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Author
Levy, Sanford

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How Not to Argue for Rule-consequentialism
(Or Any Other Moral Theory)

Sanford S. Levy
Montana State University
Bozeman Mt 59718
slevy@montana.edu

Abstract: In his *Ideal Code, Real* World, Brad Hooker defends a form of rule-consequentialism using what he says are narrow reflective equilibrium methods, as opposed to the wide reflective equilibrium methods of people like Rawls. He says this is justified since the considerations appealed to by wide reflective equilibrium theorists, such as theories of rationality and human nature, are consistent with many moral theories and therefore will not help us decide between them. In this paper, I argue that though they may have value in resolving particular moral issues, purely narrow reflective equilibrium methods are ill-suited to establish a general moral theory such as rule-consequentialism. However, it turns out that Hooker's reflective equilibrium method is in fact wider than genuine narrow reflective equilibrium methods, though less wide than the fully wide methods of people like Rawls. His method is a middle reflective equilibrium method. But unfortunately, I argue his middle method is even less capable of addressing the problems with a purely narrow method, and of establishing a general moral theory, than are fully wide methods. If we accept (as I will for the sake of this paper) Hooker's insistence that wide methods will not prove much, we seem to have run out of places to turn. My solution is not to give up wide reflective equilibrium methods, but rather to reinterpret what it is they are supposed to do.

Perhaps the most natural way to argue for rule-consequentialism is to begin from some sort of 'teleological motivation'. One begins with the idea of the good, and one then tries to derive rule-consequentialism from this idea. But this has been widely thought to fail since, it is said, this teleological motivation leads most naturally to act-consequentialism and any effort to steer it toward rule-consequentialism will entangle one in a kind of incoherence, the venerable problem of rule-worship. Rule-consequentialists have therefore tried other approaches to defending their views. Brad Hooker has, in recent years, tried reflective equilibrium methods. At time he did not distinguish between wide and narrow reflective equilibrium methods, but he now agrees with Dale Miller that he is using a narrow reflective equilibrium method.[1] In this paper I so several things. First, I explain a number of problems with a genuinely narrow reflective equilibrium method. These are serious enough so that, though narrow reflective equilibrium methods have their uses, it is unlikely that a purely

narrow method will be able to establish any general moral theory including rule-consequentialism. Second, I show how wide reflective equilibrium theory is meant to deal with at least some of these problems. Third, I argue that Hooker's reflective equilibrium method, as found in *Ideal Code, Real World,* is, in fact, not a purely narrow method. It is wider than a purely narrow method, though less wide than a fully wide reflective equilibrium method. It is a 'middle' reflective equilibrium method. This gives Hooker some middle resources that go beyond those of a purely narrow method. However, fourth, I argue that Hooker's middle method is insufficient to solve the problems with a narrow method and is unlikely to successfully be used to defend rule-consequentialism, or any moral theory. Those of us who wish to defend rule-consequentialism would do well not to follow his lead on this matter. I conclude with some reflections about reflective equilibrium methods and their role in moral thinking[2]

Because part of our job is to understand Hooker's method and how it differs from other reflective equilibrium methods, I will summarize some of the main features of traditional reflective equilibrium methods. Roughly, narrow reflective equilibrium methods involve filtering our normative judgments about right and wrong to get a set of considered moral judgments about both relatively particular cases and general principles. We then work back and forth between the general principles and particular judgments so as to render them coherent. The end result is a set of general moral principles which can be thought of as the solution to the narrow reflective equilibrium puzzle. Rawls speaks of these general principles as the 'regulative principles' for our moral sense.[3] Typical narrow reflective equilibrium forms of argument include consistency arguments and I would also include many forms of argument typically called 'casuistical'.[4] Wide reflective equilibrium methods take into account other, non-normative beliefs we might have, for example about, rationality, the nature of the person, and metaethical beliefs, in so far as they might be part of an argument for or against a set of moral principles. As I interpret wide reflective equilibrium methods, most any argument for moral principles can be part of a wide reflective equilibrium methodology. For example, if morality is somehow

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grounded in human nature, then our understanding of that nature, and of how that nature and morality are related, will be relevant. Similarly, wide reflective equilibrium methods include arguments that turn on the relation between morality and religion or on the nature of moral language such as R. M. Hare's argument for utilitarianism.[5]

The term 'moral theory' can be used to cover a number of different things. It will be useful here to distinguish between two kinds of moral theories. I speak of moral theories that consist simply of moral principles and rules, perhaps ones that purport to be regulative of our moral sense or which might describe some objective moral reality, as 'principle-theories'. Examples of principle-theories are act-utilitarianism, Kant's categorical imperative and Ross's seven *prima facie* moral principles. I use the term 'moral machinery' for the sort of theory typified by the original position. A kind of moral machinery is not itself a set of principles or rules, but rather is a way to generate principles or rules. In this sense, though rule-consequentialism is often spoken of as a moral principle analogous to act-consequentialism, it is actually a kind of moral machinery.

Problems With Narrow Reflective Equilibrium Methods

Narrow reflective equilibrium methods may be useful for resolving a variety of particular moral disagreements and uncertainties.[6] But they are unlikely to establish a general moral theory. I begin with a representative sample of the problems with a purely narrow reflective equilibrium methodology, problems wider reflective equilibrium methods are designed to solve. This sample does not include all the problems with a purely narrow method, but it is sufficient to show that it is unlikely that purely narrow methods can establish rule-consequentialism or any other general moral theory.[7] First, by focusing on a narrow reflective equilibrium, we only render one set of our beliefs coherent, and leave it to chance whether this set will cohere with the rest. This is a problem unless the moral realm is autonomous and without significant links to other areas. Second, few considered judgments might survive the narrow equilibrium reflective process. Perhaps there will be so few survivors that many

different principle-theories will be consistent with them leaving our principle-theory seriously under-determined. Third, we seek to have a justified moral theory. But considering how we reach a narrow reflective equilibrium, it is hard to see how the resulting general principle-theory can be justified. Rather, the results seem, as Rawls puts it, to 'describe' a somewhat modified version of our moral sense, which seems very different from justification. Fourth, the results of a narrow reflective equilibrium method are very sensitive to the beliefs we start with. Rule-consequentialism only results if we begin from some beliefs we might have, and if we begin with others we might have, we will likely end with other moral theories. The idea is that our common sense moral beliefs, including more considered version of them, are a hodgepodge of different, inconsistent sets of beliefs that have different, inconsistent regulative principles. A point made by Alistair MacIntyre about modern moral philosophy can be used to expand this criticism. MacIntyre argued, with some plausibility, that our contemporary moral views are the result of a confused blending of fragments from a wide variety of incompatible traditions.[8] If this is so, it would be unreasonable to expect to find any underlying, unifying, consistent regulative principles. If we begin with a fragment from one tradition, we will end with one principle-theory. If we begin with a fragment from another tradition, we will end with a different principle-theory. And if we try to use beliefs from both traditions, we will end with incoherence. Fifth, even if one principle-theory did best cohere with our considered judgments, it would be exceedingly hard to identify it. We have a huge number of moral judgments, assuming many survive scrutiny. Further, each principle-theory entails a huge number of prescriptions, and it is often hard to know what those prescriptions are. So it is hard to count up the places where each theory is consistent and inconsistent with our considered judgments and to compare these consistencies and inconsistencies between theories. It is therefore unlikely that we will ever be able to establish, using narrow reflective equilibrium methods alone, that a particular principle-theory provides the regulative principles behind our sense of morality, even were such to exist. This fear is confirmed by the diversity of authors who

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have claimed that their theories best cohere with our considered judgments, often with only a handful of examples to base their claims on.[9] Sixth, many, including Rawls, have suggested that narrow reflective equilibrium methods are overly conservative.[10] For the heart of the method is to begin with our most considered judgments, that is, a more considered form of conventional morality, and then seek to render them coherent with relatively minimal changes. Of course, if we begin with a set of beliefs that is too incoherent, which is the case if MacIntyre is right, it could be that there is no set of regulative principles, and any we suggest will involve radical reforms in which we simply eliminate a host of our considered judgments. But this means the method is stuck between between a rock and a hard place. Either it is an implausibly conservative method or it involves radical change that, as I will argue below, is basically arbitrary and leads to a disconnect between the resulting moral principles and their ground, this being their ability to systematize our moral judgments.

I will add a final problem for the use of narrow reflective equilibrium methods, one that overlaps a bit with some of the problems I already mentioned, but which needs to be emphasized given what I will say later. A narrow reflective equilibrium process ends with a set of principles that are supposed to be regulative of our moral sense. But this result does not answer to some of the major motivations for our discontent with common sense morality that leads us to turn to moral theory. There are several reasons to be interested in moral theory. Two that Hooker emphasizes are the fact that our moral judgments are not always consistent with one another and we might face difficult moral dilemmas without ready solutions.[11] If these were our only problems with common sense morality, we might be satisfied with the results of narrow reflective equilibrium methods, if they lead to determinant results. But there are other motives for turning to moral theory which cannot be satisfied using narrow reflective equilibrium methods alone. First, some authors have argued that one of the main motivations for turning to moral theory is found in puzzling and possibly pointless features of common sense morality.[12] For example, common sense morality says that we have greater obligations and

responsibilities to those nearest to us, especially family members, and lesser obligations and responsibilities to those more distant. This change in our obligations reflects the amount of concern normal adults naturally feel. As our natural concern weakens and strengthens, so do our obligations. Yet, when it comes to ourselves, matters reverse. No one is closer to oneself than is oneself. So following the pattern, the obligations and responsibilities one has to oneself ought to be greatest. But our moral common sense denies this and rejects excessive concern with one's own welfare as less than noble. Another feature of common sense morality is that it tells us that we must not kill one innocent person even to save five innocent people from being killed in just the same way by someone else. But there is a seeming air of irrationality in the idea that some acts are so terrible that they ought not to be done even to stop even worse acts by others. And it turns out to be extremely difficult to explain the point of such notions. This leads people to moral theory beyond what narrow reflective equilibrium methods can provide. We need to find some point to these features of common sense morality, or to reject them if they lack point. A second reason people turn to moral theorizing is that morality as whole may come to seem puzzling and to have lost its point, or at least a point we find authoritative. This can happen in a variety of ways. For example, one might come to feel, like MacIntyre, that our moral thinking is a collection of fragments from earlier times which have become disassociated from the metaphysical, religious and social backgrounds that gave them point. Further, if one is acquainted with a variety of scientific and quasi-scientific understandings of the nature of morality, one might feel that although morality has a point, it is not an authoritative point. Some have argued that morality is largely principles generated by the powerful to contain the less powerful.[13] Others have argued that it is, at least in its broad outline, nothing but evolutionarily selected forms of behavior that have proven beneficial in our evolutionary history.[14] Were I to come to see morality in one of these ways, I might say that though I can see a point for morality, it is a point that tends to undermine morality's authority. So the problem that motivates a lot of moral theorizing is to see how morality as a whole, and in its

parts, might have a point, and one that we can accept as authoritative, so that it no longer seems arbitrary, as a mishmash which is the result of arbitrary historical processes, as a mere instrument of power or as the result of biology. A moral theory is in large part an account that helps provide morality, or perhaps a seriously revised version of it, with such a point.   A narrow reflective equilibrium method can only organize our moral beliefs into coherent wholes. It cannot give morality as a whole, or its particular features, a point, so it cannot do a big part of what we want a moral theory to do. Indeed, the use of narrow reflective equilibrium methods can make things worse. For when we confront incoherences in our moral thinking, we must make choices. But the choices we make to obtain coherence might themselves be arbitrary, even if once we have made a choice and have adequately internalized it, it no longer seems arbitrary. There are some general guidelines that may help us make choices. For example, it is reasonable to retain a provisionally fixed point if one can do so, or to make relatively minor changes rather than major ones in one's overall system. But there is no reason to think that guidelines like these will always or even usually be definitive or even available. So it is likely that many of the changes one might make will lack point, even from one's own point of view.

Wide Reflective Equilibrium as the Solution to These Problem

A major motivation for adopting wide reflective equilibrium methods is that they might alleviate, if not completely solve, these problems. I will now sketch some of the resources a wide method has to deal with them to make it easier to see whether Hooker has similar moves available to him. First, it helps with the concern that on its own, a narrow method might not provide a sufficient number of considered judgments to develop a determinate set of regulative principles. For wide methods can boost our confidence in many judgments we are not fully confident of on their own. For example, someone attracted to, but uncertain of, certain pro-liberty judgments might find her confidence firmed up by Rawls' original position argument. This is the 'mutual support' central to wide reflective equilibrium methods. Second, wide reflective equilibrium resources help with the concern

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that a narrow reflective equilibrium method might render our moral beliefs coherent but leave the whole incoherent. For a wide method allows us to bring into the mix anything with significant impact on morality, that is, anything that can count for or against a moral theory. Third, a wide method can add the possibility of providing warrant to our beliefs. While a narrow method might be seen as yielding a principle-theory that is just a description of our moral sense, or of a more coherent version of it, someone in wide reflective equilibrium can say that her coherent normative beliefs are true because, for example, they are the ones that it would maximize utility to inculcate. Fourth, a narrow reflective equilibrium is sensitive to which beliefs we start from and there may be very different traditions from which our beliefs spring and hence very different starting points in common sense morality. Wide methods can give us reason to choose one starting point rather than another, and to remove from consideration whole sets of moral beliefs that have questionable origins but which, outside of these wide considerations, have as much claim on us as any. Thus, for example, we can systematically remove from consideration those beliefs that have their source in the efforts of some to maintain dominion over others or in religious or metaphysical beliefs we no longer hold, though obviously care needs to be taken here to avoid committing the genetic fallacy. Fifth, wide methods can help with the problem that even if there is a solution to the narrow reflective equilibrium puzzle, it might be impossible to find using narrow methods alone. Wide methods can provide a way to narrow down the possible principle-theories we need to consider. For example, a wide method that appeals in some way to human nature might automatically narrow down the possible range of principle-theories to a handful so that our goal becomes finding the best fit with our considered judgments from a restricted list. Sixth, wide methods can allow radical critiques of moral common sense and hence can escape the charge of conservativism. Rawls makes this point in *Theory of Justice.* He says that in a narrow reflective equilibrium, we are describing a person's sense of justice "more or less as it is although allowing for the smoothing out of certain irregularities," while introducing wide reflective equilibrium

methods may allow for a more radical change.[15] Finally, wide methods can give a point to morality which, in turn, takes away the arbitrariness which narrow reflective equilibrium methods cannot remove. Adopting wide methods might allow us to see the point, or lack of point, of some of the puzzling distinctions in common sense morality so that we know whether to maintain them or not. It allows us to see certain decisions that we make in trying to obtain narrow reflective equilibrium as having a point and as not being arbitrary.   And it can allow us to see morality as a whole as having a point and an authority that it lacks when viewed as the expression of power or the result of biology. Of course, whether a particular use of a wide method will do all or any of these things can be questioned, but the possibility is there.

Hooker's Reflective Equilibrium Method

I now turn to Hooker's reflective equilibrium method as found in *Ideal Code, Real World.* Hooker says that he has a kind of narrow reflective equilibrium method rather than a wide one.[16] His reason for forsaking wide reflective equilibrium methods is, he says, that many moral theories are compatible with our best theories of rationality, of science, of the person, of human flourishing, and so on, that is, with the things wide reflective equilibrium is supposed to bring into the mix. Appeals to such things will therefore not settle anything and he feels justified in restricting himself to seeking a narrow reflective equilibrium which, he declares, is the hard part anyway. Given the objections to a purely narrow method, it is unwise to restrict oneself in this way. However, I argue that Hooker's reflective equilibrium method is actually wider than purely narrow ones, though less wide than that of Rawls. His method is a middle reflective equilibrium method. He therefore has resources that go beyond those of a purely narrow method. This raises the possibility that he can overcome the limits of a purely narrow method.

Hooker provides criteria a moral theory must satisfy to be plausible.[17]   Three of his requirements clearly fit in a narrow reflective equilibrium framework: our moral theory must cohere

with the moral convictions we have after careful reflection, must be internally consistent, and must help

us deal with moral questions about which we are not confident or do not agree. But the others do not fit

into a narrow method. The fourth is that our moral theory must start from attractive general beliefs

about morality. Given what Hooker says about this in the first pages of *Ideal Code, Real World*, it

seems that these general beliefs are not the general normative judgments relevant to narrow reflective

equilibrium, but broader beliefs about the nature of morality. Perhaps these are, or at least include,

metaethical beliefs. As such, this is not part of a purely narrow method which only seeks coherence

among normative beliefs and excludes metaethical beliefs. Appeal to beliefs about the nature of

morality is a classic wide reflective equilibrium move. For some philosophers, this involves facts

about moral language, for example, that it involves universalizability.[18] For others, the relevant facts

have to do with the function of morality, say, that it's job is to ameliorate the human condition.[19] For

Hooker, it is beliefs such as that morality is a shared practice and that morality involves the code the

general acceptance of which would have the best consequences.[20] The fifth requirement is that a moral

theory must identify a fundamental principle that both explains why our more specific considered

moral convictions are correct and can justify them from an impartial point of view. Of course, we

cannot assume in advance that there is a single moral principle that can do this. It could be that our

best moral theory is irreducibly pluralistic. But Hooker thinks that any moral theory that can be

expressed as a single principle is more informative and integrated.[21] This goes beyond a narrow

method as well. Narrow reflective equilibrium methods do not take into account higher order

judgments about the nature of moral justification such as that our moral judgments must be justified

from an impartial point of view. This is the sort of background assumption about the nature of morality

that comes into play in wide reflective equilibrium. These two factors, that a moral theory must be

derived from attractive general beliefs about morality and that it must provide an impartial justification

of moral judgments, mean that a theory that satisfies his criteria has a plausibility independent of its

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coherence with our considered judgments in narrow reflective equilibrium. I will refer to this as 'independent plausibility'. There is a final way in which Hooker diverges from narrow reflective equilibrium methods. As I already said, rule-consequentialism is a kind of moral machinery precisely analogous to Rawls' contractualism. It is not itself a set of principles. It is not a principle-theory, but rather a way to generate a set of principles. Its introduction should, therefore, be part of a wide reflective equilibrium method. For Hooker, however, rule-consequentialism is introduced as the solution to the problem of rendering our various considered judgments coherent in a more immediate fashion. The moral machinery of rule-consequentialism serves the role that the regulatory principles play in Rawls' narrow reflective equilibrium. Hooker may not have noticed this divergence since he, like many others, refers to rule-consequentialism as a moral principle, but it is significant.

Hooker's Middle Resources and the Problems for Narrow Reflective Equilibrium Methods

Like a wide reflective equilibrium method, Hooker's middle method has more resources than a purely narrow method, resources that can be brought to bear on some of the problems I described, though not on all of them. First, Hooker's middle method does not help with the concern that a narrow method might yield coherent moral beliefs, but leaves to chance whether our moral beliefs cohere with the rest of our beliefs. Unlike a fully wide method, Hooker cannot bring to bear all the things that people have thought relevant to moral theory selection. His only response to this point must be the same as would be given by a proponent of a purely narrow method, that the moral realm is autonomous. And as I said, this seems to be his position since he believes that the things one is supposed to take into account in wide reflective equilibrium do not help us decide between moral theories. He does nothing to show this, and the bare assertion begs the question against those who think that, say, a particular view of human flourishing has some bearing on our selection of a moral theory. Further, it is hard to see how one could show this since wide reflective equilibrium methods allow one to use any arguments that can count for or against moral theories, and there is no way to

establish that there are no undiscovered, or insufficiently developed, arguments that might work. However, in his defense, I would argue that the history of such wide attempts does not give much room for optimism that these things will lead to wide-spread agreement on a general moral theory. Be that as it may, that a theory like rule-consequentialism has independent plausibility beyond what coherence with our considered judgments can give it allows Hooker some leverage with the other problems with purely narrow methods. It helps with the second problem that the reflection that is part of narrow reflective equilibrium methods might undermine our faith in so many of our judgments that too few will survive to yield any determinant moral theory. Rule-consequentialism's independent plausibility can lend further support to various half-accepted judgments, swelling the ranks in the mutually supporting fashion of coherentist theories. Third, rule-consequentialism's independent plausibility can allow us to say that our general considered moral judgments are justified in a way that simply attaining coherence between our particular and general judgments cannot. For they are the principles that (roughly) it would maximize value to inculcate. Thus, the introduction of moral machinery advances Hooker's program over what merely relying on narrow reflective equilibrium regulatory principles will do. Fourth, that rule-consequentialism has independent plausibility gives some grounds for selecting among various input-beliefs that might come from various, inconsistent traditions. In light of this general theory, certain starting points will seem more reasonable than others. Fifth, the independent plausibility of rule-consequentialism helps with the problem that finding a solution to the narrow reflective equilibrium puzzle is very difficult and perhaps impossible. Given rule-consequentialism's independent plausibility, we are not faced with a seemingly endless mass of more or less considered judgments, and a vast pile of principle-theories each with infinite numbers of consequences. We are not asked to see which of the vast pile best matches the endless mass. Rather, we have a more specific project: seeing to what extent this rather plausible theory, and perhaps a small number of others with similar independent plausibility, matches our more or less considered judgments. Sixth, the

independent plausibility of rule-consequentialism allows Hooker to argue that where our common sense morality diverges from rule-consequentialism, it is rule-consequentialism that is to be followed so that the extreme conservativism of a pure narrow method is avoided. Finally, the independent plausibility of rule-consequentialism answers some of our concerns about the point of morality as a whole, and allows us to make non-arbitrary decisions as to how to deal with puzzling features of common sense morality and to make non-arbitrary decisions while achieving a narrow reflective equilibrium.

Does Any of This Help Establish Rule-Consequentialism?

Hooker's case for rule-consequentialism rests on three main points. First, he claims that rule-consequentialism is a reasonably good fit with our considered moral judgments. Second, rule-consequentialism begins from plausible general beliefs about morality. And third, rule-consequentialism can justify our moral beliefs from an impartial point of view and in a unified way. But although he can make some headway against the problems with a purely narrow method, his middle reflective equilibrium methods are still far too weak to establish any particular moral theory, including rule-consequentialism. For the question is not whether rule-consequentialism satisfies these requirements reasonably well, but rather whether it does a better job of this than other theories. As I already said, it would be extremely difficult to establish that any moral theory best coheres with our considered judgments, and Hooker says things that actually enforce this concern. He himself casts doubt on our ability to know whether or not rule-consequentialism actually does best cohere with our considered judgments. He describes an objection from Griffin to the effect that we cannot know with any certainty what the utility maximizing code would be. Rather than arguing that we can, Hooker largely acquiesces and suggests a fall back position: when we cannot identify a set of rules that is clearly an improvement over conventional morality, we should stick with conventional morality.[22] But if identifying the ideal code is that difficult, it is hard to see how we can establish it wins the narrow

reflective equilibrium prize. Second, I see no reason to think that, if the narrow argument for rule-consequentialism is inadequate to establish rule-consequentialism, the addition of Hooker's further tools help much. Though rule-consequentialism starts from attractive general beliefs about morality, these general beliefs are not any more plausible than ones other theories start from, say, those various forms of contractualism begins from. In fact, it is hard to see why any moral theory would have made it into the canon of philosophically respectable theories unless it started from attractive general beliefs about morality and therefore had a fair amount of independent plausibility. This is a rather minimal test that any theory must pass to attain enough philosophical respectability so as to be worth discussing rather than a serious argument in favor of a view. And as to the ability to offer an impartial justification of moral principles, it is arguably not something that most people take to be central to their moral thinking. To take a recent objector, Jesse Prinz wrote that "[t]his question would have to be investigated empirically, but I am willing to bet that strong forms of impartiality do not play a prominent role in moral thought.[23] If we do take this as a requirement on a moral theory, admittedly rule-consequentialism offers an impartial justification of our considered judgments, after a fashion, but the ability to do this is again, at most (if we put Prinz's objection aside), something required to keep a moral theory in contention. Most of the major contenders in moral philosophy have what some people take to be compelling accounts of impartial justification. No doubt Hooker likes rule-consequentialism's account of impartiality, but others, such as Hare, would offer other accounts of impartiality. Hooker claimed that the various considerations people put forward in the context of seeking a wide reflective equilibrium, such as theories of rationality, will not help decide between moral theories. This may or may not be so, but it is definitely true of the middle considerations he appeals to.

The Point of Morality and Moral Conversion

If I am right that narrow reflective equilibrium methods are inadequate to establish a general

moral theory, whether a principle-theory or moral machinery, and that the addition of Hooker's middle reflective equilibrium resources are too weak to help much, we are pushed in the direction of a fully wide method. But if Hooker is right and the tools of wide reflective equilibrium methods are not likely to establish any moral theory, we seem to have run out of places to turn, whether our goal is to establish rule-consequentialism with Hooker, or some other moral theory. But rather than rejecting wide methods, we should adjust what we can expect them to do. Rather than as *establishing* a general moral theory, the most productive way to view wide methods involves the following. First, we should view them as efforts to make headway with one of the main problems with narrow reflective equilibrium methods, that narrow methods can leave us feeling that morality as a whole, or in its parts, is arbitrary and even pointless. The job of wide reflective equilibrium theorizing is, in the first instance, simply to display possible visions of the point of morality and coherent pictures of what those different visions commit us to. This does not mean that there must be a single point. I see nothing wrong with thinking of morality as having several components, each with its own distinctive point. Though we need not assume this is so in advance, neither can we rule it out in advance. We cannot assume that, for example, the morality of strangers and the morality of family, must be reducible to a single principle or derived from a single kind of moral machinery. Indeed, an overly zealous search for a unified morality has its own dangers. For example, it can lead to error, as when we try to view the proper relations between strangers on a model that is most appropriate for the relation between family members, or vice versa. And it can produce moral monsters, people who are lead to monstrous acts because they are so dedicated to a particular vision of the point of morality that they fail to recognize the equally important point of principles that are not supported by their narrow vision. Still, I agree with Hooker that one of the interesting possibilities provided by rule-consequentialism is that it can generate a wide array of moral principles and rules covering many of the areas that pluralists like Ross were interested in, and perhaps much more. It is better able to do this than is contractarianism. The inability of at least some

forms of contractarianism to generate complete moralities is illustrated by the rather truncated vision of morality found in contractarian David Gauthier's theory.[24] And contractarian T. M. Scanlon explicitly limits his theory to the area of morality he calls "what we owe each other" and says it does not cover, for example, the morality of sexual conduct or of the destruction of species.[25] Rule-consequentialism need not face similar limits.

Second, we should not view these visions of the point of morality as offering or leading to regulative principles of our current moral sense, or of a somewhat more coherent version of it. There are no regulative principles for our moral sense of the sort Rawls talked about. Nor is there moral machinery that can serve a similar function, as Hooker tries to make rule-consequentialism do. The sources of our moral judgment are too varied, and too idiosyncratic, to be captured by any general moral theory. The requirements of views like rule-consequentialism and contractarianism all overlap to some extent with our considered moral judgments, but this overlap is not sufficient to force us to adopt any of these theories, say, on the grounds that our moral judgments are really about, but inaccurately capture, the prescriptions of these theories. No one, prior to philosophical reflection, is a Kantian, a contractarian, or a rule-consequentialist (though some believe in a divine command theory prior to philosophical reflection). That is the reason that many have said that morality is uncodifiable, and they are right if they mean common sense, conventional morality.[26] Should this not be obvious, there is psychological evidence, much coming from the work of Lawrence Kohlberg and his followers.[27] According to Kohlberg, there are three levels of moral thinking, each consisting of two stages. As one matures, one works one's way from lower to higher stages of moral thought. The second level, consisting of stages three and four, involve relatively theoryless, pre-philosophical, conventional moral thinking. Conventional thinkers from different communities will differ more or less extensively in their evaluative judgments since communities have had different histories that give rise to different conventional ways of thinking. The third level, consisting of stages five and six,

involves distinctively philosophical forms of thought such as utilitarianism and Kantianism.[28] Colby and her co-workers found little evidence of Kohlbergian stage five or six thinking in adult Americans, which is to say, little evidence of utilitarian or Kantian thinking. Most adults are in Kohlbergian stages three or four, which is to say, not utilitarian or Kantian, and so on.[29] Further, on the Kohlbergian picture, one does not come to accept higher level theories such as utilitarianism or Kantianism because one comes to see such principles as the regulative principles underlying one's conventional thinking. Rather, for Kohlberg, one only moves from a lower stage to a higher stage because of perceived inadequacies (from the individual's own point of view) with the earlier stage. To resolve the problems, one undergoes a transformation and comes to adopt a new way of thinking about morality, which can include a more or less extensive revision of one's moral judgments. Having said this, however, I would also say that I do not accept some of Kohlberg's views, especially his claim to have used empirical evidence to establish the greater adequacy of Kantian or Rawlsian moral theory over the various kinds of utilitarianism.

Thus to endorse a view like rule-consequentialism is to become a rule-consequentialist. It is to adopt a particular vision of the point of morality and to find that point authoritative. And this means it is to undergo a *moral conversion*. One *becomes* a rule-consequentialist or a contractarian because through these theories, one comes to see a point for morality that one finds authoritative, even if that point requires that some, or perhaps many, of one's moral beliefs be revised.   To what extent this has been recognized in the great moral theories of the past, and of today, is not clear to me. Any one who puts the seeking of the regulative principles for our sense of morality first seems to miss this point.[30] But it is interesting that Rawls himself spent little time on such a narrow reflective equilibrium project and put most of his effort into explicating a contractarian point for morality. Of course, even one who focuses on the point of morality will likely be interested in some coherence with our considered normative judgments. After all, if there is insufficient coherence with our considered judgments,

arguably we are not explicating a point for morality, but for something else. But given the reason for turning to moral theory, to find a point for morality, coherence with our current moral sense, or a more coherent version of it, cannot be the dominant factor. And it is not necessarily unreasonable, when considering one's moral views and possible points for them, to so revise one's judgments that one might be said to reject morality in favor of something else. [31] This, however, is a result that one should probably seek to avoid, if possible, since, once again, it risks movement toward moral monstrosity. Interestingly, Prinz suggests that philosophers like Kant, Mill and Aristotle are actually recommending "a flight from morality," and that we embrace some alternative to morality.[32] His reason is that normal moral terms are linked to sentiments and that the demands of these normative theories conflict seriously with the relevant sentiments.   Since I am myself attracted to Prinz's version of sensibility theory, as opposed, say, to that of McDowell,[33] I take this possibility seriously, though I do not feel compelled at this point to agree with Prinz that to adopt such a theory is to forsake morality. This would rest on the question of how large a change is required so that a set of beliefs is not just an alternative view of morality, but rather something other than morality, something I will not here take a stand on.[34]

The notion of a moral conversion requires attention. Philosophical discussions range from Nietzsche's radical transvaluation of values, based on his genealogical critique of modern moral standards, to Prinz's explanation of how a mid-nineteenth-century American slave owner might come to question the institution of slavery using what Prinz calls the 'extramoral criteria' of consistency, stability, well-being and biological norms.[35] I leave to the future the effort to explicate the notion of a moral conversion beyond two basic points. First, I am skeptical about the possibility of rational convergence on the point of morality. The project should not be understood as seeking a point that morality already has prior to our philosophical investigation. Rather, the project involves coming to see morality as having a particular point or points, that is assigning it a point or points, and I see no

reason to think that rational convergence on this is likely. The best we can do is engage in the conversation and see how it all falls out. Second, moral conversion involves not just coming to see morality as having a point, but coming to see morality as having a point that the individual in question finds authoritative. This means that adopting a point for morality, and undergoing a moral conversion, is linked to motivation and reasons for action. To explicate a possible point for morality as a whole and in its parts is to explicate a possible reason to teach morality, to encourage people to be moral, to act morally, and so on. To convert to a moral theory is to find a particular explanation of the point of morality authoritative, which is to say, to accept the possible reasons to teach, encourage and act in accordance with that point. This means I am committed to a kind of internalism between reasons and motives for action on the one hand and moral conversion on the other. But I am not necessarily committed to such a connection between reasons and motives for action and moral belief. For example, I need not say with Scanlon, though I could, that judgments of right and wrong are "claims about reasons – more specifically about the adequacy of reasons for accepting or rejecting principles under certain conditions."[36] Nor need I say with Prinz, though I am inclined to, that moral properties and concepts are essentially related to emotions.[37] But the sort of internalism I am here advocating offers a response to one possible objection to any project that involves conversion from common sense or conventional morality to a philosophical theory. I will use Prinz's formulation of the objection. "I think it would be disastrous to abandon the moral sentiments that constitute [conventional] morality. If we could replace our passionate rules with cool principles, there would be hideous consequences".[38] The fear is that such a conversion would leave us only with "cool" judgments that could well fail to motivate so that we "would lose our motivation to avoid antisocial behavior, . . . undermine our capacity to transmit rules easily, . . . and we would risk becoming indifferent to the needs of distant others. Moral sentiments are like a vaccine that protects us from virulent psychopathy." There are three things to say about this fear. First, the sort of moral conversion I have in mind is a result of the

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conviction that one's moral beliefs face problems, for example, that they are arbitrary or pointless in whole or part. To use a term from MacIntyre, they seem 'disordered'. The process of undermining our 'passionate rules' will already be underway else there will be no tendency to moral conversion. Second, we cannot assume that all, or even most of our moral commitments will be overridden by the moral conversion. It could be that many of our passionate rules will remain more or less intact. But third, conversion occurs because one comes to see a morality, however close or distant from conventional morality, as having a point as explicated by a moral theory, and a point one finds authoritative. This links conversion to the sentiments and passions central to views like that of Prinz and largely dissolves his line between passionate common sense rules and cool principles. Indeed, as explained above, the danger can as easily go the other direction, that converts, whether to religious, political or moral doctrines, are often too passionately attached to their new faith to see its possible limits.

Endnotes

1. Dale Miller, "Hooker's Use and Abuse of Reflective Equilibrium" and Brad Hooker, "Reflective Equilibrium and Rule Consequentialism," both in *Morality, Rules and Consequences,* ed. Brad Hooker, Elinor Mason and Dale Miller (Edinburgh: Edinburgh University Press, 2000). It is interesting that in an earlier essay, he included in his criteria for an adequate moral theory considerations which seem to be part of a wide reflective equilibrium, for example, that our moral theory must cohere with our best theories in metaphysics, psychology, and so on. ("Ross-Style Pluralism Versus Rule-Consequentialism," *Mind* 105, no. 420 (October 1996): 531-552, p. 531). But these drop out in the formulation of his criteria in *Ideal Code, Real World* (Oxford: Oxford University Press, 2000).

2. This essay could have been parsed as a study of reflective equilibrium methods with no link to rule-consequentialism in particular. However, because middle reflective equilibrium methods are specific to Hooker and his defense of rule-consequentialism, and because of my own interest in defending rule-consequentialism, I approach the issue in terms of using reflective equilibrium methods to defend rule-consequentialism.

3. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), p. 49.

4. For a discussion of casuistical methods, see Albert Jonsen and Stephen Toulmin, *The Abuse of Casuistry: A History of Moral Reasoning* (Berkeley: University of California Press, 1988)

5. See, for example, R. M. Hare, "Ethical Theory and Utilitarianism," in *Contemporary British Philosophy*, ed. H.D. Lewis, Muirhead Library of Philosophy (London: Allen and Unwin, 1976), 113-131.

6. This claim is made by Jonsen and Toulmin (*The Abuse of Casuistry*) specifically about casuistical methods.

7. For objections to narrow reflective equilibrium methods, including some of the following ones, see

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Ian Law, "Rule-Consequentialism's Dilemma," *Ethical Theory and Moral Practice* 2 (1999): 264-275 and Dale Miller, "Use and Abuse," p. 164.

8. Alasdair MacIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1981).

9. The narrow reflective equilibrium prize has been claimed by such divergent authors as Brad Hooker in *Ideal Code, Real World*, and by T. M. Scanlon, in *What we Owe to Each Other* (Cambridge, Mass.: Harvard University Press, 1998)p. 4.

10. *Theory of Justice,* p. 49.

11. This is a central theme of "Ross-style Pluralism."

12. The following points are from Michael Slote, *From Morality to Virtue* (Oxford: Oxford University Press, 1992), chapter 1, and Samuel Scheffler, *The Rejection of Consequentialism* (Oxford: Clarendon Press, 1982), especially chapter four. Even those who accept these features sometimes say that they are puzzling and in need of explanation, as Thomas Nagel, *The View From Nowhere* (New York: Oxford University Press, 1989), p. 178.

13. This is, of course, the classic Marxist view.

14. For example, see Michael Ruse, "Evolutionary Ethics," in *Biology, Ethics and the Origins of Life*, ed. Holmes Rolston III (Boston: Jones and Bartlett, 1995), 93-112

15. *Theory of Justice*, p. 49.

16. "Reflective Equilibrium," pp. 229-231

17. *Ideal Code, Real World*, p. 4.

18. See, for example, R. M. Hare, *Freedom and Reason* (Oxford: Clarendon Press, 1963).

19. See G. J. Warnock, *The Object of Morality* (London: Methuen, 1971)

20. *Ideal Code, Real World*, p. 1.

21. *Ideal Code, Real World*, p. 21.

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22.*Ideal Code, Real World*, Chapter 5.

23.Jesse J. Prinze, *The Emotional Construction of Morals* (Oxford: Oxford University Press, 2007),

    143.

24.David Gauthier, *Morals By Agreement* (Oxford: Oxford University Press, 1986)

25.Scanlon, *What we Owe to Each Other.*

26.Many have accepted the idea that morality is uncodifiable for one reason or another, especially

    virtue ethicists and sensibility theorists. See, for example, G.E.M Anscombe, "Modern Moral

    Philosophy," *Philosophy* 33 (1958): 1-19, John McDowell, "Virtue and Reason," in *Mind, Value,*

    and Reality (Cambridge, Mass.: Harvard University Press, 1998), 50-73, and David Wiggins, "A

    Sensible Subjectivism," in *Needs, Values, Truth*, 3rd ed. (Oxford: Clarendon Press, 1998), 183-211.

    Hooker too considers this possibility in the context of rule-consequentialism in "The Collapse of

    Virtue Ethics," *Utilitas* 14 (2002): 22-40.

27.Lawrence Kohlberg, *The Philosophy of Moral Development* (San Francisco: Harper and Row, 1981)

    and Lawrence Kohlberg, *The Psychology of Moral Development* (San Francisco: Harper and Row,

    1984).

28.Actually, this is not quite right. Kohlberg argues that even young children in the first level of moral

    thinking are engaged in a project continuous with what philosophers themselves do. This is made

    explicit in Lawrence Kohlberg, "The Child as a Moral Philosopher," *Psychology Today* 2, no. 4

    (1968): 25-30. My point, however, is that it is not until the third level of moral thought that we find

    people espousing views like utilitarianism and Kantianism.

29.A Colby et al., *A Longitudianl Study of Moral Judgment*, vol. 48, Monographs of the Society for

    Reseach in Child Development, 1983

30.Kant, for one, declared that he was trying to uncover principles found in the common moral

consciousness. Immanuel Kant, *Grounding for the Metaphysics of Morals*, trans. James W. Willington (Indianapolis: Hackett, 1981)

31. Though he does not use my language, it seems I disagree to some extent with Scanlon here. He says that he does not wish to speak of his project as one of justifying a moral theory since that is misleading. He says that the term suggests that "we think we should abandon our concern with right and wrong unless some additional ground for it can be provided" (*What We Owe Each Other*, p. 148). Though I agree that that is certainly not our first, or even our second move, I do not want to rule it out in advance. Wide reflective equilibrium methods can, in principle, lead us to see morality in such a light that we wish to so modify it that one might wonder whether what we are left with is really morality at all, or something else.

32. *The Emotional Construction of Morals*, p. 306

33. John McDowell, "Values and Secondary Qualities," in *Mind, Value, and Reality* (Cambridge, Mass.: Harvard University Press), 131-150

34. For the moment, I also stand back from the question of what role wide reflective equilibrium methods, particularly as I conceive them in this paper as providing possible points for morality, can have in a sensibility theory like Prinz's.

35. *The Emotional Construction of Morals*, Chapter 8.

36. *What we Owe Each Other*, p. 3.

37. *The Emotional Construction of Morals*, Chapter 1.

38. *The Emotional Construction of Morals*, p. 307.