothing puzzling in such cases. They may be of considerable interest to the psychologist and any account he gives of them may provide material for a philosophical enquiry, but as they stand there is no logical problem about them.

But at this point I must consider an objection that may be raised against what I have said so far. It may be argued that if a man says that something is the best course but does not take it because it is too hard, it follows that he does not really think it is the best

¹ One might compare and contrast these remarks with G.H. von Wright's interesting suggestion that the various virtues are so many forms of self-control. The Varieties of Goodness, pp.148-9.
course in the context of the actual situation. He means that if one forgets about the difficulties attending it, then it is the best course; but taking these into account it is not. Consider the following illustration: a man is deliberating about which of two roads to take to reach a certain place. He may say that one of the roads is better, meaning that it is shorter, more free from traffic, and more scenically beautiful. But then he decides he will take the other because his car is old and he does not think it will be able to negotiate the hills on the 'better' route. Here it is obvious that for him with his unreliable car the route he chooses is better. In calling the other 'better' he meant that leaving aside considerations about one's car it was better. Now certainly this is correct; but I think it is mistaken to suppose that cases where a man does not do what he thinks best through weakness of will are really similar to this example. A man may sincerely think that it would be best for him to give up drinking and fail to do it because he is so fond of alcohol. Now he does not reason that giving up drink would in itself be the best thing, but because he is so fond of it it would not be the best thing for him. Possibly the reason he thinks it best to give up drink is just because he is so fond of it. To assimilate this case to the previous one is completely to ignore an important difference in the type of difficulty encountered in each. In the car case the defects of the agent's car are a relevant consideration in deciding what is best;
in the drink case the agent’s fondness for alcohol impedes his ability to carry out what he already thinks best.

It will be replied, however, that at the moment the man takes a drink his desire for the drink must be greater than his wish to give it up; that is, he prefers to have the drink, which means that he thinks that best. This reply embodies two incompatible theses. The first is that a man always acts in accordance with his strongest desire; his motives are like opposing forces over which the man himself has no control. I shall not discuss this mechanistic view of human action here. It has had its fair share of attention, and while it seems appropriate as a model in some cases it is by no means satisfactory for all.

The second thesis is that what a man most desires is what he thinks best. This is a contention that I can see no grounds for whatsoever. Indeed, it is not clear what kind of claim it is supposed to be. On the one hand, it might be a disguised tautology proceeding from an arbitrary definition of the terms 'desire' and 'best', in which case it has little to recommend it. On the other hand, it might be offered as an independent characterization of the facts, in which case it is plainly false. Men are not so rationally controlled as to want only those things they think best. As Hume said: 'It is as little contrary to reason to prefer even my own acknowledged lesser good to my greater,
and have a more ardent affection for the former than the latter.\footnote{Treatise of Human Nature, Bk.II, Pt.III, Sect.3.} Moreover, it is incompatible with the first thesis, which, in effect, denied the efficacy of reason to direct action, and maintained that people do not always do what they think best because they act in accordance with their strongest desire. The second thesis, on the other hand, insists that what we most desire we must in fact think best. I think, then, the objection can be dismissed as unfounded. It rests upon the illegitimate application of an account that fits a simple choice situation, where the only factors are the merits of the objects themselves, to a much more complex human predicament.

When a man fails to do what he thinks he morally ought, and his failure is attributed to weakness of will, I do not see that the position is any different. If one argues, as Hare does, that when a man does not do what he thinks he morally ought he cannot really think that he ought, then one must likewise maintain that when a man fails to carry out a non-moral intention or act on a non-moral conduct-guide, such as 'It would be best to give up drinking', he cannot really have had the intention or accepted the conduct-guide. I think enough has been said to show that this is absurd. It amounts to a denial of weakness of will. If it were correct then, as we saw in the case of decision, one would never be able to say with certainty that one intended to do something until one had in fact done it. I suggest,
then, that the problems of moral weakness can be explained in terms of weakness of the will. One may hold that moral judgements function, amongst other things, as guides to conduct, and yet find no puzzle in the fact that people do not always act on them. It seems plain enough that, hypocrisy apart, people sometimes think that they morally ought to do something, yet fail, through weakness of will, to do it.

Having argued that weakness of will can account for moral weakness, I should consider the possibility that sometimes people may knowingly do what they think they ought not to do, or fail to do what they think they ought to do, without being weak-willed. Certainly the phrase 'moral weakness' does not seem appropriate to such cases, but that is no reason why they should not occur - and I shall argue that in fact they do. However, there are some people, I know, who will deny on a priori grounds that this situation is possible. They will argue that a contradiction in terms is involved; if a man thought he ought to do X and did not do it he must necessarily have been weak-willed: this is part of the meaning of the concept. Or, to put it another and more positive way, if a man does not do what he thinks he ought to do then either he must have acted in accordance with a strong desire, or else been deterred by the difficulties of the right course of action.
Now it is quite true that a man who gives in to a strong desire that he thinks he ought to - and normally can - resist, is weak-willed. But to characterize as a desire everything, other than a sense of duty, for the sake of which a man acts is a view that has little to recommend it. It is a view that rests upon a confusion of two uses of the term 'desire', but which fits with neither use if it is forced to employ one or other consistently. 'Desire' is sometimes used in a wide sense so that it is necessarily true that anything a man does he must desire to do. But in this use of the term a man who acts from a sense of duty will also be acting from desire, a sense of duty being one desire among others; and this, I take it, is something the upholder of the view I am considering would not wish to allow. The term 'desire', however, is also used in a more limited and informative way. In this use 'acting out of desire' applies to only a special kind of case, and suggests that the agent experienced an impulse or craving towards a particular course that it would have taken strength of will to resist. A man drinking after many hours without water would be a case in point. But many of our actions do not fit this pattern at all; making a considered move in a game of chess, for example, does not. There is no reason, then, why a man who does not do what he thinks he ought to do should be acting out of desire in this limited use of the term. If the view under consideration is not to be false it must use 'desire' in the wide sense, and thus become self defeating.
It is also true that if a man is deterred by difficulties from doing what he thinks he ought to do it is appropriate to call him weak-willed; but not every right course of action is necessarily hedged around with obstacles: what a man thinks he ought to do may on occasions be the easiest thing to do. However, the correctness of both these points may be admitted, and yet it be insisted that when a man does not do what he thinks he ought to do one will always find that, as a matter of fact, he either gave in to a strong desire - in the limited use of the term - or was deterred by difficulties. It seems, therefore, that little light will be thrown on the question by discussing it in such abstract terms; rather I shall consider a specific example that appears to have the relevant features.

Iris Murdoch describes a curious incident of a girl giving up her seat in a train, which I think will serve this purpose well. Here is the relevant passage:

Dora stopped listening because a dreadful thought had struck her. She ought to give up her seat. She rejected the thought, but it came back. There was no doubt about it. The elderly lady who was standing looked very frail indeed, and it was only proper that Dora, who was young and healthy, should give up her seat to the lady who could then sit next to her friend. Dora felt the blood rushing to her face. She sat still and considered the matter. There was no point in being hasty. It was possible of course that while clearly admitting that she ought to give up her seat she might nevertheless not do so out of pure selfishness. This would in some ways be a better situation than would have been the case if it had simply not occurred to her at all that she ought to give up her seat. On the other side of the seated lady a man was sitting. He was reading his newspaper and did not seem to be thinking about his duty.
Perhaps if Dora waited it would occur to the man to give up his seat to the other lady? Unlikely. Dora examined the other inhabitants of the carriage. None of them looked in the least bit uneasy. Their faces, if not already buried in their books, reflected the selfish glee which had probably been on her own a moment since as she watched the crowd in the corridor. There was another aspect to the matter. She had taken the trouble to arrive early, and surely ought to be rewarded for this. Though perhaps the two ladies had arrived as early as they could? There was no knowing. But in any case there was an elementary justice in first-comers having the seats. The old lady would be perfectly alright in the corridor. The corridor was full of old ladies anyway, and no one else seemed bothered by this, least of all the old ladies themselves! Dora hated pointless sacrifices. She was tired after her recent emotions and deserved a rest. Besides, it would never do to arrive at her destination exhausted. She regarded her state of distress as completely neurotic. She decided not to give up her seat.

She got up and said to the standing lady, 'Do sit down here please. I'm not going very far, and I'd much rather stand anyway'.

Now let us suppose that instead of giving up her seat Dora had in fact carried out her decision and remained in her place. For her to have done so, in view of the sort of person she was and the feelings she had, would have required considerable strength of will; strength of will she did not in fact possess for she failed to stick to her decision. The question now turns upon whether or not Dora really thought she ought to give up her seat. It seems that her first assent to the judgement that she ought to give up her seat is quite sincere - she fully accepts it. Furthermore, the 'ought' was her own, she was

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1 The Bell, p.16.
not merely influenced by the idea that the lady or anyone else present thought she ought to give up her seat. However, she does go through a number of considerations that, it will be said, challenge the validity of the 'ought' and finally lead her to overthrow it. But this seems to me a distorted and tendentious account of what she does. Her deliberation is about what she will do, not a re-examination of what she ought to do; but very naturally it consists of running through excuses that will have the effect of drawing the sting from her conscience if she does not do what she thinks she ought to do. As we have seen, such rationalizations frequently accompany and make possible people's more deliberate wrong-doing. The whole tone of the passage is that of someone taking evasive tactics to get out of doing what she genuinely thinks she ought to do, rather than of someone seriously questioning the validity of the 'ought'.

If this is accepted we have a case of someone not doing what she thinks she ought to do, and, in the face of the embarrassment and guilt it causes her, showing considerable strength of will in persisting in her wrong course. To call such a case one of moral weakness certainly sounds paradoxical, and perhaps it is just this that has lead people to insist that moral weakness can only be due to weakness of will. Possibly it would be more appropriate to describe it as 'bloody-mindedness', cussedness, or perversity. But whatever one calls it it seems to overthrow the contention that if a person does not do what he thinks he ought to do then he must be weak-willed.
However, I do not wish to insist that this proves the point for there is something odd about such a situation; something seems to be lacking. There would be a strong inclination to ask for a fuller explanation of why she did not give up her seat, and one will tend to seek it in two possible directions. Either one will look for evidence that Dora felt particularly tired and did not feel like making the effort required to get up, thus giving a weakness of will explanation. Or one may argue that she was questioning the validity of her morality and trying to change it; that she was invoking some other more powerful 'ought' of perhaps rather a Nietzschean kind, like 'One ought never to help the weak', which overrode her judgement that she ought to give up her seat. Now I do not think it unreasonable or out of place to look for explanations of her conduct along these lines. Certainly the majority of cases where people do not do what they think they ought are susceptible to one or other of them, and there is something disturbing about a case that appears not to be; but I do not think this gives us grounds for saying that one of these explanations must be forthcoming. The disturbing quality lies in the character of the agent rather than in the logic of the situation. Indeed, there may be no explanation at all. When asked why she did not give up her seat, Dora might reply: 'No reason in particular; I just didn't think I would'; and I do not see that this reply is absurd or unintelligible. Also, when a man does not do what he thinks he ought, other explanations of his conduct may be available. I shall consider four possibilities.
(1) A psycho-analytic explanation. This would be along the lines indicated by Freud in his short paper 'Criminals from a Sense of Guilt'. There he suggested that some people suffer from an apparently unattached guilt feeling. To escape from this discomfort and to protect themselves from recognizing its true cause they commit some crime in order to have somewhere to attach it. This brings relief. The guilt feeling produces the crime rather than vice versa. To be successful in doing so it is obvious that the crime must be something the agent sincerely regards as wrong, i.e. something he can feel guilty about. I shall not dwell on this explanation since it is not one that the agent himself would ordinarily give or be aware of, and it is an open question as to how much control over his actions such a man has. It is an explanation of a different order from the others I shall consider, but nevertheless it deserves attention from those who deny the possibility of the situation.

(2) A man when asked why he had not done what he thought he ought might reply, 'I wanted to see how effective my conscience was; whether I could, in cold blood, persist in doing something I thought was wrong, and how much difficulty and discomfort it would cause me'. There is nothing that need surprise us about such a profession of

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moral athleticism when the wrong in question is comparatively trivial, though we may well be horrified and disbelieving if it is of a more atrocious nature.

(3) Though a man thinks he morally ought to do something, he may nevertheless act in accordance with some other consideration; aesthetic, religious, or merely prudential. ¹ Kierkegaard, for example, held that one's religious obligations frequently conflict with one's moral ones, calling this the 'paradox of faith that cannot be mediated'; and extolled Abraham for heeding the former in the face of the latter when he prepared to sacrifice Isaac.² And it is not uncommon for a man to pursue aesthetic ends at the expense of moral ones he perfectly well recognizes. He may wish, like Dorian Gray, to make his life a 'work of art' possessing a form and variety that moral requirements would impair; or he may find that a too nice attention to ethical demands impedes his creative activity which thrives on indulging the impulses and passions. Thus W.B. Yeats:

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The intellect of man is forced to choose
Perfection of the life, or of the work,
And if it take the latter must refuse
A heavenly mansion, raging in the dark.
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¹ See C.K. Grant for an interesting, though brief, discussion of this possibility. op.cit., pp.404-07.
² Fear and Trembling, trans. Robert Payne, pp.66-86.
³ 'The Choice', Collected Poems of W.B. Yeats, p.278.
Or again, he may think that there are other possibilities hidden in human nature worth pursuing, that morality stifles and destroys. Gide's Immoralist is lured on by such a prospect. He writes:

> it seemed to me then that I had been born to make discoveries of a kind hitherto undreamed of; and I grew strangely and passionately eager in the pursuit of my dark and mysterious researches, for the sake of which, I well knew, the searcher must abjure and repudiate culture and decency and morality.\[1\]

(4) Hatred of morality, such as Satan had; that is, doing what one thinks to be wrong for its own sake. This is not unconnected with the third explanation, for sometimes a man may hate morality because it interferes with some non-moral end, or his end may be the overthrowing of morality. In fact, it is not really clear which explanation fits Gide's Immoralist.

However, an objection will be raised against the last two explanations; an objection that rests upon the fundamental tenet lying behind the view that a man who does not do what he thinks he morally ought to do must be weak-willed. Since it will take a similar form against either I shall examine it in connexion with the third explanation, which is perhaps the more philosophically interesting of the two. It will be argued that if a man acts in accordance with, for example, an aesthetic judgement rather than with a moral judgement that opposes it, then for him the aesthetic judgement has become a moral one;

\[1\] The Immoralist, trans. Dorothy Bussy, p.137.
for a man's moral judgements are just those he accepts as ultimate guides to his conduct. A moral judgement can only be overthrown in favour of another. No matter how this other judgement appears to the agent - aesthetic or what you will - it is in fact moral. While a man may not act in accordance with a moral judgement on account of weakness of will, any other reason for his failure to do so indicates that for him it is no longer an ultimate moral judgement, but has been replaced by another.

I do not know quite how to reply to this argument for it makes it analytic that a man's moral judgements are those he holds most important (i.e. those he is ultimately guided by); and hence cannot be shaken by pointing to cases that it does not appear to fit - and there are plenty of these. Certainly one may agree that in the broad sense of 'moral' discussed in Chapter I such judgements are moral ones. But in this sense of 'moral' there may be disputes and conflicts within morality that result in a man doing what he regards as wrong for the sake of some other 'moral' end; an end, however, that lies outside the narrow domain of right/wrong morality, and which cannot be used to show that what one is doing is not wrong.¹

¹Part of Chapter VIII is concerned with such ends, and the conflicts that may arise between them and the requirements of right/wrong morality.
Also, one can point out that such a move raises complications for its exponent in describing the facts. To accommodate some cases of the kind mentioned he will be driven to postulate ignorance on the agent's part. Take the case of a man who chooses to do something he thinks necessary for the furtherance of his art (e.g. leave his wife and children), but which he thinks morally wrong. It is clear that it will not do to assimilate this situation to the case of the man who has to choose between what he takes to be two conflicting moral principles, for such a man does not usually think that in his particular situation he ought to do what is enjoined by the moral principle he rejects; but our man still thinks of the moral judgement as applying to him though he does not act on it. He thinks he morally ought to stay with his wife and children. The holder of the 'morality is most important' view in order to account for this situation will have to insist that the agent did not realize that for him aesthetic reasons are moral reasons; that he is just confused.

Clearly these remarks do not conclusively refute the objection, and hence I have not succeeded in demonstrating that a man may not do what he thinks he morally ought, and yet not be weak-willed. However, I hope the considerations I have brought forward will serve to mitigate the very real attraction of the view that he must be weak-willed. Its attraction, as I see it, lies in the fact that it offers a straightforward account of what it is to hold a moral principle and provides a simple criterion for deciding if a man is sincere in his
expression of moral judgements. Certainly to accept that a man may not do what he thinks he ought to do, and yet not be weak-willed, makes it difficult to give any such account, and means that the criteria for assessing a man's sincerity will be varied, complex, and not always conclusive. For this reason I have not wished to be too emphatic about the matter. However, I have entered a strong plea against legislating such cases away on a priori grounds; to do so is simplistic and does not do justice to the facts.

To summarize this long chapter: I started by outlining and criticizing the accounts of moral weakness offered by Hare and Nowell-Smith. I suggested that their inability to allow for it betrayed a radical error in their moral theories. I then discussed weakness of will and argued that it is well able to account for moral weakness. Finally, I considered whether it is possible for a man not to do what he thinks he morally ought, and yet his conduct not be open to a weakness of will explanation. I gave a tentative answer that it was possible, and suggested other explanations that might be forthcoming. I shall now turn to those cases in which the agent is not aware that he is doing wrong at the time that he does it. To

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prepare the ground for this enquiry it is necessary to say something about the concept of action.
CHAPTER III

ACTIONS AND BODILY MOVEMENTS

In any analysis of the concept of action it seems inevitable that talk of bodily movements, like the notorious penny, should turn up somewhere. For most sets of perceptual phenomena to which an action characterization may be applied are also susceptible of being described as bodily movements. Thus, 'He winked' can be described as 'His left eye closed momentarily', or 'He nodded' as 'His head moved up and down'. Since this is so, any analysis of what is involved in the concept of human action must give a satisfactory account of the kind of relationship that holds between actions and bodily movements. In this chapter I shall argue for and expand the account outlined by A.I. Melden in Free Action. But first it is necessary to say something about the distinction between actions and bodily movements, and indicate the role of the latter in our discourse.

Few, I think, would deny a distinction between them for, as P. Gardiner points out, the view that '...what we must primarily be

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1 Of course, some action characterizations, as we shall see later, imply that the agent did nothing, as in 'acts of omission'. And in such cases the bodily movement descriptions may be negative.
referring to when we talk about people doing things is their behaviour: that is to say, we must be referring to their bodily movements, together (perhaps) with various other publicly observable events perceived to accompany or result from these movements... quickly leads to doubts and perplexities. In the first place, it may be pointed out that there are many bodily movements, such as reflexes, twitches, shakes, and involuntary starts - to mention a few - that we do not wish to call actions at all. However, I do not want to dwell on this point since taken by itself it may seem like mere reiteration of the distinction, not an argument for it. To see its force one needs to consider the reasons why we do not wish to call such things actions and these I shall be coming to shortly.

Secondly, one may argue, as Gardiner\(^2\) does explicitly and Hampshire\(^3\) less so, that if actions were mere bodily movements then my basis for knowing what I was doing would be exactly the same as a spectator's; namely, from observation. Indeed, others would often be able to say what I was doing better than I myself. And this we know not to be the case except in special circumstances. Usually we know what we are doing without having to look, unless it is a special case like

1 Schopenauer, pp.152-3
2 ibid., p.152ff.
3 Thought and Action, esp. Ch.2.
screwing up one's bus ticket as one day-dreams on the top deck; and then the replies one gives, such as 'I didn't realise I was doing that', serve as excuses and indicate that it was not really 'my action' in the full-blooded sense of that term. Admittedly there are cases where, even though we are acting consciously, others can say more accurately than us what we are doing - cases where others see clearer the context and likely consequences of our actions, and by bringing these to our notice can force us to redescribe our actions. But these, though very important for any account of the ways in which actions are characterized, do not affect the point here being made; namely, that we know what we are doing under one characterization without observation.

However, this argument rests on one assumption that is at least questionable, the assumption that we are only aware of our bodily movements by observation. G.E.M. Anscombe, among others, has maintained that we are directly aware of bodily movements that are not cases of actions.\(^1\) Now I do not want to enter into this dispute here since it would lead into considerations that would take us well beyond our present purpose. Also, as I hope to show in the following, the distinction can be made on other grounds that do not involve us in such controversies.

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\(^1\) *Intention*, pp.13-15.
But first two further *prima facie* reasons for positing a distinction. We frequently know quite well what we are doing without being able to specify the precise bodily movements involved, e.g. in putting on my trousers, placing a bet, or imitating someone laugh. Indeed, in such a case as the last our only possible way to answer someone who insists on knowing what the bodily movements were is to do it again. And secondly, the same action characterization may be applied to very different sets of bodily movements; I can bid, for example, by nodding, winking, or raising my hand. And the reverse is true; the same set of bodily movements may sustain very different action characterizations depending on the context in which it occurs. Thus, two fingers raised in the air may be a piece of rudery, a defence against the devil, a victory sign, or simply an indication of the number 2.

Now as these last two considerations indicate, the distinction is not between two mutually exclusive things for bodily movements can be cases of actions; but rather between two sets of discourse. An examination of the difference between the answers to the question 'Why?' when it is asked of actions and when it is asked for bodily movements will help to clarify this distinction. If we see a man whose eyelid keeps flickering shut in an apparently uncontrollable way and we ask 'Why?' of a doctor or man who knows him well, we shall doubtless be told something about nerves, muscles, and tissues, with perhaps some reference to an accident, and we shall be quite happy with this answer.
It was what we expected and wanted. But imagine being given such an answer to a question about why a man winked. Either we shall take it as a denial that the man winked and tacitly accept that our question was out of place; or else, if we do not think this fits, we shall be impatient and repeat our question in a stronger form: 'I didn't want to be told what went on inside him when he winked, I want to know why he winked!' Here we want to be given an answer like: 'Well you see he and I have a joke about that awful bore Jones who's got him in the corner'. What we are asking for is the agent's reason. We want to learn something about the man and his action by seeing it as part of a pattern, woven of the agent's interests, purposes, and situation. When we ask 'Why?' of a bodily movement there is no question of looking for a reason in the sense of a reason the man had. In asking the question in the form we did, i.e. 'Why does his eyelid keep closing?', as opposed to 'Why did he wink?', we indicate that it is something for which we do not think he can have a reason.

This, then, is an important difference. For actions we commonly ask for reasons in terms of the agent's desires, interests, and circumstances; and these enable us to understand the action more fully, and so too the person whose action it was. Such questions are not appropriate about bodily movements; they do not fit in with this kind of talk. This is the reason why we deny that shakes, twitches, and so on, are actions; there is no room to ask the person's reason for them.
But this account of the distinction is far from adequate as it stands. It has concentrated on one type of action and ignored other types with importantly different features, a consideration of which will raise difficulties for the account. These difficulties centre around the notion of 'appropriateness'. The distinction between actions and bodily movements was made in terms of what kind of explanation was appropriate to each; and it was argued that explanations in terms of the reasons a man had were appropriate to actions, but not to bodily movements. However, there are many cases of action where the agent apparently had no reason for what he did, or at least can give none. I shall mention five types of such cases. Doubtless there are others and the distinctions between those listed are not always sharp, but for our present purposes I do not think this matters.

(1) Doing things unconsciously; that is, where one is not aware that one is doing anything and catches oneself at it, perhaps with surprise. (2) Acting out of habit where the reason (if there was one) that gave rise to the habit no longer exists. For example, one carefully locks one's empty, battered, and thoroughly unstealable car, and when asked 'Why?' one replies, 'Oh, just a habit. I used to carry a lot of important papers around'. (3) Acting on impulse - 'Why did you pull his beard; did you think it was false?' 'No, it was just an impulse'. (4) Simply for no reason-where one was not acting unconsciously, out of habit, or on impulse. When asked 'Why did you do
that?", one answers, 'No reason in particular, I just did'. (5) One is acting consciously and has a reason for what one does, but one cannot give it. An example of what I have in mind would be the case of an artist who puts a patch of blue on his canvas. He cannot say just why he did so, but would be very annoyed if one suggested that he had no reason for doing so. True, this is different from the first four cases. The agent had a reason, and hence it will not cause trouble for my preliminary account of actions in the way that they do; but I mention it to draw attention to the diversity of ways in which people may act.

Now when a man gives one of the first four replies he is denying that he had a reason for what he did. Surely, then, it follows that in such a case to ask for a reason as an explanation of his action is inappropriate. To do so is to misunderstand his action. But if for such actions an explanation in terms of reasons the man had is inappropriate this removes the ground on which I distinguished actions from bodily movements. It appears that if one insists on the reason criterion one is either forced to deny that such things are actions, or else driven into the paradoxical situation of saying that 'no reason' can count as a reason. In fact, as I shall try to show shortly, I think one may go half way towards both these courses without falling into absurdity; but first I want to give the notion of 'appropriateness' the closer examination it requires.
One might argue that this apparent difficulty springs from a confusion about what exactly it is that is supposed to be appropriate. In a case like one of the above when it is said that an explanation in terms of reasons is not appropriate, what is meant is that in fact in this case there is no reason. However, in drawing the distinction between actions and bodily movements, what was meant was merely that actions are things for which it is appropriate to look for explanations in terms of a man's reasons even if, as it turns out, he has none. In support of this one may urge the fact that a man who gives such an answer as 'No reason in particular' does not reject the question as inappropriate; he accepts it as perfectly proper, but denies he had a reason in fact. And this is quite different from the answer of a man who is asked his reason for a bodily movement. A man who is asked 'Why do you keep flickering your eyelid?', when it is a case of a nervous disorder, will not reply 'Oh, no reason in particular' or 'On impulse', but will say something like, 'It's not me flickering it; it's because of my accident'. Now here his answer does reject the question as inappropriate. Thus, to say that there are some actions for which no reason can be given is not to say that it is inappropriate to ask for them in the way it is inappropriate even to ask a man's reason for a bodily movement.

In so far as it draws attention to the big difference between the answers of a man who does something for no reason and of a man who is asked his reason for a bodily movement, this argument is correct and
helpful. However, it does not lead very far. The original statement of the distinction between actions and bodily movements has to be modified. We can no longer say that an action is an event it is appropriate to explain in terms of the agent's reasons - it may not be in a particular case; but rather that actions are events for which it is appropriate to look for such reasons, though maybe there are none. And this raises a problem: just what does 'appropriate' mean; and how are we to decide if it is appropriate to look for a reason or not since this cannot always be settled by finding a reason? Indeed, it seems very odd to talk of it being appropriate to look for a reason when in fact there is none. I must confess that I see no immediate way out of these difficulties, except to point again to the difference between the behaviour of a man who is asked his reason but in fact has none, and that of a man who is asked his reason for a bodily movement. Unsatisfactory as this may be, it does provide some sort of foothold for the claim that looking for reasons is appropriate in the case of actions to stand on. Bearing this in mind, I shall take up two other considerations that may help to overcome the difficulty.

In the first place, such answers as 'Unconsciously', etc., although they deny that the agent himself had reasons, do help us to understand the action more fully and see the part it played in the pattern of the agent's activities. They also reveal something about the man himself. In so far as they do this they are not unlike
answers that tell us his reasons. This similarity in their function of enabling us to understand the action draws some of the sting from the paradox of accepting 'no reason' as a reason. This is what I meant in saying that one could go half way in this direction without falling into absurdity. Of course, it would be absurd to suggest that such answers were reasons just as much as are reasons proper - plainly they are not. What is meant is that, in so far as they enable us to understand certain actions, they operate in the same way as reasons proper.

And it is worth remarking that such answers can by no means be offered in explanation of every action. Their acceptability is severely restricted, both by the type of action and the manner of its performance. It seems that none of them will be in place for actions that require care and planning; and each of them has its own restrictions built into it. Some will fit where others do not. One may go to confession out of habit or on impulse maybe, but hardly unconsciously. One may tear up a pound note unconsciously, but not out of habit. It will not do to give the answer 'No reason in particular, I just did' about an action that involves a lot of time and trouble, or else carried grave consequences.¹ G.E.M. Anscombe makes

¹ Though, typically, this is the answer of the psychopathic criminal, and it is partly on account of its inappropriateness in the context that he is labelled 'psychopathic'. Cf. H. Cleckley, The Mask of Sanity, passim.
this point when she writes:

Answers like 'No particular reason'; 'I just thought I would', and so on are often quite intelligible; sometimes strange; and sometimes unintelligible. That is to say, if someone hunted out all the green books in his house and spread them out carefully on the roof, and gave one of these answers to the question 'Why?' his words would be unintelligible unless as joking and mystification. They would be unintelligible, not because one did not know what they meant, but because one could not make out what the man meant by saying them here. ¹

A closer examination of the restrictions upon the acceptability of these various answers would undoubtedly be revealing about cases where answers in terms of reasons were required.

Secondly, one may point out that actions for which the agent can give no reason lie at the edges of the concept of action, for in varying degrees they lack an important element of full-blooded actions. H.L.A. Hart has argued in his paper 'The Ascription of Responsibility and Rights', ² to my mind convincingly, that to say without qualification that someone did something is, among other things, to ascribe responsibility to him. That is to say, if what he did was in any way untoward we hold him legally or morally responsible, and punish him accordingly. Now such qualifications of an action as 'unconsciously', 'without realising what I was doing', 'on impulse', etc., serve as excuses to diminish responsibility. A

¹ op.cit., pp.26-7.
² In A.G.N. Flew, ed., Logic and Language (First series).
man who unconsciously makes a hurtful remark may be blamed for being thoughtless and insensitive, but it is a lesser charge than the charge of maliciousness and spite which will be brought against a man who does a similar thing deliberately. And it is considered less heinous to do something bad on impulse than to do it coolly and reflectively. The fact that we are prepared to soften our censure - only soften it for we do still blame people for the things they do on impulse - indicates that in such cases we do not consider the agent fully responsible. The sense of 'his action' here is somehow truncated, something has been taken away. And it is this feature of such actions that I had in mind when I said earlier that one might go half way towards denying that they were actions. Of course they are actions, but they are cases that lie at the edge of the concept - their connexion with responsibility is wearing thin.

Certainly these considerations do not neatly dispose of the difficulty facing the distinction I drew between actions and bodily movements. Among other things, they show how limber and complex the concept of action is; and that, therefore, any attempt to tie it firmly down by pointing to one feature that seems central, such as that actions are performed for reasons, will inevitably fail to cover all cases. But, nevertheless, I think they make it clear that the difficulty is by no means fatal. By examining those cases where such reason rejecting answers are acceptable, seeing their differences and similarities to the type of case taken as central, and patiently
tracing the connexions between them, we can accommodate such cases in our account. So much for the distinction between actions and bodily movements; I hope enough has been said to give it force and clear it of the charge of wilfully ignoring the facts.

Before turning to the relation between actions and bodily movements I want to make a digression to point out a mistake about the use of the phrase 'bodily movement' that I for one found particularly insidious. This will also serve to emphasize the point that the distinction between actions and bodily movements is a conceptual one. It is tempting to argue thus: to say things like 'He made a bodily movement' is pleonastic and dangerously misleading, since to put in the word 'bodily' is to suggest that there is some other kind of movement he could have made - a mental movement perhaps, and this is absurd. Any movement is necessarily a bodily movement. But, one may argue, the phrase occurs so frequently that it must have an important use and not merely be a pleonasm. And since 'bodily' cannot qualify 'movement' to mark it off from some other sorts of movements that a man makes, in the way in which 'hand' can serve to distinguish some movements as not being movements of the feet or head, it must serve to mark off a movement as a movement that was not an action. This being so, not merely is a distinction drawn between actions and bodily movements, but they appear as contradictories. If something were a bodily movement then it was not an action. Now this is a most uncomfortable position
since it is a denial of what is plain to common sense; namely, that there is a relation between actions and bodily movements. As we have seen, the same set of perceptual phenomena can be described as either, and hence one conclusive way of denying that someone performed a certain action is to point out that no bodily movement took place. 'He waved' is contradicted by 'His arm never moved'. The way of escaping this untenable position is to find another proper use for the phrase 'bodily movement'. Fortunately this is not difficult. As people we are naturally concerned to distinguish actions from happenings. Of all observable 'events' - I use the term to include both actions and happenings - only some are possible candidates for actions. For us at least the growth of plants, the waves battering the shore, the wind moving the trees, and so on, do not come up for decision. We class them without thought as happenings. The phrase 'bodily movement' is used to mark out that class of events which are possible cases of action. The class includes both events that are clearly not actions, such as nervous twitches, and events that very plainly are, such as a man deliberately raising his arm to bid in a sale.

Having marked the distinction between actions and bodily movements it is now time to give some account of their relation to one another. Some theories have construed actions on a part-whole model with bodily movements as one of the parts. On this view, what distinguishes those bodily movements it is appropriate to treat as
actions from those it is not is the presence of some mental event that either causes or accompanies the bodily movement. Such accounts vary among themselves as to what is the precise type of mental event required, and on its relation to the bodily movement. First: there are the volitional accounts that hold that an action is a bodily movement which is caused by a volition or act of will. It is well known that Descartes gave such an account; so also did the Empiricist philosophers. Locke writes: 'Secondly, we must remember that volition or willing is an act of the mind directing its thought to the production of any action, and thereby exciting its power to produce it'.\(^1\) And again: '...and that volition is nothing but that particular determination of the mind, whereby, barely by a thought, the mind endeavours to give rise, continuation, or stop, to any action which it takes to be in its power'.\(^2\) Hume too has a similar position, though modified to meet the requirements of his theory of causation. He writes: 'I desire it may be observed that, by the will, I mean nothing but the internal impression we feel, and are conscious of, when we knowingly give rise to any new motion of the body, or new perception of the mind'.\(^3\)

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\(^1\) An Essay Concerning Human Understanding, Bk.II, Ch.XXI, Sect.28.

\(^2\) ibid., Bk.II, Ch.XXI, Sect.30.

Such accounts lead logically to another type that no longer employs a part-whole model. On this theory a bodily movement is not itself an action, nor even part of an action; but is the consequence of an action. The action is solely the act of will which produces the movement. Such an account is given by H.A. Prichard in his paper 'Acting, Desiring, Willing'. There he says: 'When I move my hand, the movement of my hand, though an effect of my action, is not itself an action, and no one who considered the matter would say that it was, any more than he would say the death of Ceasar, as distinct from his murder, was an action or even part of an action'.

A similar account is put forward by W.H.F. Barnes who suggests that an action is the decision a man makes, and that bodily movements follow as effects.

On these accounts, then, we never see actions at all but merely their effects.

Now the objections raised by Ryle and others to such volitional accounts are so well known, and to my mind so convincing, that it would be tedious even to adumbrate them here. Instead I shall consider briefly another part-whole analysis that is offered to elucidate the concept of action. H.W.B. Joseph suggests that an action equals a

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1 In Moral Obligation, p.191
2 'Actions', Mind, Vol.L - 1941
3 The Concept of Mind, Ch.4
bodily movement plus a motive. He first says that ethical predicates are applicable only to deliberate actions, not to automatic actions like locking one's desk from force of habit, which he calls 'act of behaviour'. It is deliberate actions that are composed of bodily movements plus motives. 'I submit then,' he says, 'that there is no action in which we must not include a motive; at least none that concerns Ethics'.¹ In support of this he argues thus: 'No act exists except in the doing of it, and in the doing of it there is a motive; and you cannot separate the doing of it from the motive without substituting for action in the moral sense action in the physical, mere movements of bodies'.² Thus he is led to deny that the same act can be done from different motives, for since an action necessarily includes its motive a change in motive will mean a change in action.

While it is certainly true that a consideration of motives may play a very important part in the moral evaluation of actions - or more accurately, of agents - it is clear that they cannot be used in this way to analyse the concept of action. Indeed, motives cannot even be used to mark out the range of actions that is of interest to Ethics, for one may in some degree be held morally responsible for one's habitual actions and these are taken by Joseph not to include motives.

¹ Some Problems of Ethics, p.43.
² ibid., p.38.
The argument against giving a motive analysis of the concept of action is succinctly put by A.I. Melden. He argues thus:

But where motives can be cited in order to explain behaviour, there at any rate we have actions - the motives are then the motives for the actions thereby explained. The use of this preposition 'for' following the term 'motive' shows us something important about the concept of a motive. And it is the use of this preposition that needs to be examined in connexion with the view that an action consists of a bodily movement or happening plus some interior event identified as a motive. If what makes the rising of one's arm, for example, a case of the action described as 'raising one's arm' is the presence of an interior mental event called the 'motive', of what action is the alleged motive a motive? By hypothesis this motive cannot be the motive for the rising of the arm since this is only a bodily happening, and motives, whatever else they may be, are motives for actions. Can the action of which this constituent motive is the motive be the raising of the arm? This surely cannot be true; for if it were, the idea of the motive would presuppose the idea of the action to be explained. In that case the alleged explanation of the action of raising the arm is hopelessly circular. In other words: it is impossible to define the action of raising the arm in terms of a bodily movement plus motive, since the alleged motive, if it is really one, has to be understood as the motive of some action performed or performable by the agent; and if this motive is the motive for raising the arm, the motive, far from defining or constituting that action, presupposes it.  

It is obvious, I think, that this argument is correct; were a motive allowed to be a motive for a bodily movement, it would make nonsense of the distinction between actions and bodily movements I set out by marking and which the theory was supposed to explain. Moreover,

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Free Action, pp. 76-7
there are other reasons for considering such an account unsatisfactory. Were an action a bodily movement plus a motive then we would never be able to see anything other than bodily movements, for the motive is posited as an interior mental occurrence. In fact, we would have no way of telling from looking whether something was a case of an arm rising or of someone raising his arm. And here it would be no help to ask a man whether in fact he raised his arm, for what he tells us might merely consist of further bodily movements (speech can be automatic) about which we should have to ask the same question - namely, were they accompanied by a motive or not; and so on ad infinitum. Surely, in fact, we not only see arms rising, but also people raising their arms.

Further, in making the presence of a motive a necessary condition for the occurrence of an action the theory ignores those cases I discussed earlier where, in one way or another, the agent has no reason for doing what he does. As we have seen, 'No reason in particular, I just did' is a perfectly proper answer to the question 'Why?' when asked of certain sorts of actions. And let me remark here to guard against misunderstanding that such an answer is not the same as 'Because I wanted to'. To insist that a man must want to do anything that he does consciously and not under compulsion is either to stretch notion of 'wanting' until it becomes completely vacuous, or else to ignore very obvious differences between types of actions - between, for example, buying a drink and absentmindedly 'doodling' as
one listens to a lecture. There are a limited number of things that
a man does for no particular reason and not because he wants to; and
that is not to say that he does not want to do them: 'wanting' and
'not wanting' simply have no place here.

Melden advances parallel arguments against construing actions as
bodily movements together with desire or any other mental event. I
shall not discuss them here as they are very similar to those just
outlined, but shall go on to consider what account we are to give of
the relation between actions and bodily movements if we reject, as I
think we must, analyses of the part-whole type. As we have seen,
discourse about actions is logically different from that about bodily
movements, yet actions are in some sense dependent upon bodily
movements. What this sense of 'dependent' is we shall have to explore.
Melden accounts for the relation by talking of 'seeing as'. On his
view an action is not a bodily movement together with anything else;
it is a bodily movement seen in certain way. He accounts as follows
for how we come to see them in this way:

But how is it possible for us to see a person raise his arm,
to see a bodily movement as an action? Well, how is it
possible to read a printed page, to see not curiously shaped
black marks on a white background, but the sentences that
lie before us? Here the answer is simply 'Training'. ...And
if it seems odd to say that what a person sees depends upon
the training he has received, compare the visual experience
of one who merely looks at the pattern of marks on a
printed page with the visual experience of one who is
reading. There is a difference between seeing marks on a
page and reading words. So too there is a difference
between observing bodily movements and observing actions, i.e. seeing bodily movements as cases of actions. Here the activities in which we have been trained to engage in our dealings with one another constitute the substratum upon which our recognition of the actions of others rests.\footnote{ibid., p.187.}

Melden goes on to insist that learning to see bodily movements as actions is part and parcel of learning to recognize 'persons', form relationships with them, and employ the type of discourse appropriate to them. To seek, therefore, for an analysis of actions as such - that is, to refuse to be satisfied with accounts that refer to the whole interlocking network of concepts, such as wanting, intending, thinking, and trying, in which our talk of actions and persons is embedded - is a pointless enterprise. In fact, Melden dismisses the notion that actions can be analysed as such. All one can do is exhibit the complex logical structure of the discourse in which the concept of action plays a central role, and that is quite enough.

Now this account, I think, is along the right lines. It is not open to the kind of objection raised against the part-whole models; it allows for the fact that we see actions and not merely bodily movements; and by emphasizing the logical connexions of the term 'action' with a whole set of psychological words it preserves the distinction between actions and bodily movements. However, as it stands the account may be criticized on the grounds that it is vague.
about the notion of 'seeing as', and that it has not sufficiently elucidated the sense in which actions depend on bodily movements.

In a review of the book A.C. Stoop makes both these points. She writes:

This 'seeing as' is not explained any more clearly than other crux terms in Melden's argument. We are given the analogy of seeing marks on paper as writing. This is not very helpful since it suggests what Melden wants to deny, that an action is composed of bodily movements of a particular sort. The letter A is, in a sense, no more than a particular independently specifiable pattern of marks. This pattern would constitute the letter A as much when it is found in wave marks on the sand, as when it is written carefully on paper. That is, in the case of writing, there is a clear sense in which the marks constitute the letter and not vice versa.1

Certainly Melden's analogy with writing is misleading in some respects, one of which this criticism brings out; but the criticism itself seems to have missed what was useful about the analogy and given a false account of what a letter is. Stoop says that a letter is, in a sense, no more than a particular independently specifiable pattern of marks, and certainly in showing someone how to make the letter A we should show him how to make certain marks, just as in showing someone how to swing a golf club we should show him how to make certain movements. But imagine if someone asked what a letter is and was told merely that a letter was a set of marks. The answer would be almost useless to him; indeed, he might know this already. To be answered properly he must be told about the relation of letters to words and the

way people use them in writing; perhaps before he really understands he must be taught to read and write. To say that a man sees marks as letters is to say much more than that he can name them A, B, C, etc.; it is to say at the least that he can give some account of their purpose and the activity of which they form a part.

Furthermore, I do not think it is all obvious that all marks on the ground or sand that have the shape of letters constitute letters as much as when they are written on paper. Consider the case of hoof marks. A shod horse leaves the mark of a C in the mud, but we hardly call it the letter C. Much more likely we remark that it is like a C. One of the criteria we have for a mark being a letter is that someone should have written it. Another is its shape. Where we found the shape A which is not one usually caused by objects like hooves and sticks we should normally assume that someone had written it and call it a letter. If there was good reason to believe that no one had written it, then I do not know what we should do for our criteria conflict. But I do not think we should be forced to call it the letter A; it might transpire that some kind of animal left a print like that. I take it, then, that this criticism Stoop brings against Melden's account does not hold.

To learn to see marks as writing is not to see anything other than those marks, but it is to see them against the background of human activities in which they play a part, and to realize that it is
appropriate to employ a certain kind of discourse about them.

Usually, of course, we do not talk of 'seeing' these marks 'as'
writing since we are so used to seeing them in this way. But to
someone who only saw them as marks, or to a child just learning the
alphabet, it may be opposite to talk of 'seeing' them 'as' writing,
and hence of learning to see them in this way. I think, therefore,
that Melden's analogy does throw some light on his claim that we see
bodily movements as actions. To see them as actions is not to see
anything other than the bodily movements, any more than to see letters
is to see anything over and above the marks on the paper; it is to see
that they fit in with a certain kind of talk - talk about emotions,
purposes, beliefs, decisions, mistakes, and skills. Also, I think
the analogy is illuminating when one considers Melden's account of
how we come to see certain bodily movements in this way. 'Training',
he says. And when one sees the impossibility of giving any other
answer in the case of writing, the same answer seems much more
plausible when applied to actions.

However, the analogy is not wholly adequate, for it obscures
(and perhaps even misleads about) one important feature of the
relationship between actions and bodily movements. Letters, as Stoop
says, are composed of fairly narrowly specifiable patterns of marks.
An A, for example, can only be made in a limited number of ways even
if one does take into account different scripts and prints. It is just
because of this that if we have difficulty in deciding whether something
is or is not an A we call the writing illegible or the print blotched. The same is not true of actions. Except in the case of certain actions of what might be called the ceremonial type (saluting and curtseying, for example) and actions whose characterizations make specific reference to bodily movements or position such as nodding or lying down, actions that are given the same characterization may involve very different bodily movements. Consider, for example, the number of different ways in which one can make a bid or welcome someone. Also, as we have seen, the same bodily movements performed in varying circumstances may sustain widely differing action characterizations. Thus an arm rising to the side may be characterized as pointing to something, signalling, or telling someone to get out, and all of these correctly on different occasions. The same marks, however, could not be an A on one occasion and some other letter on another within the same writing system. Actions are not tied to bodily movements with nearly the same tightness as letters are tied to specific marks, and in so far as it suggests that they are the analogy with writing is misleading.

It remains to say a last word about the sense in which actions depend on bodily movements. Clearly the relationship between them is a logical one, but it is not one that can be conveniently labelled or discussed in any very general terms. The occurrence of a bodily movement is not a sufficient condition for the application of an action characterization since, as we have seen, there are many bodily movements
(twitches, shakes, etc.) that we do not call actions at all. But neither is it a necessary condition, for there are a limited number of action characterizations that implicitly deny that any bodily movement took place. 'He never lifted a finger to help me' is a case in point; not standing up when 'God Save the Queen' is played is very much an action; and, as soldiers know, insolence can be motionless as well as dumb.

The relationship holds, in fact, between particular action characterizations and certain bodily movements, rather than between actions and bodily movements in general. The occurrence, or in some cases non-occurrence, of some bodily movement will be a necessary condition for the applicability of a short-term and specific action characterization. What particular bodily movement is required will depend upon the action characterization in question, and for some there will be a wide range of possibilities. To take a simple case; a movement of a man's arm is a necessary condition for it to be correct to say 'He waved'; he could not have waved if his arm did not move. And an assertion that a man is doing nothing may be rejected by pointing to his bodily movements.

To make the point somewhat differently, an action characterization may be substantiated when challenged by calling attention to bodily movements. Thus, if someone denies that X signalled, perhaps the first step towards altering his view will be to say, 'Well, you saw his arm rise, didn't you?' Much more general action characterizations may not
appear to depend on bodily movements in this way, since it is not at all clear what bodily movements would constitute such a thing as, say, 'persecuting one's wife'. Nevertheless, such characterizations if challenged will be supported by citing more specific actions: 'He was rude', for example, is backed by remarks like, 'He completely ignored his hostess' and 'He kept on pinching people's drinks'. These in their turn do depend on bodily movements. Pointing to bodily movements is the last step in such a process of justifying an action characterization.

Finally, it is important to notice that citing a bodily movement alone is never logically sufficient to enforce agreement about the application of any particular action characterization. As we have seen, the same bodily movement may be susceptible of very different action characterizations depending on its context. Thus, the mere information that his arm rose will be of little help in deciding whether a man signalled or performed a physical exercise. We need to know much more than this before we can settle the question. I shall now examine the considerations that play a part in determining whether or not a particular characterization is applicable to an action.
CHAPTER IV

CHARACTERIZATIONS OF ACTIONS

In some analyses of the concept of action it is implied that an action has one, and only one, proper characterization. In those cases in which several characterizations appear to be applicable to a particular action a closer examination of the action, it is said, will show that in fact only one of them is appropriate. This view, I think, is mistaken; most actions sustain a number of different characterizations. I shall start to establish this claim by criticizing a thesis put forward by J.W. Meiland in which he implies that an action has only one proper characterization.

In a paper entitled 'Are There Unintentional Actions?' Meiland denies that unintentional actions exist. He sets out to establish this contention by instancing the case of a person buying a loaf of bread. He writes: 'If we say of a person that he is buying a loaf of bread, we imply that it is true of that person that one of his ends is having the loaf of bread in his possession (or in that of the person for whom he is buying the bread). If this were not one of his ends, then he would not be buying a loaf of bread'. Having a loaf of bread

2 ibid., p 377.
in one's possession is what Meiland calls an 'intrinsic result' of buying it. Buying a loaf of bread, of course, has other results, such as making the buyer's shopping bag too bulky to be easily carried; but this Meiland calls an 'extrinsic result'. Whether the buyer intends this result or not makes no difference to the fact that it is correct to say that he is buying a loaf of bread. However, Meiland continues, 'intrinsic results' must be intended, for if \( X \) is an intrinsic result of the action \( Y \), then, as we saw in the bread case, intending \( X \) is a necessary condition of performing \( Y \). If the agent did not intend \( X \), then he did not perform \( Y \). Thus Meiland concludes that '...if an action (at least of the type that does have intrinsic results) is performed at all, then it is intentional'.

And this implies that the only proper characterization is that in terms of the agent's intention. A characterization in respect of which the agent did not act intentionally will in fact refer, on Meiland's view, to an extrinsic result of his action and not to what he did.

The short way with this thesis would be to reply that we frequently do talk of unintentional actions and know quite well what we mean. We say things like 'He broke the vase unintentionally', 'He hurt her feelings without meaning to', and so on. But Meiland might

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1 ibid., p.380. Meiland does allow that some actions - running, for example - have no intrinsic results, but holds, therefore, that the terms 'intentional' and 'unintentional' have no place in connexion with them.
well insist that such cases need closer scrutiny. Suppose we ask: 'How did he break the vase?' Perhaps the answer is that he broke it with his arm while making an expansive gesture, and in this case he did intentionally fling wide his arm, an unintentional result of which was the breaking of the vase. But, we may reply, people also swing their arms unintentionally or without realizing what they are doing. But in such a case I suppose that Meiland would deny that the swinging arm was an action. As we saw in the previous chapter this looks like arbitrary legislation. Nevertheless, the fact that such a move is possible makes it desirable that I should examine and try to dispose of the arguments on which Meiland founds his claim. I wish to establish not only that not all actions are intentional, but also that characterizations other than those in terms of the agent's intention are applicable to intentional actions.

In the first place, Meiland's talk of 'intrinsic results' clearly does not constitute an argument for his claim that actions are intentional, but is merely a reiteration of it. By characterizing the 'intrinsic result' of an action as that result '...which the agent must intend in order to be performing that action'\(^1\) he presupposes what he wishes to establish. If 'intrinsic results' were to be of any help to Meiland he would have to give some independent characterization.

\(^1\) ibid., p.378
of them. He might say, for example, that the 'intrinsic result' of an action was 'that result in the absence of which it would not be correct to say that the action had been performed'. Thus, a cleft in the butter would be an intrinsic result of the action of cutting the butter. But in this case Meiland would have to show that unless the agent intended there to be a cleft in the butter it would not be correct to say that he cut the butter. And this he does not do.

In fact, all that Meiland does by way of argument is to cite two examples that appear convincingly to support his view - buying a loaf of bread and replacing a windowpane. Buying is an activity that is firmly grounded in interpersonal relationships in which intention and knowledge are presupposed. Buying something usually does imply knowing what you are doing and intending to do it. Thus a man who signed an undertaking to purchase, while under a misconception as to the nature of the document, would be upheld in law if he did not go through with the purchase. Similarly, replacing windowpanes seems to have necessary connexions with intention. It does so, not because it involves conscious and consenting transactions between people, but because it is an activity that requires so much care and attention that there is no room to do it without realizing that one is doing so, or by mistake. If it was the kind of thing that one could do in one of these ways, as one can press a light switch, carpenters would soon be out of a job.
However, the fact that buying things and replacing windowpanes seem to be in line with Meiland's view gives us no reason for supposing that all actions are intentional. As far as I can see he does nothing to persuade us that they are, save for his talk of 'intrinsic results' which, as we have seen, hardly constitutes an argument. Moreover, if one specifies exactly what it is that is being bought, it is not always true that one buys the object in question intentionally. For example, a man who intends to buy a sliced loaf of bread may well buy an unsliced one by mistake. In such a situation he did not intend to have an unsliced loaf in his possession, yet he has; and surely it would be correct to say that what he in fact did was to buy an unsliced loaf. This is what his wife accuses him of having done when he comes home with the wrong article. It is true that it would be more accurate to qualify 'He bought an unsliced loaf' with the phrase 'by mistake'; but this does not affect the fact that he bought an unsliced loaf, and did it unintentionally.

However, it might still be replied that in such a case 'He bought an unsliced loaf' is not a proper characterization of the agent's action; it is an over-characterization. What he in fact did was to buy an object that he took to be a sliced loaf. But, though we may allow that this is one characterization of his action, it does not show that 'He bought an unsliced loaf' is not also a proper characterization of it. If it were not, then of what action would his
possession of an unsliced loaf be a consequence? Presumably of the action of buying what he took to be a sliced loaf. But, to use Meiland's terminology, it can hardly be an extrinsic result of this action, for having an unsliced loaf in his possession and having what he took to be a sliced loaf in his possession (the intrinsic result of the action) turn out to be one and the same thing. But if these are one and the same (i.e. the intrinsic result), then surely 'He bought what he took to be a sliced loaf' and 'He bought an unsliced loaf' are alternative, and equally proper, characterizations of his action. They are both useful because they draw attention to rather different aspects of the action; the first, to the agent's state of mind; the second, to the actual object he bought.

As a last consideration against Meiland's thesis let me instance another way in which a man may do something unintentionally, but without making a mistake in what he does. He does what he means to, but without realizing that it is susceptible of another characterization. Suppose a man has promised never to disclose a certain piece of information. One day, however, he forgets his promise and passes on the information. Under one characterization he knows quite well what he is doing; he is saying certain words to a listener, and this he does intentionally. But this action can also be characterized as 'breaking his promise', and that he does not do intentionally. And it is clear that 'breaking his promise' cannot be labelled as the
consequence of saying the words; saying those words simply is breaking his promise, and that is all there is to it.

I hope that these arguments have been sufficient to show that characterizations other than those in terms of the agent's intention are applicable to actions. Having cleared the ground of an initial objection to it, I can begin now to develop a positive account of how actions are characterized. In order to do this it is necessary to examine the contexts in which action characterizations are offered and accepted. They have roles in specific situations, a consideration of which must be the starting point for a coherent account of them.

Suppose, for example, a priest is walking about a deserted house in the dusk; he goes from room to room, pauses in each, reading aloud from a book, making gestures with his hands, and sprinkling water. A man who observes this activity asks of his companion: 'What is he doing?' One thing he does not want to be told is that the priest is sprinkling water, etc.; he can see that for himself. He wants an answer like 'He's exorcising the spirits', which makes the priest's behaviour intelligible by setting it in a wider context of human interests and beliefs, and showing it to be an instance of purposive human action. It succeeds in doing this by making plain the agent's intention, and it will achieve its purpose even if the enquirer himself does not believe in spirits. However, it may be that the enquirer knows quite well that the priest is exorcising the spirits, but for some reason cannot see him. Again he asks of his companion,
who is peering through a chink: 'What is he doing?' In this case to be told that the priest is sprinkling water, etc. will satisfy him since it fills in the details of what he already knows in a more general way.

In fact, the interrogative sentence 'What is he doing?' slides into two others - namely, 'How is he doing it?' and 'What is he doing it for?'; and on occasion may be replaced by one or the other without alteration in meaning. Thus, if one sees someone holding his hands in a queer way near his mouth and making a hooting noise, there are two different enquiries one might make - both expressed in the form 'What is he doing?' One may be asking how he is doing it, and be answered by being shown the way he is holding his hands and blowing. Or, one may want to know why he is making that noise and be told that he is calling his friend, in which case 'calling his friend' will be a possible characterization of his action.

Of course, not all answers to a 'What for?' will be acceptable as action characterizations. In the first place, answers that mention some remote and highly uncertain consequence of the action will not do. G.E.M. Anscombe makes this point when she argues that it will not do to characterize the man in her example, who is pumping poisoned water into a household of fascist politicians, as 'saving the Jews', though this may be his reason for poisoning the politicians. \(^1\) Secondly, the

\(^1\) Intention, pp.38-40.
answer may mention another proposed action; for example, 'Why are you calling your friend?' may be answered by 'To go swimming.' Plainly the man who gives this answer cannot be characterized as here and now 'going swimming'. And Thirdly, the answer may mention an inclination or liking of the agent's. He may reply that the reason he is making the noise is that he likes the sound. Similarly, not all answers to 'How?' questions will fit as action characterizations. For instance, the answer given to such a question will sometimes refer to training and practice.

Typically, 'How?' questions will be asked when the action has already been described in fairly general terms, but the interlocuter is interested in detail; and 'What for?' questions when one can see quite well what the agent is immediately doing, e.g. sprinkling water, but one does not understand his purpose. The interrogative sentence 'What is he doing?', which on the face of it appears to ask for a proper characterization of his action, may cover either of these other enquiries; and, depending on which enquiry is being made, may elicit very different characterizations.

Indeed, the agent himself, although he may naturally tend to think of his action under one characterization, may give a number of very different replies to the question 'What are you doing?' if asked by different people. This point is well made by Eric D'Arcy who advances a similar thesis to the present one on the question of where the line between actions and consequences may be set. He writes:
Or to take a different sort of case, think of a clerk still at his desk two hours after the office usually closes. To the question 'What are you doing?' he may give different answers to different enquirers. For instance, to his wife on the telephone he may say, 'I'm working late'; to the manager of the firm, 'I'm finishing the Blair contract at the request of the Department Head'; to the Department Head, 'I'm just beginning the last clause'; to a policeman who has noticed a light burning unusually late, 'It's quite alright, Officer, I work here'; to a trade union official, 'It's all right, I'm getting double rates for working overtime'. Each of these different answers may be perfectly true and, according to the particular concern of each questioner, perfectly appropriate.¹

I suggest, then, that a variety of characterizations may be applied to the same action, and what will be in question is their appropriateness in the context in which they are offered. This will depend both upon the purposes of the speaker and, if the characterization is given in answer to a question, on the situation, interests, and knowledge of the person who asked it. Action characterizations are not usually made with no other reason than that of correctly describing the action - whatever that would be, but form parts of the complex activities, such as teaching, persuading, criticizing, praising, and informing, that make up interpersonal relations. To lay down a terse general criterion, without reference to purpose and other contextual features, for deciding what is the proper characterization of any action is fundamentally mistaken; to do so is to cut action characterizations off from the part they

¹ Human Acts, pp.11-12.
naturally play in discourse between people. This, I take it, is similar to the point made by Wittgenstein about descriptions in general when he wrote:

What we call 'descriptions' are instruments for particular uses. Think of a machine drawing, a cross section, an elevation with measurements, which an engineer has before him. Thinking of a description as a word-picture of the facts has something misleading about it: one tends to think only of such pictures as hang on our walls: which seem simply to portray how a thing looks, what it is like. (These pictures are as it were idle).\footnote{Philosophical Investigations, trans. G.E.M. Anscombe, I:291, p.99e.}

However, clearly there is a limit to what can properly be offered as a characterization of any particular action; some will not be merely inappropriate, but actually incorrect or unwarranted. The number of characterizations applicable to any particular action is in fact small. Having rejected the question about the proper characterization of an action, something needs to be said about the grounds on which we decide whether a characterization is applicable at all in a particular case. A full answer to this would consist mainly of an account of how we learn language which I cannot undertake here, but there are three points to be made that are important for our purpose.

First: the grounds on which we decide whether a characterization is applicable or not depend partly on the relation between actions and bodily movements. If one takes the simple case where the
characterization offered is purely in terms of the movements made, it is clear that many characterizations are rejected because we have learnt the names of the various parts of the body. Thus, 'He's swinging his leg' is inapplicable as a characterization of the activity of a man who is clearly moving his arm; a man who offers it has made a slip of the tongue, cannot speak the language properly, or, conceivably, has mistaken the man's arm for his leg. This remark is not altogether trivial since, as we saw in the last chapter, certain action characterizations that go beyond mere mention of movements are firmly tied to fairly specific movements. As a result the applicability of such characterizations will depend upon the appropriateness of certain movement descriptions.

Second: actions are performed against a background of human interests and purposes, conventions and patterns of behaviour. They are performed in situations which are composed of a wide variety of things, ranging from details of the physical circumstances surrounding the action to highly complex social activities of which the action was a part. The situation in which an action is embedded will be relevant to its characterization, for many characterizations make implicit reference to features of it. To say, for example, that a man is trespassing implies that he is on private property without the owner's permission. The situation restricts the characterizations that are applicable to any particular action. Many will be ruled out because the situation does not have the relevant features.
Furthermore, some characterizations are so firmly anchored in situations that they are independent of the agent's intention. As a result even the agent's own declaration of what he is doing may be rejected because it does not accord with the situation. This will be the case when he either misunderstands the situation or makes a mistake in what he does. And in some cases, although the agent's characterization of what he did will not actually be rejected, another characterization in respect of which he did not act intentionally may also be applicable to his action. This was so, as we saw earlier, in the case of the man who broke his promise through forgetfulness.

Third: however, some action characterizations depend for their applicability upon the agent having the relevant intention; murder, bluffing, lying, warning, advising, and protesting, are cases in point. If the intention is missing such characterizations are inappropriate. The man who goes on playing tennis as the Queen passes can hardly be said to be protesting against the homage shown to royalty if he is completely unaware of her presence. And in such cases, of course, the agent's own word is particularly important; but, nevertheless, what he says is always subject to checking with the rest of his behaviour, and sometimes the latter will lead us to conclude that he was insincere in his avowal of intention.
At this point I should consider an objection that might be raised against what I have so far said. Sometimes, it will be said, two characterizations of an action genuinely conflict. This is to say, one has to choose between them and cannot allow that both are applicable as representing different viewpoints of the action. However, neither of the characterizations can be shown to be inapplicable on the kind of grounds I have discussed. To borrow an example of Melden's that he uses for rather different purposes, consider the case of a motorist who sticks his arm out of his car window to point something out to his passenger. One characterization of his action is that he is pointing something out; other motorists, however, may interpret the projecting arm as a signal that he is turning right and characterize his action as 'signalling'. Now, it will be said that these two characterizations conflict; to employ one is to deny the other application - if he was pointing something out he was not signalling, and vice versa.

However, I suggest that they do not conflict in the head-on way supposed, but are thought to do so because in certain circumstances important consequences hang upon which one is preferred. Thus, to a driver close behind it will be of the first interest to know whether the extended arm is a signal or a gesture to a passenger; his own behaviour depends upon the view he takes - if the man is signalling preparatory to turning right then this is no moment to overtake him. And if as a result of the extended arm the driver behind begins to
ease by on the inside and an accident ensues, then the question of whether or not the man signalled may be relevant in settling his liability for damages. It might be thought that if all he did was merely to point something out then he could not have signalled, and so he escapes liability.

But as these remarks bring out, the trouble lies in the verb 'signal' which has affinities with two different types of action characterization. It has strong links with those action characterizations that require intention on the part of the agent, such as protesting; and thus it seems that the man pointing something out cannot be signalling. On the other hand, 'signalling' has links with convention bound characterizations; and in this sense, if one is driving on the public highway in heavy traffic an arm stuck out to the side just does count as a signal, regardless of one's intention. In the case envisaged the problem for the driver behind is to discover the pointer's intentions and correctly anticipate his future behaviour. He wants to know whether the arm is a signal in the intentional sense or not. However, if it is a question of liability the pointer's intention will not come into it; the fact that he stuck out his arm in the particular circumstances he did is sufficient to convict him of careless driving. It is sufficient to do this because he is a motorist among other motorists, among whom certain conventions hold.
Often, in fact, characterizations of a person's action that appear to conflict do so because they belong to different sets of discourse. People may be concerned to pass moral judgements upon an action, to appraise it aesthetically, to assess it from a legal point of view, to fit it into a psycho-analytic pattern, or view it in many other possible ways. In each case it will be appropriate to employ a rather different characterization, for the considerations that are relevant to one set of discourse are not to another. Even between such entwined topics as morals and the criminal law there are significant divergencies in description that reflect their different roles and purposes. For one thing, morality is much more concerned with intentions than criminal law; the latter's requirement of mens rea for most crimes hardly coinciding with 'intention' as moralists tend to use the word. This will be exemplified in different characterizations of the same action.

Action characterizations that appear in psycho-analytic accounts of behaviour often differ from, and sometimes contradict, those employed in other sorts of discourse. As an example consider one of the many cases cited by Freud in *Psychopathology of Everyday Life*. A woman stumbled, apparently by accident, against some stones in the street and fell against a wall bruising herself severely. Prior to the fall she had seen an ornament in a shop that she wanted to buy for her children's nursery. Freud argued that the thought of buying the ornament for her children aroused her unconscious guilt feelings
centred around an abortion she had undergone for financial reasons; and that the 'accident, therefore, was, on the one hand, a retribution for her sin, but, on the other hand, it may have served as an escape from a more dire punishment which she had feared for many months'.

In other words, what would normally be characterized as accidentally stumbling is redescribed in terms of punishing herself and escaping more severe punishment. Now it might appear that these two characterizations conflict; indeed, Freud would want to deny that 'accidentally stumbling' was applicable as a characterization of the woman's action. However, I do not think this is correct. The two characterizations have different roles, one being in terms of conscious and the other of unconscious purposes, and thus do not exclude each other. They belong to different sets of discourse.

Indeed, it has been held that the merit of Freud's theory lay in its ability to offer redescriptions of behaviour, rather than causal explanations of it. MacIntyre, for example, maintains that we should not concentrate on Freud's causal explanations of neurosis and the neurotic's inability to recognize his symptoms for what they are; if we do, he says, '...we shall miss a whole dimension of Freud's achievement. For an essential part of Freud's achievement lies not in his explanations of abnormal behaviour but in his redescription

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of such behaviour. While considering MacIntyre's view with its emphasis on redescription essentially correct, I think it is important to add a reservation against positing any kind of sharp opposition in such a case between description and explanation. It seems to me that redescription often has considerable explanatory force. To be told that someone's clumsy accident was self-punishment, expressive of unconscious guilt feelings, does explain, in a perfectly good sense of the term, what we previously had no explanation other than carelessness. It explains by showing the accident's connexion with other phases of the agent's behaviour and experiences, and the part it plays as a manifestation of her character.

I do not intend to enter into the very problematic question whether psycho-analytic explanations are causal or not. Whichever answer is given, it would not affect the point here being made; namely, that description and explanation are not two discontinuous activities, the former playing no part in the latter: rather, they intertwine and are mutually dependent. Without descriptions, explanations (even causal ones) could not get going; and descriptions themselves often embody explanations - a reviewer, for example, may well describe a particular kind of picture by giving an account of how it was painted. This being so, it seems to me a mistake to write, as MacIntyre does,

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1 Alasdair MacIntyre, The Unconscious, p. 60.
'an essential part of Freud's achievement lies not in his explanations of abnormal behaviour but in his redescription of such behaviour'. If, as I suspect, he wishes to put forward the view that Freud's theory will not stand up as offering causal explanations of behaviour, he would have done better to make this plain, opposing one kind of explanation to another, rather than explanation to description.

To summarize this chapter so far: to search for the single proper characterization of an action is mistaken; most actions may be characterized in a number of ways, and what will be in question is the appropriateness of a particular characterization in the context in which it is offered, rather than its all-purpose propriety. The number of characterizations that are applicable to a particular action is limited by the bodily movements involved and the situation in which the action was performed, and in some cases by the agent's intention. A conflict between two characterizations may be settled by showing that one of them is inapplicable on these grounds; a dispute between 'She slipped' and 'He pushed her' would be resolved in this way. On the other hand, it may be that two characterizations which at first sight appear to conflict turn out to belong to different sets of discourse, an examination of which will show them not to be genuine rivals in the way supposed. I must now point out the relevance of this discussion to morals.

In the first place, it is important to notice that some conflicts between morally relevant characterizations of an action cannot be
resolved in the ways I have outlined. They cannot because the characterizations themselves depend upon and are expressive of moral attitudes, the adoption of one of which makes others unacceptable. A man who offers such a characterization will not accept that his point of view is one among several possibilities, but will insist that his is the right point of view and that this is the way in which the action ought to be characterized. Thus a man who disapproves of abortion on religious grounds will characterize the action of a doctor who performs one as 'murdering an unborn child'; and will reject as improper such proffered characterizations as 'terminating an unwanted pregnancy' or 'protecting the mother's health'. Typically competition of this sort between characterizations arises over such controversial issues as abortion, censorship, mercy killing, punishing children, etc. And in such cases closer examination of the action in question will be of little use in resolving the conflict. Rather, the discussion will shift to much more general moral considerations; and between two antagonists heavily committed to their own views it is unlikely that any agreement will be reached, and hence that they will be prepared to change their conflicting characterizations.

1 For a startling divergence of description based on near moral attitudes compare D.H. Lawrence's scathing account of a bull-fight in the early pages of The Plumed Serpent with Hemingway's glowing descriptions in Death in the Afternoon.
However, an impasse of this sort is not inevitable. As well as characterizations being expressive of moral attitudes, moral attitudes in their turn are moulded by characterizations. In fact, several morally relevant characterizations may be applicable to the same action. By becoming aware of a characterization of an action other than that under which he saw it, a man may be led to notice features of the action and its situation that he had not previously attended to. As a result he may change his moral attitude towards the action. Even the agent himself may be unaware of some of the morally relevant characterizations of his action, since, as we have seen, many characterizations do not require that the agent acted intentionally in respect of them. It is this fact that is important for my purpose here. It explains how a man may come to regard as a moral failure some action of his which at the time he performed it he considered neutral, or even praiseworthy, from a moral point of view. In such a case moral failure is the result of the agent's ignorance of a morally relevant characterization that is applicable to his action. In the next chapter I shall explore the variety of ways in which such ignorance may arise.
CHAPTER V

FAILURES OF THE UNDERSTANDING

Broadly speaking, there are two possible ways in which a person may be ignorant at the time of acting that what he is doing is wrong. 

First: the agent is not aware of, or makes a mistake about, some feature of his action or the circumstances in which it was performed, which renders appropriate a morally significant characterization of it, other than that under which he saw it. A man may, for example, take someone else's money off the mantelpiece believing it to be his own, in which case he is not aware that his action may be characterized as 'stealing'. This is commonly called 'ignorance of fact'. Second: the agent knows all the morally relevant facts, save for the fact that the action in question is wrong. He knows, for example, that the money is not his own, but sees nothing wrong in taking it. Such a man is said to be 'ignorant of right and wrong'. While the distinction between these two types of ignorance may not always be sharp, I shall treat them separately for the purposes of exposition. In this chapter I shall consider when and what kind of explanation ignorance of fact provides of moral failure, and I shall discuss some of the features of his action of which a man may be ignorant. In the next chapter I shall take up the question: Does ignorance exculpate? This will lead me to
examine more closely what is meant by saying that a man is ignorant of right and wrong.

**Ignorance of fact as an explanation of moral failure.**

Ignorance of fact is commonly offered as an explanation of moral failure. Aquinas, for example, lists it, together with weakness and malice, as one of the three internal causes of sin.¹ The force of ignorance of fact as an explanation lies in its implicit appeal to a counterfactual. A man when asked why he did X although he considers it wrong, replies that he did not know or realize, or was not conscious or aware, that he was doing X. The counterfactual implied is: if he had known, realized, been conscious or aware, that he was doing X he would not have done it. This account does not, of course, explain why he did what he did, but it explains how he came to do something that he now thinks to be wrong. Thus, if a man tosses a rock over the cliff and hits a child on the beach below, his ignorance of the child’s presence explains how he came to inflict that injury, but not why he tossed the rock. The latter may be explained by mentioning some desire or purpose of the agent’s.

However, not every moral failure in which ignorance of fact is present can be adequately explained by referring to that ignorance. A

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¹ *Summa Theologica*, Part II (first part) Question 76.
moral failure cannot be so explained when the ignorance is concomitant with the failure, and both the ignorance and the failure can be accounted for in terms of something else - drunkenness or rage, for example. Aristotle drew attention to this when he distinguished between acting as a consequence of ignorance and acting in ignorance. He wrote:

Acting by reason of ignorance seems also to be different from acting in ignorance; for the man who is drunk or in a rage is thought to act as a result of one of the causes mentioned, yet not knowingly but in ignorance.¹

But more needs to be said about this. In the first place, the counterfactual I mentioned as being implicit in a genuine ignorance explanation may well hold here. It is possible that if a man had realized what he was doing he would not have done it, even though he was drunk. For instance, the drunkard, in Maupassant's grotesque story of that name, who in a drunken rage beat his unfaithful wife to death in an attempt to elicit from her the name of her lover, did not realise the effect his blows were having upon the body in the bed. Had he done so he would doubtless have desisted - for he wanted information, not her death. The point here would seem to be that only if he were drunk, or in some such state, could he not have realized what he was doing. The drunkenness accounts for an ignorance that

¹Ethica Nicomachea, trans W.D. Ross, 1110b 24-27.
would not be credible in a sober man, and in that sense explains his deed.

Certainly to offer ignorance as the sole explanation of such an act would be misleading; but to say merely that it was due to drunkenness is incomplete for it leaves two possibilities open. The agent's drunkenness may either cause him to be ignorant of some fact that he would normally be aware of, as in the case just mentioned; or it may lead him simply not to care what he is doing, though he is not ignorant of any such fact. Thus a man just sacked from his job may go, after an evening in the pub, and put a brick through his late employer's plate glass window. Here there is no question of his not knowing the effect of the brick on the glass. It is precisely because he knows this that he throws the brick.

Yet even in this case there is a sense in which the agent may be said to act in ignorance. Some conditions of drunkenness and rage are so extreme that, although the agent appears to know what he is doing at the time of acting (he acts purposefully and with care), when sober and confronted with what he did he will express genuine amazement and even disbelief. 'I can't have done that; I'm just not that kind of person', he may say. His knowledge of what he is doing is isolated from his normal stream of consciousness; he is like the man Aristotle cites as
being able to quote the words of Empedocles or a proof in geometry without understanding them. 1

In fact, there are various ways in which ignorance and such a thing as drunkenness or rage can combine and interact as explanations of moral failure. First: there is the case where, had the agent been sober, he would still have been ignorant, but (realizing his ignorance) he would have been more cautious and refrained from acting. Here his drunkenness makes him rash enough to act in spite of his ignorance. This slides into the case where the agent's ignorance is itself explained by the drunkenness; had he not been drunk he could not possibly have been ignorant of the fact in question. Lastly, there is the kind of situation in which there is no ignorance of the facts, but the agent simply does not care because he is drunk; and this we might plausibly call 'temporary madness' and say that in a sense the agent acts in ignorance. In none of these cases is ignorance alone sufficient as an explanation of the failure.

There is another kind of case in which it is questionable whether ignorance is the explanation of failure, for the requirement I instanced that the counterfactual should hold does not seem to be met. A man may

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1 ibid., 1147a 20-22. This remark occurs in Aristotle's discussion of incontinence. It seems clear that he regarded the incontinent man as acting in ignorance in the manner just discussed. He says: 'It is plain, then, that incontinent people must be said to be in a similar position to men asleep, mad, or drunk'. ibid., 1147a 18.
be ignorant of some aspect of his act and yet would still have done it even if he had possessed the relevant knowledge. An assassin, for example, while travelling with his unsuspecting victim to the spot in which he has selected to shoot him may give him a drink, unaware that it contains poison, and kill him. Had the assassin known of the poison he would still have given his victim the drink for it would have saved time and a bullet. Aquinas speaking of such a case says that the agent sins in ignorance but not through ignorance, and invokes Aristotle. This terminology, however, is misleading, for clearly the distinction in question is not the same as that I have just discussed which Aristotle drew between acting in ignorance and acting as a consequence of ignorance. It appears to be closer to Aristotle's distinction between the involuntary and the non-voluntary act. The involuntary act, Aristotle says, is that in which the agent does not know what he is doing and suffers remorse when he finds out; the non-voluntary act is that in which the agent does not know what he is doing but is glad at the result. Clearly the present distinction is not quite the same, since, even though the man who acted non-voluntarily was glad at the

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1 op.cit., Part II (first part) Question 76, Article 1.

2 op.cit., 1110b 17-23. Of course, the terms 'involuntary' and 'non-voluntary' do not fit well here, for they apply to starts and such like, rather than to actions the agent performed on purpose though ignorant of some aspect of them. 'Unintentional' and 'non-intentional' might convey better what is meant. But what Aristotle is after is quite plain.
result, he would not necessarily have done what he did voluntarily; he might have been too frightened or too squeamish.

It is important to add another qualification to Aquinas' remarks. He claims that when a man acts in ignorance, using the phrase in his sense to mean that had the agent known he would still have done the same, the ignorance is not the cause of the sin, but merely concomitant with it. The dangerous word here is 'sin'. Doubtless Aquinas' intention was to ensure that ignorance in these circumstances should not free a man from sin. However, if we want to know how our assassin came to poison his victim it is quite proper to cite his ignorance as the explanation. And if his ignorance is not culpable it will exculpate him from responsibility for the deed in question, regardless of what he says about his intentions. We may cast moral approbrium on the character of the agent; but he will not, legally at least, be held responsible for his crime. The thing it is important to notice is that the agent does not regard what he did as a failure; and, therefore, his ignorance cannot be the explanation of 'failure' in the way in which it may be in those cases where the agent himself thinks that he has failed.

However, before coming to those cases in which ignorance is an explanation of moral failure, I must first say something about 'wilful ignorance' since it is a significantly different sort of explanation. In wilful ignorance a man is deliberately ignorant so that, as Aquinas
says, '...he may sin the more freely'. \(^1\) There is some aspect of the deed of which he is ignorant, but which he recognizes as highly relevant to its characterization and hence to his moral judgement of it; but he refrains from acquiring the requisite knowledge. He refrains because he fears that if he had it he might not be able to do the deed he so much wants to; as long as he does not actually know it is wrong he can carry it through. Thus a man on the point of making love to a girl may consider the possibility that she is not practising any form of contraception, but desist from finding out since if he knew that she was not he would consider the act imprudent or wrong. Such a man is to be distinguished from, on the one hand, the genuinely ignorant man; and on the other, from the man who even if he knew that the girl was not practising any form of contraception would make love to her all the same - the man who, on some moral views, is inconsiderate or selfish.

Contrasted with the genuinely ignorant man the wilfully ignorant man is ignorant only in a formal sense. He is not ignorant that certain

\(^1\) op.cit., Part II (first part) Question 76, Article 2. Aquinas, however, uses the phrase 'voluntary ignorance', and applies it to a much wider set of cases than that which is covered by my use of the phrase 'wilful ignorance'. Aquinas includes under 'voluntary ignorance' any case in which the agent was ignorant of something he was in a position to get to know, even though he did not deliberately refrain from knowing it. As I shall make plain, I restrict 'wilful ignorance' to the special case where the agent deliberately refrains from knowing something he considers relevant to the situation.
facts are relevant to the characterization of his action, nor does he make a genuine mistake about them; he simply refrains from discovering them. His lack of explicit knowledge is mere subtefuge; almost, one might say, a form of self deception, necessary to allow him to do what he wants. But as contrasted with the selfish man, there is the presence of the counterfactual in the case of the wilfully ignorant man - if he had known that the girl was not practising contraception he would not have made love to her. However, in spite of the implied counterfactual, wilful ignorance cannot operate by itself as an adequate explanation of a moral failure. Some other explanatory term is needed to substantiate it; and, depending on the case in question, this will be selected from a number of possibilities, such as passion, selfishness, or sloth. But it is important to direct attention to wilful ignorance, if it is present, because of the way it adds to our understanding of the agent's character, and the difference it points to between his and other varieties of reprehensible behaviour. Wilful ignorance lies somewhere between moral weakness which was discussed in Chapter II, and genuine ignorance, to which I shall now turn.

Of course, there are a number of different ways in which a person may be genuinely ignorant of what he is doing, and, as A.R. White points out in Attention, there is a whole battery of concepts we use to indicate these. White mentions the following: mistakenly, unawares, unconsciously, unwittingly, without knowing, without noticing, and without realising (p.116). And he devotes considerable space to tracing the connexions and differences between them (esp. pp.39-63). I use 'ignorance' as a general term to cover all these notions, except on those occasions when it is important to be more specific.
In the first place, it is possible for a man to be completely ignorant of what he is doing; that is, he is not aware of acting under any characterization; he is acting unconsciously. But such total ignorance will only have the most limited employment as an explanation of moral failure; and this for a good reason. As I pointed out in Chapter II, such unconscious actions lie at the edges of the concept of action. The things that one may do in this way are limited to aimless movements, e.g. swinging one's stick or rubbing one's chin, which by their triviality are unlikely to have moral significance. One can hardly wound someone with words, for example, without being aware that one is doing at least something - namely speaking; though one may not realize that one's words wound. If an agent is totally ignorant of such an action that by its nature does not fit readily into the unconscious category, we shall look for some other fact about him that will enable us to understand his behaviour. We may find that he was asleep, insane, or under the influence of some drug, and this will provide the explanation of his behaviour.

The kind of ignorance that does play a large part in explanations of moral misconduct is that displayed by a man who knows quite well what he is doing under one characterization (he is acting consciously), but is not aware that his action falls under another characterization. He is ignorant of some feature of his action or of the situation in which he performs it. Naturally these features of which the agent may be ignorant are diverse, and it is important to describe and distinguish
between them. I shall start by considering Aristotle's list of the things relating to his action of which the agent may be ignorant. He writes:

A man may be ignorant, then, of who he is, what he is doing, what or whom he is acting on, and sometimes also what (e.g. what instrument) he is doing it with, and to what end (e.g. he may think his act will conduce to someone's safety), and how he is doing it (e.g. whether gently or violently). Now of all these no one could be ignorant unless he were mad, and evidently also he could not be ignorant of the agent; for how could he not know himself? But of what he is doing a man may be ignorant, as for instance people say 'it slipped out of their mouths as they were speaking', or 'they did not know it was secret' as Aeschylus said of the mysteries, or a man might say he 'let it go off when he merely want to show its working', as the man did with the catapult. Again, one might think one's son an enemy, as Merope did, or that a pointed spear had a button on it, or that a stone was a pumice-stone; or one might give a man a draught to save him, and really kill him; or one might want to touch a man, as people do in sparring, and really wound him.¹

I shall not go through this list item by item, explicating and multiplying examples, for in most instances what is intended, I think, is clear and uncontroversial. However, there are some comments to be made about Aristotle's remarks; and they will provide a starting place for the description of some of the less obvious varieties of moral misdemeanour that arise out of ignorance of some kind.

I have already agreed with Aristotle that a man in his right mind cannot be ignorant of all of these, save in the case where the action

¹ op. cit., 1111a 3-15.
in question is a trivial movement. It also seems clear that Aristotle is correct in saying that a man cannot 'be ignorant of the agent' if he is acting consciously. That is, not that he must know who he is in the sense of being able to say his name or recount his personal history - he may be suffering from amnesia and not be able to; but he must be aware that it is he who is acting. Indeed, this is to say no more than that he is acting consciously. Yet it would be hasty to dismiss ignorance of the agent as a possibility on these analytic grounds; for, besides the mere consciousness that one is acting, there are other kinds of knowledge of oneself that may be relevant in deciding what to do. Physical facts about the agent, features of his character, or aspects of the role in which he is acting, may all be relevant in determining the nature of his action. Ignorance of any of these may lead a man to do something that he later comes to regard as wrong. Thus a man might be ignorant of the fact that he was carrying a contagious disease and make use of public transport. Had he been aware of his condition he would have regarded his action as endangering the public, and refrained from doing it. Or again, ignorant of his inability to tolerate living in a confined space and close on top of other people, a man might volunteer for a task requiring just this characteristic. Had he more self knowledge he would have realized that it would be foolish or even wrong of him to attempt this task. Such ignorance of one's own character does not explain why one failed, but why one put oneself in a position in which, given one's character, one was likely to fail. This ignorance is
also closely linked to ignorance of one's own motives which I shall discuss shortly. Or lastly, while occupying some position that requires that he act impartially a man may forget himself and act partially; a thing harmless in itself, but wrong in view of the role he has.

However, at this point it might well be said that, while such facts about the agent are indeed relevant to the moral evaluation of his action, they are not properly listed as ignorance of the agent, but should rather be classed as ignorance of the consequences of his action. Indeed, it may be held that all the things Aristotle lists of which a man may be ignorant are really consequences of his action. They are consequences no matter if they come about as the result of some fact about the agent, the instrument he used, the person on whom he acted, or the manner in which he acted. In other words, when a man does what he later comes to regard as wrong it is always because he is ignorant of some consequence of his action.

It is certainly true that ignorance of consequences plays a large part in explaining how a man came to do something that he regards as wrong; but even so, I would urge, it is of value to distinguish the different ways in which unforeseen consequences may arise. To do so makes explicit the variety of things to which the agent must pay attention if he is not to be ignorant of some aspect of what he is doing. Furthermore, there are things other than consequences, ignorance of which may lead a man to do something he would not otherwise have done.
Thus, a man may say something deliberately, but ignorant of the fact that it is secret. In this case 'letting out a secret' is a proper characterization of his action, but not one that depends upon any consequence of it; saying the words and letting out the secret are one and the same thing.

Ignorance of such non-consequence dependent characterizations of one's actions may give rise to a kind of conduct which, though hardly a case of moral failure, the agent comes to regret. Many of our actions are performed in relation to other people, and they depend for their characterizations upon the conventions and standards of the society in which they are performed. How other people see them may be just as important as the way in which the agent sees them. Thus, to take a trivial example, a girl who is over-eager in her responses to a man's attentions, through natural friendliness and innocence, may quite properly be said to be 'encouraging him', though she has no such thought in her head. Were she aware that her behaviour might be viewed in this light she would moderate it; and should the upshot be anything unpleasant she will doubtless reproach herself. Or again, enquiries and proffers of help to people in some sorts of trouble and distress, no matter how kindly intended, may be regarded by them as unwelcome intrusion. No plea that one was only trying to help will free one from the charge of clumsiness. And if one is acting in any kind of public or responsible capacity, such as schoolmaster, priest, or politician, the necessity to
see the other faces of one's actions becomes even more pressing. In such a position giving the 'wrong impression' may itself be wrong.

The range of those conventional characterizations which are properly applied to an action shades off almost imperceptibly, through those whose propriety is dubious into those which are clearly inappropriate. But just because this shift is so gently effected, even the knowledge that others have characterized some piece of one's conduct in improper terms may lead one to re-examine that conduct, finding other and less attractive characterizations of it than that under which one originally viewed it. Conrad, in *Victory*, presents a compelling case of a man whose faith in himself is shaken by learning of the way in which others view his conduct. In that book Heyst has helped an acquaintance, Morrison, in a particularly urgent time of need. In an excess of gratitude Morrison insists that Heyst become his partner in a dubious trading venture. Heyst, a man who has studiously avoided involvement with others, is distrustful of the plan and his part in it; but being a man to whom plain speaking comes hard, and thinking that refusal would hurt and humiliate Morrison, he reluctantly consents. In his efforts to further the enterprise Morrison goes to London and there dies. Later Heyst is horrified to learn of the story that is told of his conduct in the affair. It is said that he got some hold on Morrison, sponged on him, and when he had sucked him dry sent him heedless to his death. Although Heyst knows that this account is palpably false, it leads him to review the whole
history of his relations with Morrison and doubt their rectitude. Should he not have spoken out, Heyst asks himself, and at the risk of hurting Morrison have tried to dissuade him from the scheme and taken no part in it himself. Besides recognizing the maliciousness of those who spread the story, Heyst also sees some failure in his own conduct.

Shortly afterwards when he is threatened by some unscrupulous and ugly brigands Heyst considers ambushing and killing them, but thinks of the description the world would give of his behaviour. He says:

'Do you know what the world would say?...
'It would say, Lena, that I - the Swede - after luring my friend and partner to his death from mere greed of money, have murdered these unoffending shipwrecked strangers from sheer funk. That would be the story whispered - perhaps shouted - certainly spread out, and believed - and believed, my dear Lena!' 'Who would believe such awful things?' 'Perhaps you wouldn't - not at first, at any rate; but the power of calumny grows with time. It is insidious and penetrating. It can even destroy one's faith in oneself - dry-rot the soul'.

And for this reason, together with the fact that ambushing is repugnant to his nature, Heyst desists from the plan and dies as a result.

Though this may appear to be a somewhat remote case - for the characterizations offered are plainly not applicable to Heyst's actions - it makes the point I am trying to put. Actions being public, the agent's is not the only word on what he did. Characterizations

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Victory, p.291.
other than that under which he himself saw it may be relevant to its moral appraisal, and ignorance of these may account for a man doing what he would not otherwise have done. However, there is a tension here about which I should say a word. Too anxious a concern for one's reputation is, of course, a defect. It will prevent one pursuing a course that one thinks to be right in the face of misunderstanding by others (perhaps Heyst went too far in this respect). Frequently it is a virtue to be strong enough to disregard the verdict of public opinion; sometimes one is simply not in a position to make oneself clear, and one has to face the discomfort of misinterpretation and a smirched reputation. The point is that such courage slides into obstinacy and insensitivity if on all occasions one persists in seeing one's action under only one characterization. To do so is to refuse to recognize that one lives among other people who may see one's actions from other points of view. Sometimes one must disregard their view; but this is not to deny that it exists and that it may be relevant in forming one's moral judgement of one's actions.

Furthermore, motives sometimes enter into the characterizations of actions, and when they do the view of people other than the agent may be of special importance. Often it is extremely difficult for a man to determine his own motives, and in such cases people who are standing back from the action may be able to see more clearly than the agent what he did. What a man may think of as 'saving money', for example, may be seen by an observer as 'punishing his wife for some pain she gave
him'. Indeed, the agent himself may be brought to see it this way, and
come to disapprove of his behaviour. Of course, observers are not
specially privileged in attributing motives; but neither is the agent.

Another kind of ignorance that I should mention is insensitivity
to the feelings of others. One does or says things unaware that they
will give pain to other people, or one is blind to their wants and
needs. Clearly such insensitivity is different to cruelty or unkindness,
for the insensitive man's infliction of pain is explained by his
ignorance of what other people are feeling; if he had known it would
cause pain he would have been careful not to do or say whatever it was.
Indeed, insensitivity is notoriously a failing of those with a concern
for the welfare of others; an enthusiasm to do good, it seems, often
blinding a man to the feelings of others as effectively as does a cool
indifference. In a cruel or unkind action, however, the agent knows
quite well that he is inflicting pain; this may even be his reason for
doing what he does.¹ But the term 'insensitive' does carry some weight
of censure and so will only be applied to the man who makes the more
obvious blunders in this sphere; that is, to the man who is blind to
feelings that the least bit of imagination and insight would have
revealed to him. People frequently wound others unwittingly, but are

¹ Though we should notice the curious case of the man who is
always saying unkind things 'by accident'. We may well wish to
say that he is unkind, though we shall add something about the
subterfuge he practises.
not called 'insensitive' because the feelings in question were of the kind that would only have been noticed by the man of exceptional perspicacity. In this region people do excell by natural aptitude, a point that E.M. Forster is at pains to make.

To conclude this descriptive study there is one more kind of failure of the understanding I should mention. Some of one's actions are, in a sense, contractual; that is, they commit one to further actions. Perhaps the most obvious example, outside of legal contexts, is promising. Indeed, it is just in this committing of oneself that promising consists, and for that reason it is not possible that a man could promise and not realize that he is committing himself. But some actions are contractual, though not in the strong formal sense in which promising is. Much of a man's behaviour — accepting kindnesses and favours, for example — raises feelings and expectations in others that further actions on his part are required to fulfil. Many of a man's words, though not of a promising form, carry implicit undertakings to do something in the future. But because these are non-formal the agent may not even stop to think that he is committing himself at all, and certainly not know to what. Only when it is too late he may become aware that he is expected to perform actions that are wholly distasteful to him, to simulate emotions he does not possess, or to persist in a relationship that has no charm. Normally there would be nothing reprehensible in not doing these things, but by his past behaviour the agent has got himself into a position where not doing
them means disappointing and hurting others. The agent will reproach himself with his shortsightedness and carelessness in not seeing where his behaviour was leading him. Clearly this is related to insensitivity to the feelings of others; but is to be distinguished from it, for when it comes to the point the agent knows quite well that he is hurting someone. Perhaps it might be called a failure of the imagination.

Ignorance of fact, then, is present in one way or another in many kinds of moral failure and provides their explanations. I do not claim in this chapter to have given an exhaustive account of all its forms; one could go on detecting nuances and shades of differences indefinitely. But it seems to me that a more detailed descriptive study is best left to novelists, who can pursue it with greater ingenuity and verve than can the philosopher. More suitable for philosophic examination is the role of ignorance as an exculpation.
CHAPTER VI

IGNORANCE AND EXCULPATION

In the last chapter I started out by distinguishing between ignorance of fact and ignorance of right and wrong. I shall consider separately the acceptability of these two kinds of ignorance as an exculpation of moral failure.

Ignorance of right and wrong as an exculpation.

It has frequently been maintained that ignorance of right and wrong does not provide an exculpation for wrong-doing or moral failure. Aristotle, who first drew the distinction between ignorance of right and wrong and ignorance of fact - though not, of course, in those terms since he did not employ our concepts of 'right' and 'wrong' - held that a man who 'is ignorant of what he ought to do and what he ought to abstain from' is culpable.\(^1\) Men are blamed for this ignorance, he says, and it leads to wickedness.\(^2\) Naturally enough he was followed by Aquinas in this view. Aquinas held that knowledge of what one ought to do and of moral principle is something any man both can and ought to

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2 ibid., 1110b 33.
have; ignorance of these things is a sin.\textsuperscript{1} This same doctrine is not
without its modern exponents: Nowell-Smith, for example, adopts it.
He writes: '...but there is one kind of ignorance that never excuses;
and that is, in legal contexts, ignorance of law and, moral contexts,
ignorance of right and wrong'.\textsuperscript{2}

However, this view is not universally accepted; and, though its
exponents propound it as if it enjoyed the unequivocal sanction of
common practice and speech, this is by no means the case. There is a
maxim that is widely employed in passing moral judgements on people
that runs 'A man can only do what he thinks to be right'; the
implication of this being, presumably, that if a man does what he
sincerely thinks to be right then, even if he is in fact mistaken
about what is right, he is not to be blamed for there is no more that
can be demanded of him. I shall return to this maxim and its
application later. The point I want to make here is that the question
I am considering is at least an open one from the point of view of
common sense. Indeed, Eric D'Arcy has suggested that, though it is a
hallowed one, the distinction between ignorance of right and wrong and
ignorance of fact is simply not employed in practice; and hence the
question as to whether the former exculpates does not arise. He writes:

\footnote{\textit{Summa Theologica, Part II (first part) Question 76, Article 2.}}
\footnote{\textit{Ethics, p.293.}}
In the ordinary language of day-to-day moral evaluation, we speak as if ignorance (or error, or oversight, or forgetfulness, and so on) excuses or fails to excuse, not according as it bears upon matters of moral rule, law, or principle, or upon matters of relevant fact; but according as the ignorance itself is or is not culpable.¹

And this he thinks may be as much an open question about ignorance of moral principles, etc., as it is about ignorance of fact. However, in his subsequent and careful discussion about when ignorance is culpable D'Arcy does not, it seems to me, pay sufficient attention to what can be meant by saying that someone is ignorant of right and wrong, and he discusses only one kind of case that could fit into this category. There is point, therefore, in considering rather more directly than D'Arcy does the question of whether or not ignorance of right and wrong can provide an exculpation.

But first let me say a word about ignorance of law. It is important to do this, since the claims that ignorance of law does not exculpate in legal contexts and that ignorance of right and wrong does not exculpate in moral contexts are often made together, as they are by Novell-Smith, with the unspoken implication that the grounds for each are the same. It is certainly true that in legal contexts ignorance of law is not usually accepted as an excusing or even extenuating factor. Thus, if I sell my home-made beer the fact that I genuinely did not know this was a legal offence will not constitute a

¹ Human Acts, p.107.
defence in law; though, interestingly enough, for such minor misdemeanours the judge may have the discretionary power to pass a verdict of guilty but impose no penalty. Now it would seem that the motive underlying the law's adoption of this policy is mainly one of expediency. The plea of ignorance of law would be one that it would always be possible to make, and one whose sincerity it would in many cases be extremely difficult to check. What kind of evidence would be sufficient to rebut a man's claim that he was ignorant of some point of law? Would the fact that this law was very commonly known be taken as sufficient to overthrow a man's claim that he did not know it, or would the prosecution actually have to bring witnesses to show that he had been seen to read the relevant statute, or been heard to remark on it, or what? To accept ignorance of law as a defence would be effectively to paralyse the executive side of the law.

The legal dictum that ignorance of law is no excuse is not based, then, upon any reason that is likely to be relevant to the moral question. Moral blame and censure are of a different order to legal punishment, without its practical necessities or strict standards of proof. It is hardly likely that ignorance of right and wrong should be held not to excuse solely on the grounds that, if it were, the assigning of moral guilt would become impossible. Another relevant difference between law and morals is that what is right and wrong is, in an important sense, open to question by individuals; whereas what is and what is not the law is not usually subject to question in this way (leaving aside disputes
between lawyers on difficult cases). Laws can be criticized as being bad, and may be altered as a result of such criticism; but to criticize a law is not to doubt whether it is a law. To criticize a view that is commonly taken to be morally right is to doubt whether it is right. This suggests that ignorance of right and wrong in moral contexts will be on a very different footing to ignorance of law in legal contexts; and that, therefore, the moral question requires a great deal more analysis than does the legal one.

Seeing that the view that ignorance of right and wrong does not excuse has not got the unanimous backing of common practice, nor is it likely to have the same grounds as the legal principle that ignorance of law does not excuse, let us look at the argument Nowell-Smith offers in support of it. He contrasts the man who knowingly takes someone else's money with he who does so thinking it to be his own and who is excused on this account. The former, Nowell-Smith says, acts on the maxim 'It is permitted to take other people's money'. In other words, he knows that he is stealing, but not that stealing is wrong. And Nowell-Smith continues: 'If a man does something because he does not think it wrong he cannot plead that he did not choose to do it, and it is for choosing to do what is in fact wrong, whether he knows it or not, that a man is blamed'.

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1 op. cit., p.294.
In the first place, it is curious that Newell-Smith, with his non-objectivist approach to Ethics, should speak here of 'ignorance' and of things being 'in fact wrong' in view of the absolutist flavour these terms carry. Now I do not wish to become entangled in this particular dispute; however, it does seem to me that the puzzling character of the view that ignorance of right and wrong is no excuse and the unsatisfactory facility of Nowell-Smith's account spring in part from the obscurity of the phrase 'ignorance of right and wrong'. And here I am not embracing any subjectivist doctrine to the effect that since right and wrong are not properties of things one can neither know nor be ignorant of them. Rather, it seems to me, the phrase 'ignorance of right and wrong' as it stands is empty, for it is capable of being employed in a variety of different cases and derives any content it may have from the particular features of each case. Nowell-Smith in his account, it is true, refers to one such possible case, but unfortunately without taking any pains to describe or analyse it, and this lack renders his account unilluminating. Before we can decide, therefore, whether ignorance of right and wrong exculpates or not, we must look carefully at the range of cases in which it might be said that a man was ignorant in this way; that is, the phrase 'ignorance of right and wrong' must be given content in the light of actual situations. It is likely that the acceptability of this ignorance as an exculpation will vary from one case to another. I shall proceed,
then, by examining a number of possible cases and seeing whether any of them fit Nowell-Smith's account.

(a) I shall start by considering the possibility of a man's being completely ignorant of right and wrong. What is envisaged here is that not only does a man not think certain things such as stealing and murder wrong, but that he has no use or understanding of the words 'right' and 'wrong' at all; or, indeed, of any moral terms. Such a situation sounds highly implausible and fantastic, intelligible only in terms of some myth or allegory such as that of the Garden of Eden - presumably this was the state of Adam and Eve before they ate of the fruit of the tree of knowledge of good and evil. But what is depicted here is a state of complete innocence rather than of consummate wickedness; there is no question of wrong-doing at all. The possibility of such innocence depends upon the existence of an imaginary world in which there are neither needs nor hardships, and in which people do not live in societies; and even then such a condition, if we take the myth seriously, cannot last long. Plainly this kind of picture has little to do with the moral ignorance for which we are looking.

But we cannot entirely abandon complete ignorance as a possibility, for there is one type of case in which it is very real. There is the person who possesses the conceptual machinery - he knows what things are commonly called right and wrong; but the connexion between this linguistic ability and his behaviour is greatly attenuated. He will
let down and hurt his friends and relatives, engage in usually petty crimes, and exhibit a wide range of unpleasant and antisocial behaviour - and all this without furthering any very intelligible personal ends. Furthermore, when taxed with these misdemeanours he will quite readily admit that they are wrong, but without any evidence of shame or remorse, or any apparent effort to avoid them in the future. Rather than speaking of him as morally ignorant we should say, perhaps, that he is morally dead; that he lacks a moral image of himself. Such features, however, if conjoined with certain others, go to make up the psychopathic personality; and, though there is much here that is still open to dispute, there are good grounds for not holding the psychopath either criminally or morally responsible for his behaviour. In such cases it is the agent's peculiar moral deadness that provides grounds

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1 For a detailed study of the psychopathic personality see H. Cleckley's The Mask of Sanity. He examines a number of case histories and builds up a clinical profile from them. The following features are of interest to us here: unreliability, untruthfulness and insincerity, lack of remorse or shame, inadequately motivated antisocial behaviour, poor judgement and failure to learn by experience, pathological egocentricity and incapacity for love, general poverty in major affective reactions, specific loss of insight, unresponsiveness in general interpersonal relations.

for not holding him responsible. Thus the Royal Commission on Capital Punishment says of a psychopath:

Ley, because of his insanity, lived in a twilight world of distorted values which resulted not so much in his being 'incapable of preventing himself' from committing his crime, in the strict sense of those words, as in his being incapable of appreciating, as a sane man would, why he should try to prevent himself from committing it. ...it might well be argued that he was incapable of preventing himself from conceiving the murderous scheme, incapable of judging it by other than an insane scale of ethical values, and in that sense incapable of preventing himself from carrying it out.

So then, we might conclude that complete ignorance of right and wrong, in so far as we can make sense of that notion by associating it with a recognized personality disorder, does provide grounds for exculpation.

(b) Let us consider what we may call 'particular' ignorance of right and wrong. What is envisaged here is that a man understands and uses the terms 'right' and 'wrong', or some equivalent moral terms; but is ignorant that one or other of them attaches to a particular activity. He does not know that stealing, for instance, is wrong, as in the example Nowell-Smith gives. The difficulty in this case is that without further filling in of the situation it is hard to see exactly what is meant by saying that the man 'sees nothing wrong in stealing'. Some other facts are needed to give weight to this claim.

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Surely he can hardly be unaware of the fact that society disapproves of and punishes such behaviour, and presumably he takes pains not to be caught. Even a man brought up by a band of brigands would know this; and would, furthermore, limit his thefts to those outside the band. He would think it wrong to steal from his comrades. But let us suppose that a man had been brought up by such a band, and had been taught that stealing from those outside it, with its attendant dangers, was an activity that attested to a man's valour and worth. Given a situation like this it is intelligible to say that he does not think stealing is wrong. However, in such a case, though what he did would be regarded as wrong and he would be legally punished if caught, typically the phrase 'He didn't know any better' will be employed by way of moral extenuation. He will be regarded as morally incapable rather than as morally reprehensible; and this attitude is at odds with Nowell-Smith's view.

Or there is another kind of story we might tell about a man who does not think that stealing is wrong. A man, who came from a community where there was no personal property, would on entering our society be ignorant that stealing was wrong and that people disapproved of and punished it. Indeed, he would not have the concept of personal property or of stealing. If such a man were apprehended removing other people's property it is true that he would have no legal excuse to offer - though the law might well be lenient; but it is clear that his ignorance would provide a complete moral exculpation. Once again the
formula 'He didn't know any better' would be invoked and he would not be blamed. This, too, is contrary to Nowell-Smith's view.

The kind of examples we have discussed make sense of the claim that the agent is ignorant of right and wrong; but in these examples it seems that this ignorance on the agent's part does provide a moral exculpation. It does so because the examples contain material that shows the agent could not help his ignorance, either because he was mentally abnormal or on account of his upbringing. What then are we to make of Nowell-Smith's claim that ignorance of right and wrong does not excuse? I think what lies at the back of it is a theory, a theory I have already had occasion to discuss in connexion with moral weakness. It was pointed out that Nowell-Smith held the view that if a man thought he ought to do X then he must do it; failure to do X would indicate that he did not think he really ought to do X. Clearly this view can easily be extended to knowledge of right and wrong. If a man thinks stealing is wrong then he will think that he ought not to steal. Hence, on Nowell-Smith's view of 'ought' sentences, if he does steal he cannot think it wrong to do so. The thief in Nowell-Smith's example cannot know that stealing is wrong for the simple reason that he does steal, and naturally his ignorance here will not excuse him. Nowell-Smith does not say this much himself, but unless we attribute some such view to him it seems impossible to make sense of his contention that the thief does not know stealing is wrong.
In fact, such a view of knowledge of right and wrong has been persuasively argued by Ryle in a paper entitled 'On Forgetting the Difference between Right and Wrong'. 1 He there argues that it is somehow out of place to speak of forgetting this difference, and that, therefore, knowledge of right and wrong must be of a different order from other kinds of knowledge that one can forget. He then goes on to draw a parallel between knowledge of right and wrong and the knowledge displayed in 'educated tastes and cultivated preferences'. 2 Speaking of the latter he says:

Knowing, in this region, goes hand in hand with approving disapproving, relishing and disrelishing, admiring and despising, pursuing and avoiding. Indeed, their connexion seems even closer than mere hand-in-hand concomitance. There seems to be a sort of incongruity in the idea of a person's knowing the difference between good and bad wine or poetry, while not caring a whit more for the one than for the other; of his appreciating without being appreciative of excellences. 3

Knowing what is right and wrong, Ryle suggests, has similar connexions with actions and feelings:

We are unwilling to allow that a person has learned this difference (between right and wrong) who does not, for instance, care a bit whether he breaks a promise or keeps it, and is quite indifferent whether someone else is cruel or kind. This caring is not a special feeling; it covers a variety of feelings, like those that go with being shocked,

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1. In Essays in Moral Philosophy, ed. A.I. Melden.
2. ibid., p.151.
3. ibid., p.152.
ashamed, indignant, admiring, emulous, disgusted, and enthusiastic; but it also covers a variety of actions, as well as readineses and pronenesses to do things, like apologizing, recompensing, scolding, praising, persevering, praying, confessing, and making good resolutions.

On this view, then, a man who steals but shows no subsequent remorse or shame - that is, his conduct cannot be attributed to weakness or temptation - cannot have known that it was wrong to steal. Indeed, the completely evil man, the man who like the psychopath appears to possess no moral principles that influence his conduct at all, will be totally ignorant of right and wrong. Now I have already discussed (Ch.II) the question whether if a man thinks he ought to do something he must do it; and I tried to show that the connexion between a moral judgement and the appropriate action is not as tight as some theories claim. I shall not repeat the same arguments here, but shall content myself with one further remark. To insist on describing such characters as Lucifer and Iago as weak or ignorant of right and wrong seems a gross distortion of their natures, and one that leaves their fascination strangely unexplained. It is, surely, Lucifer's intellectual moral ability that makes his defection so remarkable.

Ryle announces at the beginning of his paper that 'the epistemological wheels on which ethical theories are made to run are apt to be wooden

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ibid., p.155
and uncircular',

but, to continue the metaphor, it may well be that circular steel ones of the kind Ryle proposes are ill adapted to the nature of the terrain - that is, the facts of moral experience - over which they have to move. To insist on such limited behavioural criteria for attributing knowledge of right and wrong is to subscribe to a view of human nature too simple to fit the facts.

Nevertheless, Ryle is certainly making an important point: knowledge in the realm of morals is connected with practice. To know or think something is right does give one a reason to do that thing. However, the fact that something is right apparently does not weigh with the evil man in determining his conduct. For him it is not effective as a reason; he simply does not care about it. And, as Ryle says, his not caring is, in a sense, equivalent to his not thinking it right; for any belief that he may have that something is right is dislocated from the part that such a belief normally plays in guiding conduct and arousing feelings. But, even so, it seems to me that it is misleading to say that a man who lacks the affective dispositions normally associated with moral beliefs is ignorant of right and wrong. As we have seen, there are situations in which it makes sense to say that a man does not know that something is wrong, but in which one means something different from the fact that he simply does not care.

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ibid., p.147.
One means that his upbringing has given him a different moral view, or that his aberrated personality prevents him from understanding moral considerations. In these cases a man's ignorance may well serve as an exculpation for his behaviour. To call the evil or uncaring agent 'ignorant' is to blur the distinction between him and the man who is genuinely ignorant in the ways I have discussed.

Roughly speaking, one may mark out three states of mind that need to be distinguished: (a) that of the man who knows that something is wrong, but who does it through weakness of will; (b) that of the man who does not care; and (c) that of the man who is genuinely ignorant. Of course, these distinctions are not always sharp, but to run (b) and (c) together under the phrase 'ignorance of right and wrong' is to invite confusion about the question of exculpation. Clearly the state of mind exemplified in (b) does not serve as an exculpation. Indeed, not caring about moral considerations will expose a man to more stringent moral censure than his actions alone might provoke. He will be regarded as more reprehensible than the man who does wrong through weakness. Not caring does not operate as an exculpation because it is a state for which the agent himself is held to be responsible, unlike the genuine ignorance of the man who, for example, is brought up by brigands.

I have argued, then, that Nowell-Smith is mistaken in asserting that ignorance of right and wrong never excuses. Such ignorance provides an extenuation when it is given content in terms of the agent's
upbringing or abnormal mental state. It is only when ignorance of right and wrong is imputed to an agent solely on the grounds that he did wrong that he is not excused; and I have tried to show that to call such a man 'ignorant' is in some degree misleading.

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I shall now take up another matter which, though closely related to ignorance of right and wrong, merits discussion on its own, for it raises questions about the authority of the individual's conscience. I have in mind an extension of those cases in which people dispute about particular moral issues, like whether it is right to punish male homosexuals, hang murderers, euthanize mongol babies, or perform abortions solely at the mother's request. Each disputant will hold that his opponent's moral view is mistaken. Such cases slide into extreme situations in which a man professes and acts on moral beliefs that are sharply divergent from those held by the majority of his community, and which may concern issues that are not the subject of genuine dispute within the community. He acts in ways that are considered wrong but is prepared to argue, possibly with a great deal of rationality, that his conduct is guided by a superior moral belief to that held by the community on this matter. He is not simply ignorant that what he is doing is wrong, he sincerely thinks it is right, or at least permissible.
The question we must now consider is: does the fact that the agent was acting in accordance with firmly held moral convictions excuse him for behaviour that is held to be wrong by the community at large?¹ Let us start by considering the maxim 'A man can only do what he thinks to be right'. As I said earlier, it is frequently employed in exculpating people. But this maxim must not be taken to imply that if a man does what he thinks to be right he cannot have done wrong. Of course, much wrong-doing is committed by those who think they are doing right. The maxim means, rather, that to do what one thinks right is the best course open to a man, and we cannot ask more of a man than that he take the best course open to him. Though he may still do wrong, there is no point in blaming a man who does his best in this way. Further, it emphasizes the important place that is allowed to the individual's private judgement in morality. Such private judgements may lead to wrong-doing, but their existence ensures that morality will never solidify into a mould that cannot be altered, added to, and improved - in short, they keep morality open to criticism and innovation.

¹ Such a conviction does not, of course, provide a legal excuse if the deed in question is criminal. However, even in law there are difficult cases. In some American states, for instance, it is disputable whether the fact that the defendant belongs to a religious sect, whose doctrine forbids the use of medicine, is a defence to the charge of neglecting to obtain medical attention for his dangerously ill child. See Glanville L. Williams, _Criminal Law_, pp. 589-91.
At this point I should say something of the complex logical connexions the concept of wrong-doing has with a variety of activities. Wrong-doing, it would seem, always provides grounds for prevention, interference, and attempts to make the purveyor change his ways. But it extends over a scale, at one end of which it is very closely linked to punishment, censure, blame, and disapproval of the agent's character; while at the other, it falls apart from these activities and, though we would wish to prevent the agent repeating his deed, we do not blame or disapprove of him. A man whose moral convictions lead him to do wrong falls at the latter end. We think of him as a worthy though misguided moral character. Indeed, we might respect him for practising his principles in a situation that was likely to expose him to considerable public approbrium. Tentatively, then, we may allow that acting in accordance with a sincere but mistaken moral conviction does provide at least an extenuation for any wrong-doing that may result.

But before embracing this view too wholeheartedly we must add some important provisos to restrict its application, so that it cannot be so widely employed as to excuse everything. It is also true, as Nowell-Smith points out, that sometimes 'we blame people, not only for failing to live up to their moral principles, but also for having bad moral principles'. There is a tension between the fact that morality allows - 

1 op.cit., p.289.
even insists - that each be his own judge on moral matters and the necessity that a man's moral views be open to criticism and censure. We must take a middle path between, on the one hand, a rigid authoritarianism that allows no conviction, no matter how sincerely and reasonably held, to excuse wrong-doing; and, on the other, an excessive tolerance that never sees fit to lay blame anywhere on the grounds that the agent was doing what he thought to be right.

In the first place, the grounds on which a man holds his convictions may expose him to criticism on their account. Though a man acts in accordance with sincerely held convictions, it may be felt that he has accepted them hastily and without sufficient thought; that he has not used his imagination to explore their implications and to look for other possibilities; that he has been closed to avenues of information that would have led him to re-examine and change them - in short, that he has been mentally lazy, blind, prejudiced, or unimaginative. But whether a man is blamed for these things or not will depend upon what is known of his character and personal history, and upon the position he occupies. Some men have neither the opportunity nor the intellectual ability to free themselves from such faults, and so will be released from censure. It is when a man could have used more thought, care, sympathy, or imagination than he did that he will be the object of this kind of criticism. Before we shall allow that doing what he thought right excuses a man we must be satisfied that he did the
best in his power to be critical and imaginative in his selection of principles.

These charges of laziness and lack of sensibility slide into more serious ones where the agent is accused of having allowed his personal feelings and prejudices to influence his moral convictions. And in so far as a man's moral outlook rests upon self interest and prejudice, rather than upon critical and self conscious thought, he will be guilty of self deception, or worse, insincerity. The concept of sincerity is important here; and it is, I believe, important to Ethics generally, for it is connected with the fact that reasons play a part in moral judgement. With its help I hope to show that the principle of excusing people if they did what they thought right can be defended against the charge that it allows anything to be got away with. We shall be able to resist, for instance, the claim that a man who kills someone for their money is to be excused on the grounds that he thought it right.

Except in real moral dilemmas, in which all courses seem equally balanced, one is not reduced to simply opting for one course rather than another, but is able to found one's decision upon reasons; and it would seem that reasons have some part to play even in the most extreme cases of dilemma. When a man says that he thinks he ought to do something, or that something is the right thing to do, he is logically open to the question: 'Why do you think you ought to do that?' 'Logically open' for to say that one ought to do something implies that one thinks there is
a moral reason to do it. 'Ought' does not simply refer to a special kind of attitude, but has logical connexions with beliefs and reasons. If a man declares that he ought to do something, but rejects all questions about his reason with a reply like, 'Oh, no reason. I just think I ought, that's all', his use of the term 'ought' will be unintelligible.

Now the range of reasons that is in place to support a moral 'ought', though wide enough to allow for considerable dispute and divergence of opinion, is limited; not just anything will do. Typically, acceptable reasons will refer to duties, obligations, moral principles, and virtues. Of course, these reasons can be questioned in their turn; but such questions cannot go on being asked and answered indefinitely. Finally one will arrive at some well recognized human end or value - freedom from hunger or terror, for example - to question the desirability of which is barely intelligible. When disputes arise between such ends and values it is clear that they cannot be settled by appealing to further reasons. They themselves are terminal reasons, as it were; and one must be content with picturing as fully and imaginatively as possible what is involved in each and seeing which one is preferable. But this does not affect the fact that moral 'oughts' are backed by reasons which

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1 What is covered by these notions and the distinctions between them are discussed in the next chapter.
fall within a limited range. Furthermore, many of these reasons refer to facts that can be checked.

The type of reason a man offers to support a moral judgement provides an important test of his sincerity in professing to believe that judgement. It must fall within the range of acceptable reasons and be intelligible in the context of the agent's situation. References to personal desires and interests that discount the welfare of others, for example, will be excluded. And if the reasons refer to matters of fact, the factual claims in question at least must not be obviously false; if they are, then some account of how the agent came to think them true is necessary.

These remarks foreshadow an important point. Our assessment of a man's sincerity in professing to think something right will not depend solely upon the reasons he gives. The character of the man and the society from which he comes will play an important part in settling the matter. Reasons that it will be in order for one man to offer as a moral justification for an action will not be available to another. Appeals to conventions and world views that are peculiar to a particular community cannot be put forward by a man who does not belong to that community. To take an extreme case: an Aboriginal may believe himself morally justified in killing a member of the tribe who has violated certain marriage laws, and because of his upbringing and the community in which he lives will be regarded as quite sincere in that view. Such a justification for homicide simply will not be open to
men in most Western societies. Such a man is not entitled to it for the relevant conventions do not exist. For him to say, 'I hereby subscribe to Aboriginal conventions' is unintelligible. One cannot subscribe to a convention of this sort in the absence of the relevant social structure. Even if it is an Aboriginal he kills, who in fact has violated certain of the tribal marriage laws, a claim of this kind would be very odd in a Western man; though perhaps some story about the length of time he had spent among Aboriginals and in isolation from other kinds of people might begin to make it plausible.

Situations like this, in which even the supposition of a man making such a claim smacks of absurdity, slide into cases where, though not obviously absurd, certain types of moral claim are denied a man on the grounds that they do not fit in with his form of life. Thus, while a convinced Puritan of the seventeenth century would be considered quite sincere in claiming that he had a moral duty to discipline his wife with beatings if necessary; an atheistic university professor of the twentieth century, were he to make the same claim, would be suspected of joking or charged with hypocrisy. The latter's claim does not seem to lock with the rest of his behaviour and professed beliefs; though, of course, certain kinds of background could be built in to show that in fact it did. But at least such a background is needed to make intelligible and support the professor's claim, whereas it is not in the case of the Puritan. What a man is entitled to as a moral reason will depend upon his form of life and the set of
beliefs he has about the world, and hence will change from society to society and age to age. It is necessary to take account of this in determining a man's sincerity in professing a moral conviction.

The last remarks have touched in the lightest way upon one of the most important topics in Ethics - the part that reasons play in morality. The notion of being entitled to moral reasons on account of one's form of life is also an important one, though it is less often discussed than the place of reasons in general. However, I cannot say more about either here: to do one thing satisfactorily, it seems, one has to accept others without arguing extensively for them. I have argued, then, that the holding of sincere moral convictions may provide an exculpation, or at least an extenuation, for wrong performed in accordance with them. A man's sincerity in claiming to have such moral convictions can be tested by examining the reasons he offers in support of them. In the next chapter I shall consider those situations in which a real dilemma arises as to what one ought to do.

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Of course, this is only a small part of what is involved in testing a man's sincerity, but it is the part that is of particular interest to the present enquiry.
Ignorance of fact as an exculpation.

This should be an easier and shorter task than the last, since considerable space has already been devoted in the previous chapter to describing and exhibiting the varieties of such ignorance. Also the phrase itself - 'ignorance of fact' - does not bear the same enigmatic quality as the phrase 'ignorance of right and wrong'. Now it is commonly held that in general ignorance of fact excuses, and this seems fair enough. If I give you arsenic thinking it to be a sleeping draught my mistake exculpates me from the charge of murder. My declaration, 'I didn't know it was arsenic', if honest, shows that my action was unintentional in respect of that characterization of it under which it was wrong. But we cannot let the matter rest there, for ignorance itself is sometimes culpable; and if a man's failure is attributed to culpable ignorance he will be held to blame for it. Note that it is not for the ignorance itself a man is blamed - by good luck he may do nothing wrong as a result of it - but he is blamed for wrong-doing arising from such ignorance.

Now it is not possible to lay down a general principle or set of principles for deciding when ignorance of fact is and is not culpable. Candidates that suggest themselves, such as 'ignorance is culpable if it is due to insufficient care or effort on the part of the agent', merely raise the question: 'what is to constitute sufficient care or effort?' This, it seems, cannot be settled in the abstract, but will
vary from case to case and agent to agent. Whether or not, then,
ignorance is culpable, or care and effort insufficient, depends upon a
variety of considerations that have to be examined in each instance.
I shall content myself with indicating the nature of these considerations,
and with pointing out the connexion between culpable ignorance and
certain adverse characterizations that are applied to persons and their
deeds.

In the first place, wilful ignorance is always culpable, for it
is the deliberate refraining from finding out what one knows to be
relevant. Secondly, certain roles and activities carry their own
standards of care with them - and 'care' here means, not only the
attention paid to the actual performance, but also the making sure that
one is in possession of the relevant information. For example, a
doctor who performs an operation has a duty to check that his patient
is not subject to a heart condition that makes the operation unduly
risky. If the patient dies as a result the doctor's claim that he was
ignorant of the heart condition will not excuse him. 'You should have
found out' he will be told, and he will be charged with negligence.
Or again, as Nowell-Smith points out, guns are so notoriously dangerous
that if a man pulls the trigger of one his ignorance that it was loaded

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1 op.cit., p.293.
will not excuse him from blame for the damage and wounds he causes. He will be charged with carelessness or negligence. ¹

Next there are cases in which it is more appropriate to say that the agent did not think, was not aware of, or did not realize what he was doing, rather than that he was ignorant. Thus, a man knowing a gun is loaded may fire it into the air not thinking that the shot will wake the sick child inside; or he may disclose information unaware that it is confidential or that his audience will use it against the man it concerns; or he may give a dangerous toy to a child not realizing the worry it will cause the parents. A man who does these things will be accused of thoughtlessness. Thoughtlessness is a fairly general charge that covers all these cases and many others. It gives way to the more specific charges of inconsiderateness and insensitivity.

A man who does not think about or pay attention to the wants and comforts of others is called inconsiderate. It is the element of thoughtlessness in inconsiderateness that distinguishes it from selfishness. The man who knows quite well that his taking the last helping will deprive someone else who needs it more, but takes it nonetheless, is selfish: the man who simply does not think that he may be depriving someone else is inconsiderate. A man who does not realize

¹ For detailed analyses of carelessness and negligence see D'Arcty, op.cit., pp.119-124, and A.R. White, Attention, pp.81-89, 128.
how his deeds will appear to others, or how they will affect their feelings, or the kind of future expectations they arouse, is guilty of insensitivity or lack of imagination.

So then, on many occasions states of mind that are closely related to ignorance of fact do not excuse—unless the first charge was of a more serious order such as cruelty. Besides doing what they think they ought, people are required to pay attention to what exactly they are doing at any time. It is often the case that, as Hampshire says, "I did not realize what I was doing" may be met by "You ought to have reflected more carefully, and you ought not to have overlooked this other face of what you were all the time doing". Indeed, some of these states of mind or character bear names—insensitivity and inconsiderateness, for example—that have moral criticism built into them. They do not excuse because it is precisely of them that the person in question is accused.

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1 Thought and Action, p.221.
CHAPTER VII

MORAL DILEMMAS

In this chapter I want to focus attention upon difficulties in the moral situation, rather than upon defects in the agent's character or in the state of his knowledge. I have in mind those situations in which there are moral reasons to pursue both of two incompatible courses; or, to put it paradoxically for the moment, the agent thinks he ought both to do X and not do X. These range from situations in which it is fairly clear which is the morally better course to take and there is no question of wrong-doing in neglecting the other, to those of real perplexity in which one may be forced to rethink one's whole moral outlook, or in which one finds oneself doing what one regards as wrong, whichever course one takes. Of course, this means I shall not be strictly concerned with moral failure, for there is no reason why a man in such a situation should be guilty of moral failure. But it would be wrong to neglect them since they give rise to much that is difficult and troubling in moral experience, and contribute to the dissatisfactions a man may feel with himself. I shall start by outlining and criticizing the account given by W.D. Ross of these situations. I shall then propose an alternative account, and go on to consider the variety of such dilemmas and the ways in which they are settled.
Ross refers to moral dilemmas as 'conflicts of duties', and though part of my aim is to show that this language is inadequate and misleading I shall employ it for the moment to summarize what he says. Ross, in fact, holds that everything there is a moral reason to do is a duty, or rather a prima facie duty. Thus he speaks of (1a) 'duties of fidelity', e.g. promise keeping and not telling lies, (1b) 'duties of reparation', i.e. atoning for wrong that one has done, (2) 'duties of gratitude', (3) 'duties of justice', i.e. seeing that people get their deserts, (4) 'duties of beneficence', i.e. to improve the condition of others, (5) 'duties of self-improvement', and (6) 'duties of not injuring others'.

Sometimes, according to Ross, a person finds himself in a situation where he appears to have two or more duties only one of which he can perform. For example, the fulfilment of a promise may conflict with the opportunity to help someone in distress; 'a duty of fidelity', that is, with 'a duty of beneficence'. Now on a certain view, prevalent among British moral philosophers, of the notion of 'duty' it may be held that, if it is stated in such terms, the supposition that there could be a moral dilemma gives rise to a logical contradiction. The grounds for holding it to be logically

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1 *The Right and The Good*, p.19.
2 *ibid.*, p.21.
contradictory might be stated somewhat as follows. If it is A's duty to do X then he may be blamed for not doing X; but it is a condition of the appropriateness of blame that the agent should have been able to do the deed in question. In the situation where a man is said to have conflicting duties there is \textit{ex hypothesi} one of them he cannot perform; and hence it is improper to blame him for his failure to perform that duty. Thus, to speak of a man as having conflicting duties implies that he is to be both blamed and not blamed for the same omission; and this is a logical contradiction. The point could also be made in terms of 'ought'. If one has a duty to do X then one ought to do X; and 'ought', it will be said, implies 'can'. But when X and Y conflict one cannot do them both, therefore it is not correct to say that one ought to do both X and Y. Hence it leads to a contradiction to say that one has a duty to do X and a duty to do Y.\footnote{This point is made by E.J. Lemmon in 'Moral Dilemmas', \textit{The Philosophical Review}, Vol.LXXI - 1962, p.150. But he uses it in reverse to suggest that 'ought' does not always imply 'can'.}

From this it might be tempting to conclude that in such cases a man only has one duty. One of the supposed duties is not a duty at all in view of the presence of the other. Thus, if I promise to meet someone for dinner but on my way to the appointment I encounter a man in an epileptic fit whom I can help, my duty to assist the latter, it would be suggested, releases me from my duty to keep the promise.
But there is a strong objection to any such move.

Some duties in Ross's list have as their correlates rights held by other people. Thus, if A has a duty to B, e.g. the duty to pay him a certain sum as the result of a contract, then B has a right against A, namely, the right to that sum. If the presence of some other more stringent duty released A from his duty to B then B would no longer have a right against A. But we do not normally think of people's rights, in this sense where they are correlates of duties, as things they can lose through no action or omission of their own.

(True, legal procedures and government statutes can remove and bequeath rights with no action on the part of the right holders, but this is rather different to the kind of case we are considering). In fact, there are four ways in which such rights can be extinguished.
(a) By being honoured or fulfilled. (b) By being waived - a right can be extinguished by consent. (c) By being forfeited, e.g. if the right holder does not keep his half of the bargain. (d) By becoming empty, e.g. when the state of affairs specified by the right never comes to pass. None of these mention or include the possibility of B's right being extinguished by the fact that A has another more stringent duty that is incompatible with honouring B's right.¹ The

¹ In such cases, as we shall see later, a man's right may be transmuted into other rights.
fact that A has a duty to support his sickly mother and thinks it more important to spend his small salary on this, rather than on paying B the sum he owes him, by no means removes B's right to the money. Of course, it is not always 'nice' or even 'right' to insist on one's rights, but that is another question.

So then, there is the appearance of a puzzle here. On the one hand, it will not do to say that in the case of conflicting duties there is really only one duty; while on the other hand, it is alleged that talking of conflicting duties gives rise to a contradiction. I have set this puzzle out at what may seem unnecessary length and with disregard for possible ambiguities because I want to make plain the difficulty to avoid which, I take it, Ross offers his account of prima facie duties. This difficulty itself arises from confusions, or so I shall argue.

Ross holds that where two duties appear to conflict there is need for a distinction between prima facie duties and what he calls the actual or absolute duty. All the duties listed above are in fact prima facie, and in a situation where two or more of them conflict only one of them is the absolute duty. Where there is only one prima facie duty this is automatically the absolute duty. Now, while there is nothing untoward about there being conflicting prima facie duties, there simply cannot be more than one absolute duty in any particular situation; this is a matter of definition. It is only when one fails
to perform an absolute duty that one is liable to blame. Or, to put it another way, it is only an absolute duty that gives rise to an operative 'ought'. *Prima facie* duties may not be performed without any blame attaching to the non-performer; they do not give rise to operative 'oughts', but merely to what one might call 'presumptive oughts' which can be overruled. When a person is confronted with two or more *prima facie* duties he must inspect them in the light of the existing situation to see which is the absolute duty.

But this is not so satisfactory as it might at first appear. Let us look at the way we naturally use the phrase 'prima facie'. When a man says that something is *prima facie* the case, he thereby indicates that although on the information he has at his disposal he thinks it is the case, he suspects that there is a lot more relevant information which, if he had access to it, might well change his view. To insert 'prima facie' into a statement is to express reservations about it, to suggest that one is not in a position to make that statement with any finality. Of course, 'prima facie' can be, and often is, employed with a rather different emphasis. To tell someone that there is a *prima facie* case against him may be putting the onus on him to answer it. But it still suggests doubt as to whether the case can be validated and allows for the possibility of its not being. With whichever emphasis it is used - whether to express reservation or near conviction - the phrase 'prima facie' indicates that there is something that needs to be settled. If X is *prima facie* the case one
needs to do some more investigation, as the result of which one may find that $X$ is in fact the case or is not the case. It does not go on being \textit{prima facie} the case after the investigation is completed, unless this is a way of saying that the investigation was inadequate.

And this is the way \textit{'prima facie'} would normally operate if it were used to qualify 'duty'. Let us suppose a friend asks for advice about how he ought to treat his father. One might, if one is cautious, reply, 'Well, he is your father, and that \textit{prima facie} gives you a duty to do at least something for him'. But then the friend may go on to disclose how badly his father treated him in his childhood. One might then reply, 'I see. In that case you certainly have no duty to him. He has forfeited any right to consideration from you he might have had'. In fact, what was a \textit{prima facie} duty turns out not to be a duty when more of the relevant facts come to light. And this, I suggest, is the way we naturally use the phrase.

But this can hardly be the way Ross uses the phrase, for he seems to want to insist that \textit{prima facie} duties go on being \textit{prima facie} duties even after the absolute duty is picked out, as if this were some kind of permanent way of half being a duty. He himself is aware of the normal use of the phrase and apologises for having to use it at all; yet his remarks are curious and wear an air of contradiction. He writes:
The phrase 'prima facie duty' must be apologised for, since (1) it suggests that what we are speaking of is a certain kind of duty, whereas it is in fact not a duty, but something related in a special way to duty. Strictly speaking, we want not a phrase in which duty is qualified by an adjective, but a separate noun. (2) 'Prima facie' suggests that one is speaking only of an appearance which a moral situation presents at first sight, and which may turn out to be illusory; whereas what I am speaking of is an objective fact involved in the nature of the situation, or more strictly in an element of its nature, though not, as duty proper does, arising from its whole nature.¹

He then goes on to consider as an alternative to 'prima facie duty' the word 'claim', but rejects it because while it expresses the right idea from the right holder's point of view it does not express it from the agent's.

What then is Ross trying to do with the phrase 'prima facie'? The hesitations quoted above and the reference to 'claim' make this fairly clear. He wants to insist both that the non-performance of prima facie duties does not give rise to blame; and that, nevertheless, they are not merely spurious duties that turn out simply not to be real duties, as in the father example, for they are part of the real nature of the situation and may generate rights held by other people. He wishes to steer between the alleged contradiction of speaking of 'conflicting duties' and the pitfalls of asserting that there is only one duty. I have suggested that as a consequence of its normal

¹ op.cit., p.20.
implications the phrase 'prima facie' is singularly ill suited to this purpose, for to call a duty 'prima facie' implies that if it does not turn out to be the absolute duty it is not a duty at all. But if it is not to have its normal use Ross has succeeded in giving it no other. He simply uses it as a term invented to solve a problem without making it clear what exactly that solution is, or casting any light on the nature of the problem. I am not merely disputing the use of a term, a term that Ross himself admits is unsatisfactory. My purpose is to suggest that the difficulty which 'prima facie' is invented to overcome - and it is significant that Ross can find no other term - is misconceived and springs from confusions. The fact that Ross is driven to such awkward stratagems is a sign that all is not well with the initial system of concepts he employs to describe moral situations. I shall especially direct my criticisms against two closely related aspects of this system.

The first criticism concerns ambiguities in the term 'duty'. Ross has set himself to answer the question: 'What makes right acts right?' He rejects Moore's thesis that an act is right if it is productive of the greatest good, and replies, in effect, that an act is right if it is one's duty, or one's greatest duty, to perform it. Thus he writes of a case in which promise keeping conflicts with relieving distress:
It may be said that besides the duty of fulfilling promises I have and recognize a duty of relieving distress, and that when I think it right to do the latter at the cost of not doing the former, it is not because I think I shall produce more good thereby but because I think it the duty which is in the circumstances more of a duty.¹

It is not my purpose to discuss this thesis as such but to point out the way in which 'duty' is being used. In this sense, one's duty is simply what one ought to do. The question 'Ought I to do my duty?' is absurd, for a positive answer to it would be a tautology and a negative answer a self contradiction. It is this use of 'duty' that gives rise to the contradiction in speaking of 'conflicting duties'. 'Duty' has become synonymous with 'the morally right course'.

But there is another and rather humbler use of the term 'duty' that has very different implications. In this sense one's duty - or, more naturally, one's duties - arises out of one's role or status. Typically, people have duties in this sense as being, say, soldiers, professors, parents, or priests. One's duties are duties as something. And very often, as in the case of a soldier, one's duties will be highly specific and laid down in a set of regulations. Even the duties of parents, though not laid down in anything so definite and authoritative as 'Regulations for Parents', are relatively specific. Indeed, many of them, such as the duties to educate, care for the health of and support children, are embodied in the law. A

¹ ibid., p.18.
feature of such duties, in fact, is that they are normally exacted by some authority. Furthermore, whether it is morally right to do one's duty as whatever one is may on occasion be an open question. A soldier who has the general duty of obedience may be ordered to fire on a mob, and may in this case doubt whether performing his duty would be morally right. Quite likely he will decide it is not. Further, there may well be conflicts between such duties. In this sense of 'duty', then, a duty is not simply equivalent to what one ought to do, though the fact that something is a duty will be highly relevant in deciding what one ought to do.

It is this ambiguity in the use of duty that gives rise to the difficulty that Ross tried to overcome by introducing his esoteric use of the phrase 'prima facie'. The first or formal use of 'duty' does not allow one to speak of conflicting duties, while very plainly in the second or status use of 'duty' there are conflicts between duties, and these status duties are part of the real nature of the moral situation. I would suggest that this difficulty can best be avoided by dropping the formal use of 'duty' altogether.

I cannot, of course, show conclusively that the formal use of 'duty' is mistaken; the word 'duty' is frequently and intelligibly used in this way, and doubtless such a concept of duty can form the basis for a consistent account of the facts. But to my mind it is ill suited to bring out the flavour and variety of those facts, and
imposes an uninviting austerity upon morality. It is to set 'duty' up as the supreme moral category. But, because of its firm roots in status and job, 'duty', even when transposed into the formal sense, retains its suggestion of the minimum that is required of one. 'I was only doing my duty' is a common disclaimer of one's praiseworthiness for a deed. Indeed, a man may feel conscience-stricken and remorseful because he did only his duty when he could have done more. This creates tensions within a formal theory of duty. One is bidden to view duty as the best to which one can aspire, while wishing to maintain that a man may do more than his duty. The notion of doing more than one's duty is an important and commonly employed one, and the fact that the formal use of 'duty' impoverishes this notion militates against that use.

We may make this point more explicit by noticing the familiar distinction between avoiding wrong-doing and doing the best thing that is open to one. Characteristically, wrong-doing is tied to such things as neglecting duties and infringing principles. Doing the best thing may involve much more than merely performing one's duties or avoiding telling lies, for example. But when a man does not do what he thinks to be the best thing he is not necessarily guilty of wrong-doing. I may, for example, think it would be morally better to give my money to OXFAM rather than spend it on a holiday. But if in fact I go on the holiday I am not thereby doing anything wrong. The
formal use of 'duty' implies that to take the morally better course is my duty, and hence that in neglecting it I am doing wrong. Thus it obliterates the distinction between avoiding wrong-doing and doing the best thing. In other words, it allows no place for talk about doing more than is required of one, 'going the second mile', and so on.

This brings me to my second criticism of Ross's account. Quite apart from his formal use of 'duty', Ross says that all the considerations that are relevant to deciding what is the right course are duties - or rather prima facie duties - of one kind or another. (Though it is presumably his formal use of 'duty' that leads him to say this, since on his view it would not be possible for something that was not duty to give rise to an absolute duty). I have already pointed out that in the primitive sense of duties they arise from one's role, job, or status. And, though one may have several of these roles and several corresponding sets of duties, not all the considerations that are relevant to deciding what is the right thing to do fall within the province of one's duties. They do not all arise

1 It is interesting to notice that equivocations in the use of the term 'right' tend to blur this distinction too. In one use 'right' is simply the contradictory of 'wrong', and 'wrong' is the one of the pair that, to use Austin's phrase, wears the trousers. However, 'right' is also used, frequently in conjunction with 'thing', in contexts where it is clear that 'best' could be substituted for it without loss of meaning. I suspect that failure to notice these equivocations in the use of 'right' is partly responsible for getting the formal use of 'duty' going at all.
from one's status, etc., unless one is prepared to say that simply being a man is one's status or that we are all children of God.

First, besides status duties there are obligations. It is true that the terms 'duty' and 'obligation' can be, and often are, used interchangeably; but once again I think it more clearly represents the facts to distinguish between them. This distinction is clearly drawn by E.J. Lemmon. He writes: 'Broadly speaking, then, duty-situations are status-situations, while obligation-situations are contractual situations. Both duties and obligations may be sources of 'oughts', but they are logically independent sources'.¹ By 'contractual situations' Lemmon means that obligations arise through one's own actions and sometimes the actions of other people. And he acknowledges that some things, such as conduct to parents, may be seen either as one's duty or as obligation-fulfilling depending on one's point of view. But I support him in thinking that the distinction can be made. To his remarks we may add that the neglect of a duty is usually punished by some authority, while it is up to the man to whom the obligation is owed to take steps if it is not fulfilled. Thus a man who does not do his duty as a citizen, e.g. does not pay his taxes, will be prosecuted by the state; while a man

¹ op.cit., p.142.
who breaks a contract will be sued by the individual with whom he had it.

Lemmon cites a third type of consideration that may be relevant in deciding what is the morally right thing to do: the fact that an action may also be endorsed by a moral principle one holds; for example, the principle that one ought not to harm another person. And I would add a further three considerations. (1) The fact that an action is in accordance with or conducive to acquiring some virtue or personal excellence that one values. (2) The fact that an action is a means of realizing an ideal one has. (Although these two may overlap I think it important to keep them separate, for ideals are rather wider than virtues or personal excellences and will frequently refer to states of affairs in the world, while the latter are limited to states of oneself). (3) The fact that an action is prompted by love, affection, or sympathy. It might be objected that this consideration hardly comes into the domain of morality. I agree that if one defines morality sufficiently narrowly it does not; but I can see no purpose in this kind of restrictive definition. In fact, quite recognizably moral comments are passed on people's emotional capacity. Also, such demands, as we shall see shortly, can become a very real and distressing element in a moral dilemma.

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1 This point is discussed more fully in Chapter VIII.
Any of these considerations—duties, obligations, moral principles, virtues and excellences, ideals, and the demands of sympathy—may conflict with one another in our attempt to determine what we ought to do, and sometimes two considerations of the same type will conflict. When they do we may say that there are moral reasons to pursue both of two incompatible courses, and then we have the makings of a moral dilemma. It is true that one can insist, as Ross does, that actions determined by these considerations are all duties of one kind or another, or, as D.D. Raphael does, that they are all obligations,¹ and one cannot be proved formally wrong. In reply I can only point out, as I have already done, that these ideas are distinguished in ordinary language and have rather different implications. I do not see that any theoretical advantage is gained by blurring these distinctions.² To preserve them more accurately reflects the facts as they present themselves to an agent in a situation of conflict. It may be replied that it is the business of theory to offer simplicity and comprehensiveness by subsuming a variety of ideas under one key concept. But it seems to me that in this

¹ Moral Judgement, p.141ff.
² I suspect, in fact, that such moves are largely moral propaganda. Duty, at least, carries implications of authority, sanctions, and guilt. To a moralist, who is sure of his intuitions, it is doubtless tempting to attach these forces to any moral consideration.
instance the simplicity is spurious for it is achieved at the cost of clarity.

In the light of these suggestions about the way in which moral dilemmas are best described let us examine a simple case - simple in the sense that there would be little hesitation in deciding which was the right thing to do. Suppose A has promised to take B out to dinner and also wishes to do this to repay a debt of gratitude to B, but on the way to keep his appointment he encounters a sick man he can help. I think it would be generally agreed that it would be right to help the sick man rather than fulfil the obligation to B. But it does not follow that A does not have an obligation to B. He plainly does; and this is shown by the fact that, although he will not be blamed for not taking B to dinner on that occasion, he is certainly expected to explain or apologise for his failure to do so, and probably to suggest another date as soon as possible. If he does not do these things he will be open to censure; B will have a justifiable grievance against him. B's right has, as it were, been transmuted into other and perhaps lesser rights - the right to an explanation, for example. Non-fulfilment of an obligation is not necessarily wrong, but it usually gives rise to trailing obligations the non-fulfilment of at least some of which is held to be wrong. It is this feature which the **prima facie** account fails to bring out. By calling the obligation - or rather duty - to B 'prima facie' it is liable to suggest that B's corresponding right is
also prima facie; and hence to conceal the fact that, though A ought not there and then to fulfil the obligation, he ought to compensate B in some way.

The non-fulfilment of an obligation, then, is neither a necessary nor a sufficient condition of wrong-doing or moral failure. It is not a necessary condition, for, as I have suggested, there are other considerations not to act in accordance with which may give rise to a charge of wrong-doing. It is not a sufficient condition, since fulfilling the obligation may conflict with the carrying out of another moral course that is enjoined by more stringent moral reasons. However, if one does not fulfil an obligation, the mere fact that it conflicted with another and more stringently enjoined course is not enough to excuse one of moral failure. It is necessary that one should actually have taken the other course or done one's best to do so.\(^1\) If one neither fulfils the obligation nor takes some other course, one is guilty of moral failure and an explanation is required. Perhaps laziness, cussedness, or weakness of will will fill the bill. Further, even if one takes the other more stringent course one is still required

\(^1\) This needs to be qualified. There is the possibility of the curious case in which it is better to take neither course than take one of them alone. For example, one may find that one has conflicting commitments to two of one's friends who dislike each other; in which case one may think it better to make excuses to both of them, rather than to risk deeply offending one of them.
to do something by way of compensating the person to whom one had the obligation, even if this is only to apologize. Unless this, too, conflicts with something else that one ought to do its omission will be wrong. The explanation in such a case may well be inconsiderateness or carelessness.

There is another charge that may be brought against a man in this situation. Sometimes one of the conflicting courses arises from an obligation that a man knowingly undertook. And it may be that at the time of undertaking this obligation he was in a position to realize that its fulfilment would conflict with commitments he already had, or with a moral principle he holds. In this case it may be said that he should not have undertaken the obligation. He should have looked at his present situation and reflectively explored just what it and the obligation would entail in the future. His failure is that of thoughtlessness, or lack of imagination and foresight.

Also, one must show that the course of action one substituted for fulfilling the obligation was backed by more stringent reasons than was fulfilling the obligation. It will not do to plead that fulfilling the obligation would have conflicted with another course of action there were reasons for substituting if these reasons turn out to be comparatively trivial. Yet even in a case like the one just discussed, where it is fairly clear which is the better course, a man may misjudge the situation and take the other course. This may be said to constitute
a failure, a failure of judgement with which a man may well reproach himself when he looks back. But very often such a misjudgement is the product of self deception. One course of action is harder and involves more self sacrifice than the other, and one takes the easier course claiming that there are more stringent reasons for doing it. And of course there may be - the hardest course is not always the morally best course; but sometimes there are not, and the self deception one practises in claiming more stringent reasons for the easier course is one of the guises of weakness of will. Or such a misjudgement may be the result of insensitivity, of abiding too closely by the letter of the law, not taking account of the more personal demands on one. Such misjudgements are particularly prevalent where it is a duty that conflicts with something else. Partly as a consequence of the ambiguities we have already noted, duties enjoy an inordinately prominent position in some people's moral outlook.

But how does one decide which is the better course, or which course, to put it another way, is enjoined by the more stringent reasons? I would agree with Ross that no general rules can be stated for doing this. It will depend upon a variety of things, many of which rest upon the conventions and values of the society in which one lives while others are embedded in the agent's very personal scale of values. As a result there will always be the possibility, or even probability, of moral disputes, both between societies and individuals;
disputes which there may be no very clear means of settling. Nevertheless, within a society there may be a large measure of agreement on a particular case. The case instanced of a promise conflicting with the opportunity of relieving distress would in our society, I think, be fairly generally resolved in favour of the latter. Typically, the kind of considerations that are relevant are such things as: Whom did I promise first? Which will do the more good? Who will suffer least? To whom do I have the greater debt? Even, what kind of man do I want to be? and so on. In such cases, then, when one says that one course is better than another this is not to claim any sort of insight into eternal truths; it is to assert that the reasons for that course are generally taken to be more pressing than those for the other, or, sometimes, merely that one thinks them more pressing. And one does so in the realization that one's views on this matter are liable to be subject to revision and modification in the light of one's later experience.

However, even within a society that has a fairly stable moral outlook there will be cases that are not so simple, cases where the reasons are in the common estimation equally balanced and there is no principle of deciding between them. In such instances a man will be confronted with grave difficulties of decision. He finds that the scale of values he has and the relative weights he normally attaches to different moral considerations do not help him solve his problem,
for the possible course open to him are equally poised in respect of these. Or it may be that he has to choose between things that he has never had occasion to compare, and which seem to belong to fundamentally incompatible aspects of his moral outlook. This is a case of real moral dilemma. To such cases Ross and other British moralists have paid far too little attention. Ross seems to suggest that in fact one course will always present itself as the more stringent, though he allows that on this point one's decisions may be at fault. I do not hope to be able to say anything very helpful about how such cases are to be settled - indeed, it is part of my view that there are no general grounds on which to settle them; but I shall try to show the kinds of issue that may be involved in facing our moral dilemmas. I wish to discuss them for they call attention to the difficulties and complexities in morality. They deserve a place on the moral map if only as a reminder that not all goes smoothly in this realm.

I shall consider three cases of moral dilemma that exhibit rather different features. The first of these is well discussed by Lemmon who characterizes it as being a case where '...there is some, but not conclusive, evidence that one ought to do something, and there is some, but not conclusive, evidence that one ought not to do that thing.'\footnote{op.cit., pp.152-3.} And he continues, '...part of the very dilemma is just one's uncertainty as
to one's actual moral situation, one's situation with respect to duties, obligations, and principles. As an illustration Lemmon cites Sartre's well known case of the boy who has to choose between leaving for England to fight for the Free French Forces or staying in France with his mother who looks to him for her whole happiness. He feels that he has some duty to go and fight and some obligation to stay with his mother.

Lemmon says of this case that it is not clear what exactly the moral situation is, especially in respect of the supposed duty to fight. He writes:

But this duty is far from being clearly given; as Sartre stresses, it is felt only ambiguously. It may be his duty to fight, but can it really be his duty, given his obligation to his mother, to sit in an office filling out forms? He is morally torn, but each limb of the moral dilemma is not itself here clearly delineated.

Lemmon further points out that the arguments that settle the dilemma about what to do help to establish more exactly what one's moral situation is. Thus, if the boy could be certain about what leaving his

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1 ibid., p.153
2 I have not quoted this case in full since it seems sufficiently famous to make this unnecessary, and I have not a great deal to add to what Lemmon says about it. It can be found in Sartre's Existentialism and Humanism, trans. P. Mairet, pp.35-6. It is fully quoted by Lemmon, op.cit., pp.153-4. It is also mentioned, though not quoted, by R.M. Hare in Freedom and Reason, p.38.
3 op.cit., p.154.
mother would involve - if, for example, he found he could get straight to England and quickly be able to join the fighting forces - he would regard this course of action as more definitely a duty, and resolve his dilemma in its favour. And such uncertainties, I should say, are very common. If doing X is an action that I think on some grounds to be morally wrong, but which is likely to produce a situation that I think morally desirable, then my dilemma may well result from the uncertainty of the consequences of doing X. If I were certain it would produce the consequences I consider desirable I should regard it as the morally better course; I am in a dilemma just because I am uncertain on this point. Here, in fact, finding out empirical facts, i.e. what will result from X, and settling one's moral dilemma are the same process.

However, though perhaps present, it does not seem to me that uncertainty of this kind is the essential feature of the boy's dilemma. Sometimes, I admit, if there was no doubt about the consequences of one's actions there would be no dilemma. But in Sartre's example the boy might be quite convinced that he had an obligation to stay with his mother and, on the other hand, be assured that he could get quickly to England and join the fighting forces, yet still feel himself torn and have no means of deciding what to do within his present moral outlook. Two courses of action confront him with equal stringency. Of course, he may still feel uncertain, uncertain
about how his presence will aid the war effort, and, in the long run, about the point of fighting at all. In this sense the moral value of going to fight will always be opaque and indefinite, while that of staying is concrete and immediate. And this is the stuff of the dilemma. To choose to leave is to embrace a course the outcome of which is uncertain, yet in doing so one affirms one's belief in its worth. For this dilemma to arise it is not necessary that one should be uncertain about whether one in fact has a duty or an obligation. 1

How is such a dilemma settled? Is it simply a matter of opting for one course of action rather than another without any further process of reasoning, of flipping a coin as it were? Lemmon makes an important point about this. He suggests that in such a case either decision marks a change in one's moral outlook, and this is likely to involve a change in one's fundamental attitudes. 'Roughly speaking', he says, 'Sartre's boy has to decide whether to be politically engaged or not, and this decision may well affect and be affected by his fundamental attitudes'. 2 And a change in fundamental attitudes, Lemmon

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1 It seems to me that the way Lemmon employs 'duty' in describing this case is curiously at odds with his previous remarks about the term. He speaks almost as if 'duty' were synonymous with 'the morally right course'.

2 ibid., p.155.
holds, '...is neither fully rational nor fully irrational'. He likens it to grasping an aesthetic point such as coming to appreciate a picture. By pointing to features of the picture, describing them imaginatively, and relating them to each other, and by using arguments and analogies, one can build up a powerful, though never conclusive, case for one's own attitude towards it. So with fundamental attitudes and moral outlook. Reasons and rational procedures are relevant to changing and endorsing them, and so, too, to resolving the dilemmas that make such a change necessary.

Thus one may look in trying to solve a moral dilemma at the wider implications of the alternative courses of action open to one. One may come to feel that to remain with one's mother is to deny that one has political responsibilities; it is to insist on the value of personal relationships at the expense of the condition and needs of the society in which one lives. And yet one may recognize that the possibility of these relationships as one knows and values them is dependent in some degree upon the state of one's society. One may come to realize that there are certain kinds of control of one's liberty and barriers to one's self respect that one could not tolerate, that these would make even personal devotion empty of value. And to think in this manner will be to instigate a change in one's moral outlook, a change from a morality of sympathy to a morality that sees the responsibility of individuals stretching wider than their immediate circle. It is relevant,

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1 ibid., p.155.
too, to take into account what one knows of one's own character. It would be foolish to stay if one thinks one is likely to resent one's mother for it and take that resentment out on her, or if one thinks one's own temper and foolhardiness will lead one to do something rash and be uselessly killed. Such a choice does involve, in a sense, choosing what kind of person you want to be, and in making that decision it is wise to consider what kind of person you already are, for the viable possibilities open to one are limited by one's present character. I am not suggesting that all men go through these kind of considerations when faced with such a dilemma; often one just finds oneself taking one course without any conscious deliberation. My point is that reasoning can have a part in settling such dilemmas. Of course, at some point one will have to make a decision that leaps ahead of the reasons, but it need not be based on anything quite so fortuitous as the flip of a coin.

Let us consider a second type of moral dilemma. This too may force the agent to change his moral outlook, but in rather a different way. I have in mind a situation in which a course of action that is very clearly enjoined by a moral principle one adheres to, or a duty one recognizes, is at odds with something else one values. Yet it is not clear that one regards the other value as a moral one - or if one does it seems to be discontinuous with the rest of one's moral outlook; but neither is it merely a personal interest giving in to which would expose one to a
charge of weakness of will. It is not, for example, like keeping quiet when one thinks one ought to speak because one is afraid of the consequences. I shall take an example from Simone de Beauvoir's novel, The Mandarins. Henri Perron, who is a man of courage and integrity and who was a leader in the Resistance, has a mistress, Josette. A Gestapo informer, who is to be tried for his war time denunciations, has a file on Josette containing full details of her relationship with a German officer. The informer makes it plain that if he is convicted he will hand this file to the authorities who will doubtless take action against her. Josette is a mindless, pathetic creature, with little will of her own or capacity for life. She has been the puppet of her scheming and unscrupulous mother. There could have been nothing treacherous or cynical in her relationship with the German, rather an innocence and stupidity. At this time she has begun to discover a precarious happiness in life, and it is clear that such an humiliating exposure would shatter this, driving her to insanity or suicide. It is suggested to Henri that, with his influence and position, he could get the informer off by testifying that he was a counter-agent, and thus save Josette from destruction.

1 Trans. Leonard Friedman. The actual passage can be found on pp.620-635, but one must read the whole book to appreciate the force and complexity of the situation.
Henri is torn between feelings arising out of his relationship with Josette on the one side, and his principles, his horror of giving false testimony, his conscience, on the other. But it is important to point out that he is not driven by a blind love for her, a more traditional situation and one it is easier to assimilate to weakness of will. In fact, he is already somewhat bored by her and the revelation of her past completes his disenchantment. His feeling is rather of compassion; he feels she cannot and does not deserve to bear this. He decides to save her and gives false testimony that the informer was a counter-agent.

Now it might be objected that this can be construed simply as a case of doing what one thought one ought not, and as such is not properly a moral dilemma at all. However, I think there are good grounds for giving it another interpretation. It may be argued that, although his principles forbid him to take this course, in acting against them Henri is actively challenging his principles and finding them ill fitted to the imaginative and flexible conduct of his life. They are all right

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Of course, to explain the matter thus is a gross simplification. Such decisions involve much that is obscure and painful. One's own possible motives may be a distressing complication. In this case, Henri is slightly jealous to discover she had a past lover and hurt by her deceit about this. And just because this might give him a personal motive not to help her it inclines him to decide to help her. If he did not he would come to regard his 'high principled' conduct as the outcome of jealousy and resentment; and see the 'right' deed as the product of a despicable character.
as far as they go, they operate efficiently in the kind of simple situation for which they were constructed; but there are situations which go beyond the scope of such principles, and then they come up for critical examination and possible overruling. Yet they are not entirely abandoned; one may still cling on to them for more ordinary occasions and attach considerable importance to them. They are in the curious position of both being accepted and being subject to revision and amendment. A principle that was taken to have universal scope is seen to be limited; it has become a guide rather than a dictator. And such situations will be very distressing to the agent, for, while a man may challenge the range and adequacy of his principles, his conscience, established as it is by drilling and hence being conservative and slow to change, is always liable to insist that he is doing wrong. But it may be that an easy conscience is a luxury the man of moral imagination has to forego.

This interpretation of the case is supported by considering people's attitudes to Henri's action. Doubtless opinion would be sharply divided about whether to condemn, commend, or be indifferent to it. But certainly, I think, many would not condemn him. Now there are two possibilities why a man is not condemned for acting against his principles, if those principles are accepted as being generally satisfactory. One is that it is felt that the difficulties were too great. The agent is excused on the grounds that he could not have done otherwise. But I do
not think this is the case with Henri in spite of his own comment that he could not have done otherwise. The other possibility is that it is felt that the agent disregarded his principle for the sake of something else that is commonly valued. Besides the value attached to principles, we also value sympathy, compassion, and consideration for others. And when these conflict it is not clear that to act in accordance with principles is always more incumbent. This can only be decided within the circumstances of the case in question, and will depend on people's fundamental attitudes. It may well be that in some such cases the man who upholds his principles will be censured for being inhuman and unfeeling. It is just such a distressing conflict that may provoke the questioning and erosion of one's formal morality, and pave the way for a more heterogeneous morality founded on vision and sympathy. And it is precisely here that the rigid deontic notion of 'absolute duty' fails to get a grip. It was to accommodate cases of this kind that I devoted so much space in the early part of the chapter to attempting to depose this notion from its traditional place of authority, and to setting up a more flexible framework. I hope consideration of the Henri case has added weight to the inconclusive arguments there offered.

Finally, let us consider moral tragedy. It arises in the situation where one is faced with alternative courses of action both of which seem equally wrong or repugnant, and there is little possibility of enlarging or changing one's moral outlook to draw the sting from one of them.
Melville's novel, *Billy Budd, Foretopman*, will serve as an illustration. The story is set aboard an English man-o'-war in the year 1797, shortly after the Spithead and Nore mutinies. Discontent and incipient mutiny still lurk in the fleet, and ships' officers are vigilant for the first sign of trouble. Billy Budd is a young sailor of great physical beauty and a natural moral goodness. It is precisely these qualities that earn him the hatred of the Master-at-arms, Claggart, who maliciously accuses him of fermenting rebellion. The charge is made in Billy's presence to Captain Vere who asks Billy to refute it. Now Billy has one physical defect, he is subject to an impediment of speech which is apt to assail him under the weight of a great or sudden emotion. Outraged by Claggart's accusation he is unable to speak, try as he will. After seconds of silent and vain struggle to reply, mortified by the Captain's concern and the satisfied face of his accuser, he strikes Claggart who is killed in the fall.

This is the background for the appalling moral decision that faces Captain Vere. He has to decide whether to sentence Billy to death or not. He is convinced that Billy is innocent of Claggart's charge of fermenting rebellion and, further, that he struck Claggart with no homicidal intent, but under great provocation and distress as being the only means of refuting the charge. The Captain's private feelings and moral principles insist that it would be wrong and horrible to hand Billy. He also views him with sympathy and respect. But yet he has a
duty as a King's officer, a duty he took upon himself in receiving his commission. As he himself remarks, in receiving this commission he ceased in most important respects to be a free agent, for his sole responsibility is to administer the law, no matter how harsh. This duty insists that he take account only of the mere form of Billy's action, which was striking and killing a superior officer in time of war, an action for which the penalty is death. Courts Martial because of their nature and the circumstances in which they are held cannot afford to pay attention to the niceties that are taken into account in civil courts. Not to hang Billy would be to fail in his duty as a naval officer. Furthermore, there is the danger of mutiny. To acquit Billy or impose a lighter penalty would be taken by the crew, who are incapable of fine distinctions, as an indication of weakness on the part of the officers and might give them just the encouragement they needed to rebel. And this was something to be avoided at all costs, especially with the likelihood of an enemy ship appearing at any time. It is perhaps this last consideration that determines Captain Vere to hang Billy.

I have called this a case of moral tragedy. It is a tragedy, not so much because of the difficulty of deciding what to do, but because of the horror of pursuing either course; yet the circumstances make one of these inescapable. Captain Vere must either break his vows of duty and in all probability invite disaster in the form of a mutiny or kill a man he knows to be innocent. In fact, he decides fairly quickly that
Billy must hang, but this removes none of his revulsion from that course or his distress at having to take it. It might be tempting to criticize the Captain's decision on the grounds that it betrayed a rigid and unimaginative approach to the problem which confronted him, that human life is more important than such impersonal duties, and that to save a life he should have risked a mutiny. But I think it would be a mistake to take this line, for it would be to overlook the conditions and outlook of the time and the frightful exigencies of the circumstances. Captain Vere, after all, is not portrayed by Melville as a rigid and unthinking authoritarian, but as a sensitive, intelligent, and reflective man. Within his lights, and they were good ones, he took what genuinely seemed to him the more pressing of the two courses, and did so with compunction.

Such cases are fortunately rare, but they occur and our account of moral dilemmas would be incomplete without mention of them. Two comments remain to be made about them. First, in such a case the agent may well feel that he has done wrong even though he took what seemed to him the more pressing course. It is a wrong which was forced on him by the circumstances, but for which, irrationally perhaps, he may feel remorse. An experience of this sort may lead a man to abandon the way of life that forced the wrong on him. But in spite of such remorse a wrong imposed in this way is not an instance of moral failure. Moral failure presupposes that the agent was in a position to avoid the wrong he did; here he was not, save in the unhelpful sense that he could have
taken the other, but equally wrong, course. Indeed, it is a wrong only in the most formal sense; other people would not be justified in censuring him for it. But in thinking of it as wrong the agent commits no logical absurdity. It is just because he can think of it this way that the situation appears tragic.

Secondly, although it is not proper to blame a man for the wrong he does in such a situation, the manner of his performance and the attitude he has to it may provide grounds for criticism of his character. Captain Vere is horrified at the course he has to take and acts with pity and regret. He is well aware of the scruples that trouble his junior officers and takes the burden of decision upon himself. But had he not done so, had he appeared indifferent to the horror of condemning an innocent man to death, lacked sympathy for Billy's plight, or acted with any unseemly relish, he would have been accused of inhumanity and failure as a man. Moral criticism of a man's character can be of several kinds, and is not always tied to the wrongness of his actions or the badness of his motives. Failure as a man will be the subject of the next chapter.
CHAPTER VIII

FAILURE AS A MAN

The failures I have discussed so far have been intimately connected with wrong-doing. They were cases of people doing a specific act that they either thought wrong at the time or later came to think of as wrong. In this chapter I shall consider a rather different type of situation, the situation in which it is said of a person, or a person says of himself, that he has failed 'as a man', or perhaps, that he has failed 'in what he has become'. I shall interpret this idea rather widely so as to include a variety of notions, such as that of 'self-realization', which I have not yet touched upon.

This topic is, I think, of considerable theoretical interest for it involves concepts and examples not usually drawn upon by British moral philosophers. It lies at the periphery of what they have conventionally regarded as moral experience; but, just as the geography of a small area can only be understood in relation to what surrounds it, so what is taken as central in morals needs to be illuminated by and contrasted with what is found at its boundaries. British moral philosophers have tended, with notable exceptions, to take the rightness and wrongness of actions as the central concern of Ethics. Even writers

1 Thus, when G.E. Moore tried to direct attention to 'the Good', W.D. Ross turned it back to 'right' and 'duty'.

who are not concerned exclusively with right and wrong are primarily interested in particular actions. Nowell-Smith, for instance, takes: 'What ought I to do, here and now?' as the fundamental moral question. And he writes: 'The central activities for which moral language is used are choosing and advising others to choose'.

Now I have no quarrel with this; indeed, the notions I shall discuss are sometimes very relevant to choosing and to answering the question: 'What ought I to do?' The point is that they lie outside the fairly narrow compass of right-and-wrong morality, and cover more than the assessment of particular actions considered in isolation. They are concerned with the whole form of a man's life. Such notions function as general directives which a man, with the aid of his imagination and intelligence, must fill in and interpret for himself in the light of his particular situation. They may even on occasion seem to conflict with the requirements of a right-and-wrong morality. Their omission from much British moral philosophy on the grounds that they are obscure and muddle-headed has been unfortunate, for it has deprived the subject of

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1 Ethics, p.11.
2 Not all, however. The British Idealists emphasized the importance of self-realization and culture. See, for example, F.H. Bradley, Ethical Studies. And G.E. Moore in his celebrated chapter in Principia Ethica, 'The Ideal', laid stress on aesthetic appreciation and on friendship.
its flesh and blood. European philosophers are inclined, for this reason, to see British moral philosophy as parochial, and to regard the examples it discusses as aridly unrelated to life.

Before considering the specific notions that may give content to a charge of failure as a man, I must first make explicit an important feature of that charge. Failure as a man, though of course connected in complex and ramified ways with particular actions, does not depend solely upon the moral worth of these. One cannot decide whether one has failed as a man by simply adding up one's misdeeds and balancing these against one's good actions. A man might have done nothing in his life which he or others regarded as wrong, yet say that he has failed as a man, and his claim would be quite intelligible. Thus, in *The Death of Ivan Ilych*, Tolstoy adds to Ivan's physical torments the horror of thinking that he has not 'lived as he ought to have done', though all his actions seem to him to have been unimpeachably correct. Or conversely, a man may have many misdeeds at his door, yet not be accused of failing as a man or feel any personal dissatisfaction with what he has made of his life as a whole. Other factors besides the rightness or wrongness of his actions play a part in a man's evaluation of himself and his life, a point to which Oscar Wilde perceptively drew attention in

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1 Othello, at least before the onset of his jealousy, might well be regarded as such a man.
I shall now examine in turn a number of possible ways in which content may be given to a charge of failure as a man. After that I shall consider some implications of this descriptive study.

(1) Emotional Poverty. In its most familiar use the phrase 'failure as a man' is employed to point a contrast. Someone is said to have failed as a man rather than as, say, an engineer, philosopher, or industrialist. Indeed, the phrase frequently appears in utterances where the contrast is explicitly made: 'He is a very competent doctor, but a failure as a man'. What seems to be meant is that, though he possesses certain technical skills and competences, he is bad at forming and maintaining personal relationships; that he lacks, to use a group of related concepts, humanity, fellow-feeling, or sympathy. For this reason it sounds odd to say that a man is an excellent friend, father, or husband, but a failure as a man; odd because the capacities at which he is said to excel are precisely those that require humanity

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De Profundis: 'While I see there is nothing wrong with what one does, yet I see there is something wrong in what one becomes'.

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and fellow-feeling — if you like, ability with and affection for people.¹

There is no reason, of course, why emotional poverty should lead a man to perform wrong actions — he may do the right thing from a sense of duty. However, there are other grounds for regarding it as a failure in a man. Aristotle devotes considerable space in the *Nichomachean Ethics* to the discussion of Philia, or 'friendship' as it is most appropriately translated.² And this, J.A.K. Thomson points out, is not as surprising as has sometimes been supposed, for otherwise 'the Ethics would have nothing to say on the subject of love, and that would indeed appear a surprising omission'.³ Aristotle held that Philia is a sort of virtue. He writes: 'It is not only that friendship is necessary to the good life; it is in itself a good and beautiful thing. We praise a man for loving his friends, and the possession of many has always been considered one of the things that ennoble existence'.⁴ So for Aristotle,

¹ Odd, but not impermissible, since, as will be seen later, there are other contents that can be given to the notion of 'failure as a man'.
² *Nichomachean Ethics*, Bks.8, 9.
³ Quoted from J.A.K. Thomson's introductory remarks to Bk.8 in his translation *The Ethics of Aristotle*, p.227.
⁴ *ibid.*, p.228.
emotional poverty, since it would preclude the forming of proper friendships and hence the attainment of the good life, would involve failure as a man.

Many have agreed with Aristotle that affection and the ability to love others is a characteristic human excellence, the lack of which deforms a man. It is a quality that has ranked high in both Christian and Humanist ethics. Thus St. Paul wrote: 'And though I bestow all my goods to feed the poor, and though I give my body to be burned, and have not charity, it profiteth me nothing'. And some thinkers have gone further, explicitly contrasting acting from love with acting from a sense of duty, to the detriment of the latter. This romantic view of the value of love stretched by quite natural steps into the doctrine that any emotion - not particularly love - was necessarily good. To dedicate oneself to passion and to act in accordance with its dictates became an end in itself. The only sin was to be devoid of passion or to suppress it: "Passion is the element in which we live; without it we but vegetate", said Byron in his mature years to Lady Blessington.

1 I Corinthians, XIII, 3. As the quotation makes clear, 'charity' means love or fellow-feeling, not the dispensation of alms to which it is generally restricted in modern usage. For a Humanist statement of the value of friendship and affection see E.M. Forster, 'What I Believe', Two Cheers for Democracy.

For such writers to exhibit emotional poverty of any sort was to cease to be a man.

Yet, as well as this somewhat deafening clamour for the value of emotion in a man's life, there is another tradition that seems committed in some sense to denying its importance - the tradition of Kant. As is well known, Kant held that the only thing of intrinsic moral worth was a 'good will', and a 'good will' is exemplified in doing one's duty solely because one wished to do one's duty. If one helps someone out of affection for him one might be doing the right thing or acting in accordance with duty; but one would not be acting from a sense of duty, and accordingly would earn no moral merit for the deed. Now it might be thought that this doctrine in itself does not commit Kant to denying that emotional poverty is a failure in a man. He might agree that it was a failure in a man, but insist that it was not one that in any way interfered with his moral worth. Indeed, I have already conceded as much in pointing out that the emotionally impoverished man might manage to fulfil all his duties and obligations. This line, however, can only be taken because of the excessive limitations Kant imposes upon the word 'moral' by his very definition of what is of moral worth; and it is precisely this that I would wish to question. The claim that emotional poverty is a non-moral failure as a man seems to me either to be unintelligible, or else upsets Kant's view of morality by allowing another scale of values on an equal footing with moral values.
Quite apart from this, it does not seem to me plausible to suggest that Kant could regard emotional poverty as a failure in a man. One might more plausibly contend that he would take the opposite view. It might be argued that if a man has a rich emotional life with numbers of friends, and regards most of his fellows with sympathy, then on many occasions he will naturally do the right thing. But he will be acting from inclination rather than from a sense of duty; and in so far as he does so none of his actions, though in accordance with duty, will bestow moral worth on him.¹ In fact, it seems that his affections and widespread sympathies may well account for his lack of moral worth in Kant's sense. Had he less of them he might more often act from a sense of duty; and presumably in Kant's eyes anything that interferes with and impedes moral goodness is a bad thing. One might conclude that emotional poverty is a help in acquiring moral worth. Now I do not wish to claim that this argument shows that Kant is committed to anything so apparently absurd as positing the actual goodness of emotional poverty.

¹ Kant is quite explicit about this. He writes:
...there are some minds so sympathetically constituted that, without any other motive of vanity or self-interest, they find pleasure in spreading joy around them, and can take delight in the satisfaction of others so far as it is their own work. But I maintain that in such a case an action of this kind, however proper, however amiable it may be, has nevertheless no true moral worth...
But it does show, I think, that he could not hold emotional poverty to be a bad thing or to constitute failure as a man. Probably he would regard it as merely indifferent.

How is this conflict between such opposing views of emotional poverty to be settled? It seems to me that, without embracing any extreme Romantic position about the value of passion in general, Kant's indifference to the worth of such emotions as love, sympathy, and fellow-feeling, should be resisted. Now I do not want to undertake a complete criticism of Kant's very complex ethical theory. For one thing I do not think this can be properly done without a close analysis of his metaphysical doctrine of the noumenal and phenomenal selves, for much in Kant's ethics depends upon this. But fortunately it is not necessary to do so. Kant's dictum to the effect that only actions done from a sense of duty have moral worth is supposed to be a statement of most people's views on the matter. He is purporting to be elucidating a common opinion. It is sufficient, therefore, to point out that this is not so. Conscientiousness, which I take to be roughly synonymous with acting from a sense of duty, is not regarded as the only virtue. Indeed, in spite of its main commendatory force, 'conscientious' is notoriously one of those terms that can be employed in qualified depreciation of a man's character, rather as 'painstaking' and 'industrious' can be used to belittle a man's work. It can do this because it is implicitly contrasted with other qualities that are admired and thought to be of
moral worth. Generosity, benevolence, kindness - to name a few - are generally praised qualities that have little to do with conscientious action, but which do have connexions with emotions and feelings.

Further, many of the commendatory characterizations we offer of people contain specific reference to emotional capacities. It is said of people that they are 'warm-hearted', 'easily touched', 'feel for others', and so on. And conversely, to say that someone is 'cold', 'unmoved by the sufferings of others', 'merely does his duty', is to criticize him. Kant is clearly wrong in claiming that the only thing that is taken to be of moral worth is a 'good will' as he defines it. His plausibility derives from the fact that he first states the view in such general terms that it is acceptable; only then does he proceed to define a 'good will' in such a way as to exclude nearly everything that is normally conveyed by the term.¹ All this is not to say that Kant is quite mistaken. Conscientiousness is certainly taken to be of great moral worth, and for very good reasons. It is merely that Kant has concentrated on one aspect of moral practice to the exclusion of the rest.

Also, quite apart from the fact that some emotional capacity is regarded as a good thing both in itself and as it is displayed in the

¹ For a very clear criticism of Kant along these lines, see Newell-Smith, op.cit., Ch.17.
various virtues, it is needed for another reason. I said earlier that an emotionally impoverished man might do all that he ought to do from a sense of duty, without needing to be prompted by love or sympathy. But this is true only in a limited sense, for successful relations with others require faculties other than the exercise of reason. When discussing failures of the understanding (Ch.V) I pointed out that one of the things of which a man might be ignorant was the hopes, feelings, and expectations of others, and this ignorance might lead a man to cause other people pain. But to become aware of such feelings one needs imagination and the ability to put oneself in someone else's place - in the end, to be able to feel as he feels. This point is well put by A.C. Graham who says: '...in putting ourselves in someone else's place we do not perceive, not infer, nor even imagine his feelings; we try to feel as he feels'.

Understanding of others, then, in a broad sense does not remain at the level of reasoning; but slides, via the domain of imagination, into that of feeling. It was partly due to the rigid distinction he drew between reason and imagination that Kant failed to realize this. A man who acts merely from a sense of duty will simply not be alive to all the needs and sensibilities of others. Hence, although he may do

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1 The Problem of Value, p.52.
all that he ought to do, his conception of what he ought to do will be limited and not open to adjustment to individual needs. More importantly, he will not be able to do more than he ought: by definition one cannot do more than one's duty out of a sense of duty. However, doing more than one's duty, although it cannot be required of one, has customarily received the highest moral praise. As J.O. Urmson points out, it is the characteristic activity of the saint and hero. \(^1\) It seems, then, that some emotional capacity is a necessary condition for the achievement of moral excellence.

Having argued against Kant that emotional poverty is necessarily a bad thing in a man, there is a further question to be answered: Can emotional poverty properly be said to constitute a failure as a man? In other words: Can a man be held responsible for being in such a state? Psychologists, though largely in agreement that all infants have the ability and need to love some adult and that from this their positive emotions develop, \(^2\) are sharply divided about how much control over his subsequent emotional development a person has. I cannot explore their views here, but shall content myself with pointing out

\(^1\) 'Saints and Heros', in Essays in Moral Philosophy, ed. A.I. Melden.

the attitude to emotional poverty that is commonly adopted in everyday life.

It is held that there is a variety of explanations as to why a man should be in an emotionally impoverished state, and the question of his responsibility turns upon which one is appropriate. One kind of explanation will refer to facts of the emotionally impoverished man's early childhood. Magda Arnold argues that the development of a capacity to love is dependent upon the presence of one fairly permanent mothering adult, and offers clinical evidence from orphanages in support of this. If a baby is looked after by a succession of people its ability to love will be impaired. An explanation that mentions facts of this sort, or that his parents were cruel and indifferent, will suffice to relieve the individual of responsibility for his emotional poverty. He will be pitied rather than censured. Again, an explanation that refers to some catastrophe or traumatic experience in the individual's life - internment in a concentration camp, for example - is usually enough to spare him from any blame for his emotional debility. Or, though it does not spring from deprivation in childhood or a later catastrophic experience, emotional poverty may come about without a man realizing it, as the result of seeking

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ibid., p.213.
something else or from exhaustion. Scott-Fitzgerald writes in that terrifying piece of autobiography, *The Crack-Up*:

I realized that in those two years, in order to preserve something - an inner hush maybe, maybe not - I had weaned myself from all the things I used to love - that every act of life from the morning toothbrush to the friend at dinner had become an effort. I saw that for a long time I had not liked people and things, but only followed the rickety old pretexts of liking. I saw that even my love for those closest to me was become only an attempt at love, that my casual relations - with an editor, a tobacco seller, the child of a friend, were only what I remembered I should do, from other days.¹

In such a case as Scott-Fitzgerald's, it is unlikely that the agent will be accused of anything save an over-generous squandering of his emotional energy.

However, there is a type of explanation that commonly does expose the agent to censure - an explanation in terms of emotional cowardice. Some people are deterred from forming affectionate relations with others by the self exposure and effort required, and by the always attendant dangers of pain, humiliation, and loss of autonomy. Such people ensure that they shall not be hurt or made a fool of by stifling their warmer inclinations and cultivating an attitude of indifference. A deliberate refusal of this kind to form affectionate relations with others, with its overtones of fear and egoism, will normally expose a

¹ *The Crack-Up*, p.42.
man to criticism and censure. I conclude, then, that a person's emotional capacity, though sometimes it is wholly determined by outside factors, is usually open to his direction and control. He can destroy or cultivate it; and if he does the former will be regarded as a failure as a man.

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(2) Slavery to Convention and Bad Faith. However individualistic he may be, a man is moulded in some degree by society and its conventions. He does not - indeed, cannot - form his opinions and values in a void. He is the product of his society and his upbringing. But some men achieve a measure of independence from these formative influences. They probe and test the conventional morality they were taught, revise and add to it. They seek to forge a form of life that allows them to develop their own potential and personality within the external limits they have accepted. Such men will place more and more emphasis on personal experience and development: little for them will remain unquestioned. William Blake was, perhaps, an extreme example of such a man. A vigorous and rebellious personality, he assaulted the conventional morality, religion, and custom of his time. He believed that man is distorted 'by the rigid frame of law and society
and the conventional systems; and the triumph is always the liberation of man by his own energies.¹

The man at the opposite extreme to Blake is the subject of the present type of failure - the man who never questions the framework of convention and morality in which he was raised and finds himself living. He is a slave to convention and the 'done thing'. His opinions and convictions are less than his own, for he has not formed them in a reflective and enquiring spirit, but merely acquiesced in them. It has been held that such a person is a failure as a man on the grounds that he is tied to an existence that allows no room for his personal development or the exercise of his intellect and imagination. He is incarcerated within a prison of stereotyped opinions and responses that make self-realization impossible. J.S. Mill, in his impassioned essay 'Of Individuality', propounded a view of this sort:

Where, not the person's own character, but the traditions or customs of other people are the rule of conduct, there is wanting one of the principle ingredients of human happiness, and quite the chief ingredient of individual and social progress.²

Many other more literary thinkers - Nietzsche, Ibsen, D.H. Lawrence, to name a few - have all expressed similar views.

¹ Quoted from J. Bronowski's introduction to William Blake (The Penguin Poets), pp.11-12.
² Utilitarianism, Liberty, and Representative Government, p.115.
Without going into the more positive theories of these thinkers, I think something can be made of the notion of failing as a man along these lines. To be such a slave to convention is to refuse to use, as Mill says, 'any other faculty than the ape-like one of imitation'.

It precludes the possibility of a man developing his own individual character and excellences by the use of imagination and choice, and deadens him to large areas of experience. He is like a paralytic of whose body only a small part is functioning. Certainly some men are afflicted by an acute sense of personal failure when they realize that they have lacked vision, and that their behaviour has been limited in this way. It is emptiness of precisely this sort that Ivan Ilych comes to see has been wrong with his life:

It occurred to him that what had appeared perfectly impossible before, namely that he had not spent his life as he should have done, might after all be true. It occurred to him that his scarcely perceptible attempts to struggle against what was considered good by the most highly placed people, those scarcely noticeable impulses which he had immediately suppressed, might have been the real thing, and all the rest false. And his professional duties and the whole arrangement of his life and of his family, and all his social and official interests, might all have been false. He tried to defend all those things to himself and suddenly felt the weakness of all that he was defending. There was nothing to defend.

1 ibid., p.117.
2 Tolstoy, The Death of Ivan Ilych, trans. Aylmer Maude, p.152.
Sartre's notion of Bad Faith in one of its aspects seems to apply to this type of situation too. Mary Warnock in her extremely lucid account of the matter writes:

One way or another, Bad Faith consists in pretending to ourselves and others that things could not be otherwise - that we are bound to our way of life, and that we could not escape it even if we wanted to. Most appeals to duty, most suggestions that one could not have done otherwise, even most of our strong beliefs (such as the belief that we must return hospitality, or get up in the morning, or be polite) are instances of Bad Faith, since in fact we choose to do all these things, and we need not do them.\(^1\)

Clearly one way of 'pretending' that we have to do something is to see it as being enjoined by a morality which we have found ready made and accepted, rather than freely chosen or created. Indeed, to suppose that there are values or rules of conduct valid for everyone and independent of man's free choices is Bad Faith. It is Bad Faith for it is an evasion of one's complete freedom to choose one's own values and rules.

\[\text{Basically, Bad Faith is an attempt to escape from the anguish which men suffer when they are brought face to face with their own freedom. Conscious beings are essentially free, not only to act as they choose, but to see the world under the headings and categories they choose.}^2\]

The man who is enslaved to a conventional morality would certainly on Sartre's view be in Bad Faith. And, as the term implies, Bad Faith

\(^1\) The Philosophy of Sartre, p.53

\(^2\) ibid., p.52.
is something to be avoided: a man who practises it is not accepting his responsibility for himself and his freedom to be what he chooses. To deny this freedom that is the most characteristic thing about 'Being-for-itself' is to be a failure as a human being. But, apart from showing that slavery to convention fits very well into Sartre's concept of Bad Faith, it is not my purpose to examine that notion any more fully here. Suffice it to say that, while Sartre, with his usual vivid insight, has illuminated a particular mode of behaviour, he has so extended the notion within his theory that it loses much of its force.

Slavery to convention, then, is another viable content that can be given to the notion of 'failure as a man'. Such a man has abdicated from his role as a reflective, responsible human being, and closed his eyes to an important aspect of his imaginative and creative capacities. His moral outlook will be limited, and unilluminated by the vision that might enlarge the range of moral action open to him.

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(3) Poverty of Aspiration and Ideal. George Orwell in his excellent essay on Dickens points that none of Dickens's characters,

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1 This is closely connected to slavery to convention, being as it were its other face, and accordingly I shall deal with it fairly briefly.
with the possible exception of David Copperfield, are interested in their work. He writes:

The feeling 'This is what I came into the world to do. Everything else is uninteresting. I will do this even if it means starvation', which turns men of differing temperaments into scientists, inventors, artists, priests, explorers and revolutionaries - this motif is almost entirely absent from Dickens's books.1

And shortly after discussing their conception of happiness, he says:

The ideal to be striven after, then, appears to be something like this: a hundred thousand pounds, a quaint old house with plenty of ivy on it, a sweetly womanly wife, a horde of children, and no work. Everything is safe, soft, peaceful, and, above all, domestic. In the moss-grown churchyard down the road are the graves of the loved ones who passed away before the happy ending happened. The servants are comic and feudal, the children prattle round your feet, the old friends sit at your fireside, talking of past days, there is the endless succession of enormous meals, the cold punch and sherry negus, the feather beds and warming pans, the Christmas parties with charades and blind man's buff; but nothing ever happens, except the early childbirth.2

Orwell is certainly suggesting that the lack of burning purpose, and the effateness of the ideal, is a weakness in Dickens's work; presumably because he thinks such things a defect in people. There is more to life, he implies, than this sentimentalized spiritual piggery.

Surely Orwell is right in suggesting that there is commonly taken to be a measure of value in men against which Dickens's characters fall

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1 The Decline of the English Murder and Other Essays, p.122
2 ibid., p.125.
short, and this measure refers to aspirations and ideals. Even a man of limited ability, it is thought, can strive to become more than he is, and exploit imaginatively the possibilities open to him. He can have a vision of what is the good life for him and for others and aspire to attain it. Lack of such aspirations and ideals, or if these be dull and unimaginative, may well be held to be a failing in a man. Further, it may be added, a man who is devoid of them is unlikely to explore and develop the capacities he has, and that in itself is a bad thing. Commonly, aspirations and ideals, even if these be as absurd and unrealistic as were those of Don Quixote, are held to lend a nobility and stature to the man who has them.¹

There is another point I should mention. It is not just a matter of having aspirations and ideals, in the sense of entertaining them as pleasant thoughts or day-dreams, that is at issue here; but, in so far as it is possible, the active pursuit of them. A man may have had a conception of the good life or society, but faced with the obstacles and necessities of living have ceased to strive for it - yet he still

¹ Though there is a tension here, for there are two dimensions in which ideals are assessed: (a) by their nobility and selflessness, (b) by their realism - that is, by their cohesion with what it is possible to achieve in practice. The fact that ideals do not get a grip on reality may be a reason for criticizing the man who has them. The interesting thing is that in a case like Don Quixote's the absurdity of his ideals hardly diminishes his excellence.
thinks it a good idea. And it is just for this kind of relinquishing of his ideals that a man may be criticized.

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Having suggested three ways in which a person may be criticized 'as a man', I want to take up some more general and theoretical issues arising out of what I have said, in particular in the last two sections. In the first place, failure as a man is a charge that is closely tied to the background and character of the person in question. Not all men have, for example, the imagination and energy necessary to liberate themselves from slavery to convention; nor do they possess the personal capacities, the realization and exercise of which makes such liberation desirable. And it is surely not possible for a man born with the nature of a Sancho Panza to have the dreams of a Don Quixote, or to experience that feeling that drives men to be 'scientists, inventors, artists, priests, explorers and revolutionaries'. Some men cannot be other than they are in these respects, and so will not be charged with failure as a man. Where the content of the charge refers to imagination, personal capacities, and ideals, it is particularly important to recognize that the person is being assessed in respect of his individual characteristics, not in the light of qualities that are considered common to all men. He is charged with failure as this particular man, rather than with failure.
as a man in general. For this reason it is a peculiarly personal charge, in the double sense that it is moreover one that a man more often brings against himself than against others.

This particularity of the charge has interesting theoretical implications in respect of the nature of the 'ought' statements to which it gives rise. A man may think that he has such and such a character and capacities, and decide he ought to develop them. He may see some course in a particular situation as being peculiarly appropriate to doing this, and hence think that he ought to take it. Now on a prevalent view of 'ought' statements, if a man says that he ought to do X, and if the ought in question is a moral 'ought', then it is supposed to be universalizable. That is to say, he should be prepared to extend this 'ought' to apply to anyone else who finds himself in circumstances that are similar in the relevant respects. Of course, what is meant by 'relevant' here is of the first importance, but I shall not go into all the subtleties of that notion. Suffice it to say that I think it can be satisfactorily unpacked to make sense of the universalizability thesis in most cases. But one thing is essential if the universalizability thesis is to have any force at all: the 'relevant circumstances' cannot be stretched to include reference to the particularity of the agent. It may mention his role or some detail from his past; but it cannot refer to the fact that he is he and no one else. If it did the 'ought' would be universalizable only in the most formal
nothing to say on the important topic of individuals imaginatively exploring their own position. Hare himself, in spite of his universalizability thesis, considers it 'inadvisable to confine the word "moral" so narrowly'.

The second reply is more plausible. It may be agreed that the particular 'ought' is not universalizable, but at the same time be maintained that it is derived from a higher 'ought' which is - 'One ought to realize oneself', for example. Now this may well be true. In giving the reasons why he thinks he ought to do X a man may well cite such an universal 'ought'. But even so there still seems to be an 'ought', which though backed by an universal 'ought', is not itself universalizable. Furthermore, such a universalizable 'ought' as 'One ought to realize oneself' is quite empty as it stands, and it turns out that the only content it can be given is in terms of 'oughts' that are not themselves universalizable. This reply, then, is inconclusive, but I shall not pursue it further for Hare makes a different move.

Hare allows that 'oughts' arising out of personal ideals are moral, but says that they are not universalizable because they are hypothetical (other moral 'oughts' for Hare of course are categorical). He writes:

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*Freedom and Reason*, p.152.
A man who has adopted the ideal of physical fitness, which requires him to run before breakfast, may say of himself that he ought to get out of bed now or even, if he is weak-willed, that he ought to have got out of bed half an hour ago. But this may be only a hypothetical 'ought'; he may mean merely that if he wants to live up to his ideal, he ought... This would not commit him to any moral judgement on those who do not have such an ideal.¹

But this I think, though half correct, is a misrepresentation of the facts. The 'ought' need not be hypothetical for the agent. He may think that he ought to live up to his ideal and hence that he ought to get out of bed now, without there being any question of a suppressed hypothetical. It is in respect of people other than the agent that the 'ought' is hypothetical: 'If Y wants to live up to my ideals he ought to do X'. In other words, a man may wholeheartedly embrace an ideal for himself without being fanatical and thinking everyone else ought to share it. In this region of personal ideals the particular character of the individual is of the first importance, giving rise to this asymmetry between first and third person 'oughts'.

Hare further maintains that in connexion with personal ideals, though 'ought' is not universalizable, 'good' (and presumably 'bad') is. Thus he says: 'All we are forbidden to do is to say of two identical lives or men, one is good and the other not...'.² But why

¹ ibid., p.154.
² ibid., p.154.
should we be forbidden to say this? If, as I have argued, people have different powers and capacities, then there is no reason that what is regarded as a good life for one man should be regarded as good for another. One man, to take Hare's example, may devote his life to an ideal of physical fitness and be commended for it; but if another man who has great potential as an artist or a poet, say, pursues the same way of life to the detriment of his artistic or poetic activities, we may well withhold, or at least qualify, our commendation.

It is true that it might be argued that in this case the two lives are not *identical*; but to do so is to take the first step down the slippery road that ends by allowing that no two lives are identical in the required sense, thus making the original claim self-contradictory. It is curious, and perhaps significant, that Hare uses the word 'identical' rather than 'similar'. It certainly gives his claim more initial plausibility, but on closer examination seems in danger of emptying it of content. My point is, then, that either it makes no sense to speak of *two* lives being *identical*, or if it is given sense in terms of similarities it is not true that we *have* to say of two similar lives that they are both good or both bad.

The second point I want to mention concerns one of the explanations that may account for why a man, who does have certain capacities and ideals, fails to realize or pursue them. It may be, of course, that to do so is impossible, or that what he sought turns out
to be unrealistic or merely silly, in which case he will not be
criticized for abandoning them. Or it may be due to cowardice, lack
of resolution, or laziness, and it is in this kind of case that a man
is censured and regarded as a failure as a man.

But, perhaps most frequently, what happens is less simple and more
painful. The development of himself and his excellences and the
pursuit of ideals may involve a man in courses that are morally
distasteful to him on other grounds.\(^1\) Ideals and aspirations, even if
good ones, can be very destructive of other things. Ibsen, for example,
who thought he had a message for the world and wished to ennoble
mankind, '...despite a genuine love for his mother, cut himself adrift
from family ties, in order to attain self-realization'.\(^2\) Or the
pursuit of an altruistic political end may of necessity force a man to
employ means that impugn his personal honesty or destroy other things
he values. It is in this domain of conflict between ideals and other
moral beliefs that moral anguish becomes most acute. For this reason
it seems that one should be chary of censuring those who relinquish
their ideals. It may be hard to distinguish courage from callousness

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1 I have already mentioned similar conflicts in Chapter VII, and
indicated some of the issues that may be involved in facing and
resolving them.

in the case of the man who sticks to his ideals, and weakness from moral delicacy in the case of he who abandons them.

Morality, in fact, is not 'all of a piece', but harbours disparate elements within it; and these may generate conflicts that there are no very clear means of settling. It is possible, of course, that in the end such elements may be reconciled within a broader theory, and to do this should perhaps be the aim of a complete and coherent moral philosophy. However, it seems to me a mistake to pretend at the outset that such tensions do not exist, and to use some such phrase as 'duties to oneself' to conceal them.

Finally, I should say something about a matter that has lurked in the background of this whole discussion of failure as a man. The qualities I have been dealing with, lack of which gives content to a charge of failure as a man, are not ones that a man can be required to have, in the way in which he can be required to keep promises or avoid harming others. They go beyond what can be required of a man. As I have said, not all men can possess them. Though, strictly speaking, not excellences themselves, they are necessary conditions for the attainment of excellences. They are qualities of the ideal man, rather than of actual men. A man does not necessarily do wrong because he lacks them, but he is then incapable of rising above the mere
avoidance of wrong-doing. All of these qualities, then, imply some view as to what constitutes the nature of the good or ideal man.

But, it might be objected, this is a matter upon which there can only be opinion and prejudice, and it is not the job of the moral philosopher to endorse these. Indeed, I have been chary of doing so, which accounts for the tentative nature of much I have said. Nevertheless, the concepts and ideas I have tried to elucidate and make sense of feature in moral experience and discussion. For this reason the moral philosopher cannot persist in ignoring them. It is as much the business of Ethics to concern itself with ideals and excellences as with considerations of right and wrong.

Furthermore, what is set up as the idea of a good man is not wholly an arbitrary or conventional matter. Ideals of what a man should be cannot be sharply divorced from views about the nature of actual man and his place in the world. For one thing, ideals, if they are to have any force, must coincide with things in which people are capable of finding satisfaction and value, and lock with reality to the extent of indicating a course that a man can at least try to take. Conceptions of the nature of man, then, will always provide the

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1 Cf. Nietzsche's distinction between master-morality and slave-morality, Beyond Good and Evil, trans. Helen Zimmern, p.227ff. Not, of course, that I share his views on the matter, but the grounds of the distinction seem to be similar.
foundations upon which ideals of the good man are erected. And while this is a matter notoriously open to dispute and change, it is one upon which appeals to facts (biological, historical, psychological, and others) scientific techniques, and rational argument can get a grip. Indeed, by many it has been considered one of the fundamental questions of philosophy.\(^1\) Certainly it is a question from which Ethics cannot afford to wholly disassociate itself. As G.H. von Wright says: 'Ethics...has to be set in the perspective of a Philosophical Anthropology'.\(^2\)

\(^1\) Even as contemporary a writer as Stuart Hampshire claims that '...it is possible to characterize philosophy as a search for "a definition of man"'. *Thought and Action*, p.232.

\(^2\) The *Varieties of Goodness*, p.8.
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