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THE CORRIGIBILITY OF MORAL JUDGEMENTS

by

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This thesis is my own work, written while I was a research scholar in the Research School of Social Sciences in the Australian National University.

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And it is not only unnecessary but even improper to ask whether great crimes might not evidence more strength of soul than do great virtues. For by strength of soul we mean the strength of resolution in a man as a being endowed with freedom - hence his strength in so far as he is in control of himself (in his senses) and so in the state of health proper to a man. But great crimes are paroxysms, the sight of which makes a man shudder if he is sound of soul.

(Kant, The Doctrine of Virtue, trns. M.J. Gregor, New York, 1964, p.42.)
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PREFACE

It would not be helpful to try to describe in a short introduction the philosophical and historical backgrounds to the issues that I want to discuss, for they are backgrounds which are both too complex and too important to be readily amenable to this sort of treatment. Furthermore, it is also to some extent unnecessary to do this, for I shall be discussing some of the more important aspects of them in the text — though even there my account will be incomplete.

There is, however, one point that is worth mentioning briefly here, if only to anticipate an important objection to the kind of enterprise upon which I shall be engaged. It might be claimed that in Part II I rest certain conclusions about the corrigibility of moral judgements and how moral rules are to be justified upon certain contingent facts about human beings, and I present these facts, moreover, in the form of exemplifications of the concepts in terms of which, I argue, the corrigibility of moral judgements and the justification of moral rules are to be understood. Hence, my conclusions seem to be open to the objection that they lack universality, for, if the conclusions are true, I show them to be true only in the situations described in my examples. This suggests that
the method that I use to establish the conclusions is misconceived. The facts might well be otherwise, and this is not merely a logical possibility but, also (because of the heavy reliance that I place upon the persuasiveness of the actual examples that I give), a real one. Thus it could be argued that while it is a method which might satisfy a moral subjectivist, it can satisfy no one who wants to deny the subjectivist thesis — as I do.

The objection that my method is misconceived is, however, one that itself reflects a view of the nature of morality which is highly questionable. That is, it reflects the view that one can so characterize morality that it is possible to give an account of the corrigibility of moral judgements and the justification of moral rules which does not presuppose one particular way of organizing moral experience rather than another, or a particular picture of the world that may or may not be false or distorted. Since I shall argue in the text\(^1\) that one cannot characterize morality in this way, there is nothing to be gained in repeating myself here. I simply want to point out that, if I am right, the method that I adopt is the only possible one. That is to say, conclusions about the nature of justification in morals must be in terms of

\(^1\) Cf. especially Chapter IV.
concepts whose acceptability is dependent upon their capacity to make sense of experience - and this must involve a heavy reliance upon the persuasiveness of exemplifications of these concepts.

This does not mean that my conclusions lack universality. It does mean, however, that their universality can only be established piecemeal, viz. by being successfully defended against an indefinite number of possible counterexamples. In this sense my thesis is fundamentally incomplete. It may be the case that my examples are too selective and that if I try to stretch the concepts to cover other experiences I shall only distort those experiences. But this possibility must be accepted as unavoidable if one does not believe that morality can be neutrally characterized.

I should like to record my gratitude to Mr S.I. Benn for his patient and sympathetic criticism of my arguments, to Professor P.H. Partridge who forced me to clarify my thought on a number of issues, and to staff members and fellow scholars at the Australian National University for much helpful discussion of the topics in this thesis.
PART ONE

I argue that if one allows that the question: 'Why should one be concerned about the interests of people other than oneself or the group of which one is a member?', is one that can properly be asked, then one must admit that the position of any particular selfish person or any particular selfish group is rationally on all fours with any unselfish position.

Chapter I

I discuss the view that if E does to NE something that is contrary to NE's interests, then E is rationally required to justify his action, and that it is possible to determine whether E does justify it (or, at any rate, fails to justify it) without thereby making a moral commitment which is itself in need of justification.

In reply I argue that this argument only works if E and his objector have made the same relevant moral commitments. That is to say, the objector's claim that E's action is not justified, while it may not itself be a moral judgement (e.g. he may simply be saying that E is

Cf. Foot-note on page 1 for an explanation of the symbols.
inconsistent), does presuppose a certain moral commitment, and if E has not made the same commitment then the objector's argument will be unsuccessful, (i.e. E is not rationally required to agree with it).

Chapter II

I discuss two arguments.

1) The view of Benn and Peters that if E acts in a manner contrary to NE's interests and refuses to consider NE's interests as relevant to the question of whether he is morally justified in performing the act, then he is refusing to satisfy a necessary condition of the possibility of there being any sort of rational discussion between them. E, that is, does not consider that NE counts morally, and the question of who is to count morally is not one that can be answered by the giving of reasons, i.e. the answer is wholly prescriptive. At this level one makes a choice which is beyond the limits of rational justification. Benn and Peters, in other words, agree that the 'onus of proof' argument does not work in the absence of a prior moral commitment, but claim that the commitment is not one that can be the subject of rational argument for it is a condition of the possibility of such argument.

I argue in reply that E's refusal to consider NE's interests is not wholly prescriptive. That is, I argue that E has reasons for not considering that NE counts
morally. Hence, though it may not be possible to convince E by argument that he ought to consider NE's interests (cf. Chapter III), it is not the case that E's position is a non-rational one.

2) I go on to discuss in detail Hare's argument in *Freedom and Reason*. This is that if E believes that he is morally justified in acting as he does, then it can be shown a) that he is logically bound to consider NE's interests as if they were his own, and b) that unless E is a 'fanatic' (i.e. someone who is willing to have his own interests frustrated or destroyed for the sake of an 'ideal'), he can be led to be concerned about NE's interests as if they were his own.

My main objection against this argument is that it begs the question that it is intended to answer. For E can only be led (logically) to consider the interests of NE as if they were his own if he believes that NE ought to consider that his (E's) action is morally justified, i.e. if he believes that NE would, if he were sufficiently rational, prescribe the action. This presupposes that E believes that NE's interests are worthy of consideration (though not necessarily worthy of concern). It is only if E believes this that he can be led (logically) to make the singular prescription: 'Let this be done to me if I am NE', upon which Hare's argument depends. But E may
not believe this. On the contrary, he may believe, for instance, that NE is morally justified in preventing him from performing the action. Thus Hare's argument begs the question. What is more, that E believes that NE would, if he were sufficiently rational, prescribe E's action, is not a necessary condition of E's judgement ('I ought to do this') satisfying the conditions of universalizability and prescriptivity which, Hare argues, are essential ingredients in moral judgements.

Chapter III

Though it is not the case that E's lack of consideration for NE's interests involves a choice that is beyond the limits of rational justification, it may, perhaps, be impossible for anyone to convince E by argument that he ought to consider them. It may be argued, however, that this is not a cause for alarm, for E has not given NE any reason why it would be wrong for NE to protect his interests. E, that is, is not the source of any moral problem. Hence, the proper response for NE to make to E is in terms of what it is prudent for E to do. That is, NE can argue that it is not in E's best interests to do to NE what is not in NE's interests.

In reply I argue that once it is admitted that E's position is a rational one, once it is admitted that people have very good reason to be selfish if they can get
away with it, it follows that one must admit that moral exclusivism is rationally on all fours with any non-exclusive morality - which is precisely the point that a moral sceptic would want to make. I examine the view of Baier that the central problem in moral philosophy is to show how people who successfully pursue selfish interests are, nevertheless, bound in some rational way to refrain from pursuing these interests. I reject his solution to the problem. I go on to argue that if one allows, (as Baier does), that the question: 'Why should one be concerned about the interests of people other than oneself or the group of which one is a member?', is one that can properly be asked, then the position of the moral exclusivist becomes morally impeccable.

PART TWO

In Chapters IV and V I give reasons for saying that the question: 'Why should one be concerned about the interests of people other than oneself or the group of which one is a member?', is not one that can be properly asked. In Chapter VI I try to show how my argument in Chapters IV and V can be used to justify rules which state when one is and when one is not justified in causing harm to other people. I also say something about the role that self-interest plays in this.
In the introductory section I discuss three points about the fact-value distinction which many moral philosophers have felt to be of great moral significance. 1) The relationship that facts alone have to moral judgements is a logically neutral one. 2) The relationship that facts alone have to moral judgements is an evaluatively neutral one. 3) If there are any moral rules at all (i.e. if it is not the case that people are justified in behaving in any way they please), then they must be binding upon people in some logical sense. (1) and 2) have been more universally accepted than 3). But 3), as Hare rightly says, follows if one accepts 1) and 2). Cf. pp. 80-81.)

In Section 2) there are two main arguments.

I argue, first of all, against the view that moral phenomena (e.g. moral beliefs, moral ideals, the virtues and vices) can be correctly analysed in terms of descriptive meaning and evaluative meaning. That is, I reject one particular reason for making the assumption to E's question. The reason is that an exclusivist, for instance, can always refuse to consider any moral objection to his position on the grounds that the objection can be analysed into a factual content which is evaluatively neutral and cannot, therefore, be sufficient
in itself to establish the objection, and an evaluative content which is in need of justification. I reject this reason on the grounds that moral judgements are to be properly understood against a point-giving background, and this is something which the fact-value analysis cannot adequately explain. (I can think of no way of helpfully summarizing my argument here, but what I have to say is very much along the lines taken by Mrs Foot.)

The second main argument in Section 2 is that anyone who seeks to understand the point of a moral judgement is faced by questions and problems which he cannot rationally ignore and whose answers he cannot predict. He is caught in a net of argument, self-examination and decision-making, and he may not be able to give sincere answers to the questions which face him without seriously undermining his own original moral outlook.

Chapter V

I discuss a reply that might be made to all this. This is that I have not yet shown how moral judgements are corrigible. It might be argued that an exclusivist need not be required to show that the points of view of his opponents are defective. For example, as I argue in Chapter II against Hare, a Nazi need not say that Jews should recognize that the Nazi position is the correct one. An exclusivist could argue, that is, that he and his
opponents live in different worlds. The Nazi desires a world without Jews, and the Jew desires a world without Nazis. Both can provide extensive and intelligible backing for their different positions. Both use moral words in ways which make perfectly good sense once one understands their outlooks on life. But these outlooks are morally incomparable. Though they conflict, one cannot show that one is better than the other, that one is right and the other wrong.

My reply is somewhat complicated and is partially couched in terms of the concepts of an area of human interest and concern and background, which I introduce in Chapter IV. Briefly, it is as follows: there are limitations upon regarding conflicting areas of human interest and concern as morally incomparable, and to understand what they are is to understand in what sense moral judgements are corrigible. There are limitations because it is often impossible to understand the nature of a particular area and, at the same time, make certain judgements or have certain attitudes which are to be correctly understood in terms of a conflicting area. To understand it, that is to say, means that one cannot continue to make the judgements which one previously made. The reason is that one's understanding corrects the backgrounds which give point to these judgements, i.e. the
judgements cease to **have point** - consider, for example, the judgements which a child makes in virtue of the symbiotic ties it has with its parents; the judgements cease to have any point when these ties are snapped, and they are snapped to the degree that the child comes to have a clear understanding of the kind of people his parents actually are, i.e. the ways in which they actually experience themselves and others - including him. In Section 4) I defend this view against the objection that I am simply putting into modern dress the Platonic doctrine that virtue is knowledge and that it is a doctrine that is subject to a fatal weakness.

**Chapter VI**

I defend my thesis against the objection that it does not account for the notions of duty and obligation, i.e. against the objection that nothing that I have said helps one to understand how one can identify and establish **moral reasons** for acting. A moral reason is a reason, to use Baier's words, that 'requires us often to do things which are not in our best interests and to refrain from doing things which would be in our best interests.' That is, my account seems to ignore the question of how one is to

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decide when one is and is not justified in doing to others what is not in the interests of others.

In Section 2) I argue (against Singer and Baier) that it is misleading to say that a necessary condition of an action being a moral one is that it affects other people's interests. The application of the concept of a moral reason cannot be restricted in this way. To do so makes self-interest irrelevant to answering the question of when one is and is not justified in doing to others what is not in their interests. There is, however, nothing sufficiently distinctive about actions that affect other people to make the contrast with actions that affect only oneself. In Section 3) I argue that self-interest is, in fact, a necessary condition of the possibility of answering the question.

As the objection that my argument in Chapters IV and V does not account for the notions of duty and obligation presupposes the view of the nature of morality that I reject in Section 2) (i.e. the view that a necessary condition of an action being a moral one is that it affects other people's interests), I am free in Section 3) to show how the question of when one is and is not justified in doing to others what is not in the interests of others can be answered in terms of this argument.