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# Moral Certainty

JUDITH LICHTENBERG

## I

A man has sexual intercourse with his three-year-old niece. Teenagers standing beside a highway throw large rocks through the windshields of passing cars. A woman intentionally drives her car into a child on a bicycle. Cabdrivers cut off ambulances rushing to hospitals. Are these actions wrong? If we hesitate to say yes, that is only because the word 'wrong' is too mild to express our responses to such acts.<sup>1</sup>

To say these actions are obviously and incontrovertibly wrong, or whatever term of condemnation we choose to employ, is not, of course, to say no one does such things. The examples I have chosen are not the conjurings of the philosopher but real events recently reported in the news. If you read the newspaper or watch television these days, you find yourself constantly bombarded by facts more chilling than fiction.

But that people *do* such things in no way upsets our conviction of their wrongness. First of all, doing a deed does not entail believing in its rightness. Even if an agent believes his act is justified, we are not ordinarily moved thereby to reconsider our judgment of it; more likely, we will revise our view of the agent. Indeed, when we hear descriptions of these murders and mutilations we are inclined to conclude that those who do such things are profoundly disturbed. That the language of disease comes almost more naturally in describing such cases than the language of morality shows the depth of our conviction that such acts are beyond the pale.

Just as the existence of disease does not weaken our confidence that there is something called health, that we understand what health is, and that we recognize it when we see it, so too the existence of morally outrageous acts in no way undermines our sense

<sup>1</sup> I have benefited from the comments and criticisms of many people over the period of writing this essay. In particular I want to thank colleagues at the Institute for Philosophy and Public Policy, University of Maryland, in the Department of Philosophy there and at Georgetown University; and audiences at Melbourne, Monash, and La Trobe Universities and the Australian National University. I owe a special debt to David Luban for his persistent help and encouragement.

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that there are some acts that are obviously and unmistakably wrong. We would not—we could not—take seriously a person's claim to the contrary. No matter how hard I try, I cannot imagine that I am mistaken in thinking that intentionally running down a child on a bicycle is an unspeakable thing to do—unspeakable, and not in need of 'speaking,' because it goes without saying as much as any proposition in our language could.

But insisting on our moral infallibility with respect to such beliefs may at the same time leave us profoundly uneasy. People can be mistaken even where they feel sure; the psychological state of conviction or certainty is not knowledge, nor proof of it. Indeed the depth of a person's conviction can as often suggest zealotry as truth. If subjectively there is no way to tell the difference between the certainty grounded in good human sense and the certainty bred of narrowmindedness, how should reflective people regard their own most unshakable convictions?

Such doubts lead some people to embrace moral subjectivism or relativism. I cannot imagine being mistaken in thinking that it is wrong to do *x*; but at the same time I see others who cannot imagine being mistaken in thinking that it is wrong to do *y*, while I am convinced that it is not wrong to do *y*. If I can see so clearly that they are mistaken—parochial or unimaginative or perhaps even self-deceived—must I not admit that I too may be mistaken even in those beliefs about which I feel sure? Is not enlightenment partly the capacity to achieve a measure of detachment on one's own convictions—to see that even though we cannot see how we might be mistaken, blinded by our passions, our interests, our upbringing, still we *might* be mistaken? It seems clear that a broadminded, well-brought-up person is one who recognizes her own limitations, or at least recognizes that she has limitations, and acknowledges their possible narrowing influences on her beliefs and her outlook.

Having said this, however, I still cannot imagine being mistaken in the belief that it is wrong to run down a child on a bicycle. I thus experience a strain between the irresistible pull of my moral responses to situations in the world, and the second-order recognition that conviction does not guarantee truth, or even that absolute certainty itself is suspect.

Can we resolve this tension? It is tempting to proceed as Descartes did, since our predicament resembles his: we want to know if there are any moral beliefs about which we could not be mistaken. Could an evil deceiver be making us think that it is wrong to harm innocent children?

This question has no simple answer. Certainly we can more easily imagine being deceived about the nature of the physical world,

about the evidence of our senses, than about such moral beliefs. I am not sure whether it makes sense to think I could be deceived about these convictions; my doubts resemble those one may have about Descartes' supposition that one might be mistaken in thinking two plus two equals four. In any case, it seems clear that the doubts we may entertain about our responses to these easy cases are only of this philosophical, global kind: we could be wrong about these things only in so far as we could be wrong about anything and everything. Once we abandon the Cartesian stance—as we must, and as we do with the greatest of ease—we cannot seriously maintain such doubts. Our central moral responses are weightier than any considerations that would dispossess them.

Historically, many philosophers have expressed the point that nothing encountered 'in experience' could challenge our belief, say, that killing people is ordinarily wrong by asserting that we know such things *a priori*. But the idea of *a priori* knowledge raises the spectre of mysterious, perhaps ineffable insight or access to a realm of eternal truths. How could one know a substantive moral truth, as against a tautology or definition, simply by thought alone?

But we need not step into this morass of issues to explain why certain of our moral beliefs cannot be overturned; no appeal to *a priori* knowledge is required. The reason the prohibition stands as a fixed point in our thinking is not that we possess special insight into a realm of eternal truths, but simply that our conviction that killing people is ordinarily wrong is far more powerful than our conviction about any moral theory, or any other considerations, that could threaten to overturn it.

## II

So far I have been speaking sometimes of moral convictions or beliefs or knowledge and sometimes of moral responses. It might be objected that beliefs and responses are very different, the first partaking of our cognitive and the second of our emotional capacities. Is the claim about what people know, or simply about their natural responses to particular cases? Even if distinctions between cognitive and emotional capacities—between what our eighteenth-century forebears called reason and passion—are, as many have argued recently, false or overdrawn, one might nevertheless find their apparent conflation troubling.

My choice of words is not accidental. The tendency to talk sometimes of beliefs and sometimes of responses reflects some-

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thing important about the status of these states of mind, whatever we choose to call them. I have been struck by the relevance to these problems of Wittgenstein's project in *On Certainty*. Although Wittgenstein never specifically discusses moral judgments, his explorations of the concepts of knowledge, certainty, belief, and justification in the context of nonmoral judgments help illuminate the realm of the moral as well.

In a paradigmatic passage, Wittgenstein reflects:

If I say 'I have never been in Asia Minor', where do I get this knowledge from? I have not worked it out, no one told me; my memory tells me.—So I cannot be wrong about it? Is there a truth here which I *know*?—I cannot depart from this judgment without toppling all other judgments with it (419).<sup>2</sup>

This passage reveals at least two related tensions in the way we employ the term 'knowledge,' tensions that Wittgenstein is at pains to reveal in *On Certainty*.

The first emerges in Wittgenstein's insistence that, unlike certainty, knowledge is not a mental state (308). The reason is that a person can feel utterly certain of a given proposition, and yet be wrong; his mental state may be no different from one who correctly and justifiably believes (and is certain of) a proposition. The difference between one who knows and one who merely believes, then, is not a difference in their mental states.

On the other hand, Wittgenstein also maintains, for most purposes, 'the difference between the concept of "knowing" and the concept of "being certain" is not of any great importance at all. . . . In a law court, for example, "I am certain" could replace "I know" in every piece of testimony' (8). The point is that first-person uses of 'I know' are essentially equivalent to first-person uses of 'I am certain.'<sup>3</sup> Thus, although knowing is not the same as being certain, to claim that one knows is in effect to express a very high degree of conviction, an absence of doubt.

This ambiguity in our employment of the concept of knowledge is connected with another. On the one hand, Wittgenstein argues that it makes sense to speak of knowledge only where there is the possibility of confirmation (and thus also disconfirmation), justification, the giving of grounds. Thus 'Whether I know something depends on whether the evidence backs me up or contradicts me.

<sup>2</sup> Ludwig Wittgenstein, *On Certainty*, edited by G. E. M. Anscombe and G. H. von Wright (New York: Harper & Row, 1972). Numbers in parentheses refer to the numbered passage cited.

<sup>3</sup> 'I know = I am familiar with it as a certainty' (272). But 'We just do not see how very specialized the use of "I know" is' (11).

For to say one knows one has a pain means nothing' (504). Similarly, 'If someone believes something, we needn't always be able to answer the question "why he believes it"; but if he knows something, then the question "how does he know?" must be capable of being answered' (550).

These passages stand in stark contrast to much of what Wittgenstein urges in *On Certainty*. The key idea is summed up in this series of passages:

My 'mental state,' the 'knowing,' gives me no guarantee of what will happen. But it consists in this, that I should not understand where a doubt could get a foothold nor where a further test was possible. One might say: 'I know' expresses *comfortable* certainty, not the certainty that is still struggling.' Now I would like to regard this certainty, not as something akin to hastiness or superficiality, but as a form of life. . . . But that means I want to conceive it as something that lies beyond being justified or unjustified; as it were, as something animal (356–9).

Not only does one not, for example, have the slightest doubt what one's name is, 'but there is no judgment I could be certain of if I started doubting about that' (490). And 'the *questions* that we raise and our *doubts* depend on the fact that some propositions are exempt from doubt, are as it were like hinges on which those turn' (341).

Because we can give no grounds, evidence, or justification for our credence in such propositions—nothing, at any rate, more plausible than the propositions themselves—we may be reluctant to call our 'possession' of these propositions knowledge; they are 'something animal.' At the same time, in so far as first-person claims to knowledge are essentially claims of certainty or the absence of doubt, we may be tempted to say that we know such things if we know anything at all.

Nowhere in *On Certainty* does Wittgenstein employ examples of moral beliefs, nor does he ever mention them as candidates for certain propositions. Perhaps this should not surprise us, for philosophers have generally treated moral beliefs as epistemological second-class citizens.<sup>4</sup> But Wittgenstein's remarks fit the moral case strikingly well. Moral judgments of the sort with which I began commend themselves to us just as powerfully as do ordinary com-

<sup>4</sup> But if Sabina Lovibond is right, Wittgenstein's neglect is at odds with his 'homogeneous or "seamless" conception of language . . . free from invidious comparisons between different regions of discourse' such as the moral and the factual. See her *Realism and Imagination in Ethics* (Minneapolis: University of Minnesota Press, 1983), p. 25.

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nonsense judgments. Like Moore's 'I know that here is a hand' or Wittgenstein's 'I know that my name is L.W.,' 'I know that running down a child on a bicycle is wrong' is odd precisely because the proposition said to be known so goes without saying that the addition of 'I know' is (ordinarily) pointless or redundant or understated.

Moreover, as with the propositions Wittgenstein considers, we would not know what to believe if we did not assent to these: 'I cannot depart from this judgment without toppling all other judgments with it' (419). For me to suppose that my responses to such cases, or my natural beliefs in the goodness or heinousness of certain actions, can be called into doubt leaves me utterly adrift. What *can* I trust if not this? On what grounds should I come to believe anything?

Such beliefs thrust themselves upon us, and it takes an unnatural act of will to resist them. We can suppose them mistaken only by standing back from ourselves and acknowledging the theoretical possibility that we are mistaken because we are fallible beings. And yet 'mistake' hardly seems the right word. It is too rationalistic; these states are felt as much as believed. And so when other people's responses diverge—when they fail to be horrified where palpably horror is in order—we do not judge them as merely having made a mistake. Nor, however, do we conclude that 'it is all relative; different strokes for different folks.'

Typically we have three choices, three ways to account for a person's divergence from the common response to easy cases. First, we may question the person's motives; we suspect that she has a vested interest in the case. So if a person sees nothing wrong with cabdrivers cutting off ambulances, or tries to defend them, we ask if she is a cabbie, or the wife or mother of one.

Second, we may judge that the person has opted out of the moral world altogether, or at least is assuming that stance. It is not, then, that he thinks this act is morally above board, but finds other acts repellent; he refuses to make moral judgments, to praise or condemn or evaluate, at all. This posture is probably more common with recalcitrant introductory ethics students than in the 'real world,' and brings to mind an example of Wittgenstein's: 'I am sitting with a philosopher in the garden; he says again and again 'I know that that is a tree,' pointing to a tree that is near us. Someone else arrives and hears this, and I tell him: 'This fellow is not insane. We are only doing philosophy' (467).

Where these explanations lack plausibility, we call a person's judgment into question in a deeper way. As Wittgenstein argues:

Could we imagine a man who keeps on making mistakes where we regard a mistake as ruled out . . .? E.g. he says he lives in such and such a place, is so and so old, comes from such and such a city, and he speaks with the same certainty (giving all the tokens of it) as I do, but he is wrong. . . . I should not call this a mistake, but rather a mental disturbance, perhaps a transient one (67, 71).

So if someone fails to see what is wrong with the woman who runs down the child, or with Jeffrey Dahmer, who killed and mutilated people, collected their bones and ate their flesh, we do not conclude simply that their 'values' differ from ours, but that something has gone seriously wrong with them. Their problem rests not on a mistake but in an affective, emotional defect.<sup>5</sup>

To summarize, our certainty with respect to some moral situations—easy cases, as I have called them—in some ways seems like knowledge, in some ways not. These certainties seem like knowledge, first, because they can be expressed as propositions; and second, because they are unshakable, bedrock beliefs or even 'clear and distinct ideas.' And to the extent that the 'grammar' of 'I know' resembles the grammar of 'I am certain,' we know that these things are wrong if anything is wrong.

On the other hand, these certainties express something visceral (something animal, Wittgenstein would say). They thrust themselves upon us, and, if called upon to justify or explain them, we cannot give an explanation any more evident than the proposition in question. If you cannot *see* why it was wrong for the woman to run over the child, we want to say, it seems pointless to try to explain. Justification comes to an end somewhere, and it is very close to here. To the extent that knowledge has to do with what can be justified, confirmed and disconfirmed, the term does not seem to fit these cases well.

### III

But what is it precisely that we know or believe or feel when we condemn these acts? The object of our belief must be either a particular judgment ('It was wrong for the man to have sex with the girl'), or else a more general principle that covers the case ('It is

<sup>5</sup> Such a judgment is compatible with the view that (as the jury in the Dahmer case recently decided) Dahmer was legally sane at the time of his crimes. Whether the criteria for legal sanity are sound or sensible is another question still.

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wrong to harm innocent children'), or perhaps both. To get clearer about these matters, let us examine the case of the man who has sex with his small niece. The story was reported in the U.S. press several years ago. It happened in New York City, on the FDR Drive. The girl and the man, with his pants down, were seen on the side of the highway. On the basis of this sketchy description, which was at first all that was known, people reacted with horror.

Is it that we are unalterably convinced that any adult in any circumstances anywhere who would have sex with a three-year-old is doing something utterly vile and indefensible? Not necessarily. We can imagine circumstances—the philosopher's weird example—that would defeat this conclusion. We can conceive of societies—one of those cultures anthropologists study—that would alter our evaluation of the act, now described only as an adult and a small child having sex. So in drawing a conclusion about *this* case—the man on the FDR Drive—we are not necessarily committed to thinking that all cases of adult-child sex must be evaluated in the same way.

Nevertheless, in responding to such cases we don't ordinarily feel compelled to reserve judgment until all the facts are in, until we know for sure that there were not extraordinary extenuating circumstances or that this was not some elaborate cultural or religious ritual that puts a different light on the matter.<sup>6</sup> We assume, and we are perfectly warranted in assuming, a certain background or context within which these acts take place; the sort of caution that would be involved were we always to reserve judgment would be paralyzing.

Yet additional information sometimes leads us to revise our judgments. Such information generally falls into one of two categories, suggested above in the distinction between the philosopher's imaginings and the anthropologist's descriptions. The philosopher asks us to imagine circumstances that challenge the all-things-considered wrongness of the act in question. Someone, suppose, is threatening to kill the three-year-old girl if her uncle does not molest her on the FDR Drive. So although the act appears wrong, and is in any case horrible, we might conclude that under the circumstances the man took the morally best course available to him. The harm to the girl still exists, it is not erased, but it is overridden by the badness of the alternatives.

<sup>6</sup> I do not mean to suggest that such new information would lead us to a diametrically opposite view—that this was a virtuous, heroic thing to do—but that it might at the very least mitigate our condemnation, or, more strongly, persuade us to see the act or the agent as doing something that, although apparently questionable, was in fact morally neutral or even justifiable.

The anthropologist's challenge may also take this form—this tribe sends old people out to die, but given the economic conditions in which they live this is an appropriate or permissible thing to do. But there is a more radical form of the challenge as well. Then we are asked to see that a practice that in our society would constitute a grave harm or wrong has, and is viewed by those involved as having, a different meaning elsewhere. To what extent we can be persuaded to see things in this new light depends largely on the extent to which we think the harm in question is relative or contextual in the way the anthropologist's descriptions may be meant to suggest: whether, for example, we think that children are so constructed that adult/child sexual relations are inevitably harmful to them, or whether such relations are harmful only when certain contexts or background conditions—common but not necessarily universal—are met.

Let us return now to our original question. What is it we feel certain of when we feel certain that what the man on the FDR Drive did was wrong? Clearly it is not this proposition alone. Indeed we may be open to the possibility of revising this judgment in the light of further information. We draw the conclusion about this case on the basis of a more general principle that leads to it when conjoined with certain factual assumptions. And so it must be the more general principle to which we are firmly committed.

What, in the case under discussion, is this general principle? It might be something as simple and general as 'It is a bad thing to harm innocent people.'<sup>7</sup> Without elaboration this principle may appear unhelpful and uninteresting. But several points can be made to clarify it.

(1) It is preferable to put the principle in terms of badness rather than wrongness, if wrongness implies an all-thing-considered judgment. For we want to leave open the possibility that although it is a bad thing, harming someone might be justified when, for example, other principles, or other harms, are at stake. In such cases, however, even if we think the best that could be

<sup>7</sup> What if we omit the term 'innocent'? Whether it is a bad thing to harm guilty people is a more controversial question. Some retributivists would argue that punishment is not a form of harm—on the contrary—and so might agree that it is a bad thing to harm people, simpliciter. In that case argument will centre on the definition of 'harm.' Others would say that in any case it is better to harm a guilty than an innocent person, but might still agree that other things being equal it is bad to harm people. But some will say that it is not bad, perhaps even that it is good, to harm guilty people.

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done has been done, we may still feel certain that bad has been done; and that shows our stable commitment to the principle.

(2) Our responses to other kinds of cases show our commitment to other principles. The harm principle does not explain our revulsion at killing people; the badness of killing is different from the badness of harming.<sup>8</sup> Nor does it capture our responses to certain kinds of injustice, which implies a principle like 'It is a bad thing to treat the innocent as guilty.' These principles may sometimes conflict, which helps explain why we sometimes revise our all-things-considered judgment of the particular case.

(3) Each of these principles is fuzzy around the edges, because of vagueness about the full meaning of harm or killing, and of 'people' or (as we should probably say) persons or membership in the moral community. Some of our deepest and most intractable moral conflicts centre on these questions of membership. But there are clear cases even if many are unclear.

(4) Perhaps most important, our certainty with respect to particular cases depends not only on our commitment to principles like 'It is bad to harm innocent people.' It depends on two other things as well. One is a large assortment of empirical assumptions about such things as what is harmful. So, for example, even if we are open to the possibility of healthy adult-child sexual relations, we know that the scene on the FDR Drive did not fall into this category. Similarly, we know that throwing large rocks at people causes injury. The other is a judgment—one that is obvious in the easy cases—that 'other things are equal,' that no countervailing considerations of any significance hold sway.

When viewed in light of our commonsense knowledge about the world and our most rudimentary powers of judgment, then, the principle that it is bad to cause grave harm to someone is by no means empty. It is these—our beliefs about how the world works, and our powers of judgment, discernment, and reasoning—that do much of the work in getting us to practical conclusions. In the cases at hand, they do virtually all the work. But here the work is easy.

## IV

What is the point of these reflections on moral certainty? To insist on the wrongness of running down children or throwing rocks at strangers is not, it may appear, a Herculean undertaking.

<sup>8</sup> See below, p. 26.

Or is it? It all depends on where you begin. Beginning where many modern moral philosophers have begun, it has been more than a Herculean undertaking; it has been a job that cannot be done. Despite reminders to sceptical students in introductory philosophy classes that you cannot get something from nothing and that all reasoning proceeds from assumptions, moral philosophers often forget these rules themselves when they worry about the 'status' of ethics, moral objectivity, truth, realism, and the like.

On reflection, it is clear that concerns about these threats to the realm of the moral can take several forms. There is first the sceptic or moral nihilist who altogether denies the reality of the moral. As I argued earlier, this is more often a role assumed by students and others toying with ideas than a belief they hold upon rising from the armchair. It soon becomes clear in arguing with such people that it is pointless to try to persuade them; they do not grant enough to be persuaded. Because they are rarely serious in their doubts, we do not in our encounters with them fear for ethics' 'status.' When they are serious, as I argued above, we doubt their affective capacities, not the adequacy of our arguments.

In part, moral philosophers have seemed overly fixated on establishing a foundation for ethics that would persuade the nihilist. That, in any case, helps to explain their approach, which seems to grant the nihilist's assumption that the reality of the moral as such needs to be demonstrated. Perhaps, however, it is not so much sympathy with the nihilist as it is the pure, cold approach of a certain kind of philosophizing. Rather than beginning with the obviousness of certain moral truths, they begin with metaphysics, or epistemology. What sort of things would moral properties be? How could they be apprehended? It is a short step from these questions to the conclusion that such properties would be 'queer,'<sup>9</sup> and from there to a kind of philosophical scepticism. I say a kind of philosophical scepticism because these 'sceptics,' we know all along, do not genuinely doubt that it is wrong to run down innocent children.

But if all the philosophers agree that it is bad to run over children, how should we understand the debates in ethics between realists and anti-realists, objectivists and subjectivists? One way to understand them is to say that the issue dividing the sides is not the truth of such propositions but their analysis, not the reality of the moral but the sense in which it is real. But surely the anti-realist is *denying* the reality of the moral, denying that we should speak

<sup>9</sup> See J. L. Mackie, *Ethics: Inventing Right and Wrong* (New York: Penguin, 1977), chapter 1.

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of moral truth, not simply giving these concepts a different analysis from the realist.

Would it make a difference if we spoke of acceptability rather than truth or reality? We all assent to the judgment that you should not run over children; the question is in what (reason? emotion? both?) our assent consists. Then we would say that realists and anti-realists give different answers to this question.

This seems to capture the spirit of much of the debate among contemporary moral philosophers. The debate is philosophically serious, but it is not morally serious, because none of the parties seriously questions the validity of a vast array of moral judgments. Perhaps there is nothing wrong with this. Metaphysics and epistemology are legitimate endeavours. All the parties to the debate agree about the necessity and validity of making moral judgments; they agree also about a lot of particular cases. As philosophers, however, they seek to understand what underlies these moral judgments, how we make them and what we are committed to when we do.

Yet this approach can lead us astray. For attempting to begin at the beginning—asking what sorts of things moral properties would be if there were any, or how it is we know moral propositions—suggests that answering these questions is a precondition of accepting the reality of the moral.

And that is what I wish to deny. As between queer entities and unreal scepticism, we should choose the first. But it would be better to escape the dilemma altogether. We do not need to understand the metaphysics and epistemology of morals to put ethics on a firm footing.<sup>10</sup> Escaping the dilemma follows partly from the realization that such concepts as objectivity, truth, certainty, and doubt should be understood in comparative terms, and that understood in this way we possess moral knowledge if we possess any knowledge at all. Contrary to the thrust of much modern philosophy, moral beliefs are not the poor stepchild of scientific or factual beliefs. Our immediate moral convictions would be among the last to go—after even our strongest sensory judgments, I believe—when confronted by sceptical challenges. To the extent, then, that the appropriate response to a challenge to the objectivity of a judgment is ‘Compared to what?’, these moral convictions stand fast.<sup>11</sup>

<sup>10</sup> For similar arguments, see Raimond Gaita’s excellent discussion in *Good and Evil: An Absolute Conception* (London: Macmillan, 1991), especially chapters 2 and 16.

<sup>11</sup> For a good discussion of this question of the ‘boat’ morality is compared to other realms of inquiry, and related issues, see Renford Bambrough, *Moral Scepticism and Moral Knowledge* (Atlantic Highlands, NJ: Humanities Press, 1979), chapter 2.

Escaping the dilemma is also a matter of seeing how much our worries about the metaphysics and epistemology of morals arise out of moral philosophers' longstanding preoccupation with the realm of moral disagreement and moral dilemmas. The result has been first, to forget how much, morally speaking, goes without saying; and second, to mire us too often at the meta-level.

This is not to belittle the preoccupation with moral disagreement and hard cases. Indeed, these are the phenomena worth thinking about. But the interesting questions are not metaphysical or epistemological ones. What we really need to know is the extent to which genuine moral conflict and disagreement can be eliminated. Assuming the best of circumstances, could we come together with our adversaries and resolve our disagreements? How far can argument and dialogue take us?

Looking at things in this way, questions of moral realism, truth, and objectivity seem irrelevant. What hangs on saying that 'It is a bad thing to treat the innocent as guilty' is true or expresses a moral truth? What is clear is that we cannot imagine changing our minds about this principle; it stands at the centre of our thinking. And, further, we cannot imagine much that we could do to persuade someone who did not assent to it. We will make sure he understands what we mean; we will take pains to ensure that our disagreement is not terminological; we will give some examples. But if still he does not assent to it, we will conclude that there is no point in continuing discussion with him. Perhaps we will say 'He is wrong and we are right,' or 'The principle is true but he fails to see it,' but what do these claims add beyond the point that we cannot imagine giving up the principle that he claims not to accept?

For anyone interested in ethics as a practical matter—its connection with social life and human relations—rather than as a philosophical puzzle, the important questions have not to do with truth, objectivity, or realism but rather with the extent to which we can hope to persuade each other of those views about which we are morally serious. Now of course persuasion has meant many things, and one may envision it as a euphemism for the barrel of a gun or the subliminal advertising message. I do not mean that kind of persuasion, although with serious evildoers these may sometimes be the only alternatives. But I am thinking here of what we can roughly call rational persuasion—the power of dialogue, and its limits, with those with whom dialogue is possible.

### V

Yet people sometimes seem to disagree in their fundamental premises. What seems certain to one person does not always seem

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certain to another; what is taken as obvious by the mass of people in a society may be rejected by those living in another society or at a different time. Bedrock for one, it appears, may not be bedrock for another. How can we possibly trust our ‘intuitions,’ no matter how firm, given what we know about the possibilities of human self-deception, ignorance, stupidity, self-interest, and just plain parochialness?

So, for example, we think of the nineteenth-century American slaveholder, or the religious fundamentalist who believes that homosexuality is depraved. Does not the slaveholder believe in the moral permissibility (perhaps even the goodness) of slavery and the attendant view of the slave’s moral status, does not the homophobe believe in homosexuality’s evil, just as firmly as contemporary liberals deny these views? And are not these differences bedrock differences?

Several questions are lurking here. ‘How do you know you are right when others have believed just as firmly that they are right?’ ‘Do we not have to be open to changing our minds about everything—not all at once, of course, but still open to the possibility that *any* belief we hold might be revisable?’ ‘Must we not rely on something other than our bedrock beliefs?’

To try and answer these questions, let us imagine ourselves in conversation with the slaveholder. We ask him questions. Why do you think slavery is permissible? Does it not treat human beings in a way they should not be treated? We want to know whether it has ever occurred to him that slavery might not be morally permissible. Probably it has. Certainly the question was raised in the southern United States before the Civil War. And those who favoured slavery—like those who attacked it—had something to say to explain and justify their view. The belief that the institution of slavery *per se* is justified, then, is not bedrock.

So we can talk, at least for a while, to the slaveowner. We are likely to discover that he holds beliefs about the empirical properties of slaves that underlie his justification of slavery. He thinks they are less intelligent, or more docile, or something, than non-slaves.<sup>12</sup> And from this he concludes that their proper role is different from that of those with different properties. At this point the

<sup>12</sup> The justification of slavery may seem to rest not so much on a view about the enslaved group’s inherent inferiority but on beliefs about the material necessity or advantages of slavery. What if a system permitting slavery raises the standard of living for everyone, including slaves, above the very substandard level it would be in a free system? Perhaps this is too much a philosopher’s question, one which already grants the slave’s interests a relevance defenders of slavery never admitted. In any case it is

opponents of slavery may themselves divide: some deny that the slaves are significantly different in their empirical properties (they are not less intelligent, more docile, etc.), while others acknowledge that they might be different but deny the relevance of the properties in question to the justification of slavery. The disagreement between the first group and slavery's defenders then rests on a question that is open to confirmation or falsification—a factual question. Their differences, therefore, are not bedrock differences.

Perhaps few opponents of slavery fall into this category. Most, let us assume, believe that slavery is wrong even if the members of the enslaved group are less intelligent (or whatever). Why is it wrong? The answer that springs to mind is: because they are human beings, and it is wrong to treat human beings in this way. The conversation does not end here, of course. For although perhaps some defenders of slavery deny that slaves are human beings, most do not. More likely they believe that there are human beings and human beings, and that it is not wrong to treat some human beings (the ones with slave-like characteristics) as slaves.<sup>13</sup>

The opponent of slavery might simply deny this, in which case the disagreement looks to have reached bedrock. But many contemporary opponents of slavery will be disinclined simply to rest their view on genetic humanity, membership in the species *Homo sapiens*, since reflection on issues such as abortion and the treatment of animals has (pulling in opposite directions) led many to conclude that mere membership in the species is neither necessary nor sufficient to establish what treatment is owed a kind of being. So the opponent of slavery will probably dig deeper to show why any differences members of the enslaved group might possess are not sufficient to justify slavery.

A moral to be drawn from this example is that we do not reach

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<sup>13</sup> See Stanley Cavell, *The Claim of Reason* (Oxford: Oxford University Press, 1979), pp. 370–80; Gaita, *Good and Evil*, pp. 154–90; and Roger Wertheimer, 'Understanding the Abortion Argument,' *Philosophy & Public Affairs* 1 (1971).

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clear that slavery was defended in the United States, at any rate, in the first instance on economic grounds. But, as David Brion Davis argues, because it is psychologically difficult to treat those of one's own group 'as no more than animals, the survival of true slavery required some form of social or psychological discrimination,' some marking out of special characteristics possessed by or lacking in the members of the enslaved group. So the belief in the slave group's inferiority is likely to be a concomitant to other justifications of slavery. See *The Problem of Slavery in Western Culture* (Ithaca: Cornell University Press, 1966), p. 47 ff.

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bedrock differences between people, even people who disagree sharply, as quickly as those who offer such examples like to suggest. The stories people tell to justify their beliefs are often longer and more complex than even they suppose; their views may therefore be open to criticism at many places, not simply at the point of first principles or fundamental assumptions. Often, the defender of slavery's view rests on beliefs about the innate characteristics of slaves that are simply false. (Just listen to the sorts of racial stereotypes that even those who think of themselves as unprejudiced give voice to.) It may be said that the slaveholder holds the beliefs he does as rationalizations of his practices, and not as genuine reasons for them. Nevertheless, the fact is that were he to change his views about the slave's capacities he could no longer justify his belief in slavery.

But this is not to say that our differences with such people—the defender of slavery or the believer in the depravity of homosexual relations—can never reach bedrock. One characteristic of bedrock beliefs, we can now see more clearly, is that they are immune to alteration in the light of new information of the sort we would ordinarily call factual. So we can imagine having the same beliefs about the intelligence or passivity, etc. of the enslaved group that the defender of slavery does, and yet disagree about the morality of slavery. (Similarly we recognize the familiar situation of two people having just the same factual beliefs about the foetus's characteristics and abilities at various stages of development and still disagreeing about the morality of abortion.)

Still, insensitivity to new information, although necessary to render a belief bedrock, is not sufficient. Essential also is that one cannot imagine giving up the belief. So, for example, commitment to the retributivist principle that the suffering of the guilty is good or morally necessary might be insensitive to new information and yet not be bedrock, because even if we find the principle attractive, rejecting (or accepting) it would not wreak havoc on our conceptual scheme.

Applying this point to the case of slavery, we find a possible asymmetry between the beliefs of its opponents and its defenders. For the opponent, the idea that a human being is not simply a piece of property might be bedrock. She cannot imagine what it would be like to think of human beings, any human beings, as mere things. But does the defender of slavery's view that some human beings are just pieces of property have the same role in his thinking? Can he really not imagine thinking that human beings are not just property?

Perhaps he can. In that case we will have to say the belief in

slavery is for him a bedrock belief. But it seems unlikely that his belief is as fixed as the opponent of slavery's belief. Abolitionists made principled defences of the humanity or equality of the slaves; defenders of slavery rested their case on the economic advantages of slavery or the untoward consequences of its abolition, not on impassioned arguments that slaves are mere things.

When our differences with other people do reach bedrock, we see that there is no point to further discussion. We are not going to change their minds, and they are not going to change ours. But we began this line of argument with the worry about how we can know we are right when they believe just as firmly (let us suppose) that they are right. Well, of course in one sense we cannot. There is no logical impossibility in things being utterly different than I feel sure they are. I might be under a spell. But having made such disclaimers, where do I go from here? I do not occupy the mid-air position (as Bernard Williams calls it); I think from inside a perspective on the world. All any of us can do is to reflect as carefully as we can about moral matters, trying to take into account our biases, interests, and other failings, attempting to sort out our beliefs and commitments in terms of basicness. In taking these steps we achieve a measure of detachment on our own perspective, but of course we never get wholly outside it.

So the answer to the question 'How can we rely on our bedrock moral intuitions, when we can see that other bedrock intuitions are possible?' is that we have nothing else *to* rely on.

## VI

A look at the course of postwar analytic moral philosophy might suggest a different answer: we should rely instead on theory—ethical theory, that is. Contemporary moral philosophy has been preoccupied with theory-building; the theories are primarily monistic or 'single criterion' theories, typically either utilitarian, contractarian, or Kantian, in approach. The view I have set out here is incompatible with these approaches, and in the remainder of this paper I want to explore the differences.

What is a moral theory supposed to do? If we do not need a theory to tell us that killing or hurting people is a bad thing to do, what do we need it for? Perhaps we need it to tell us *why* killing or hurting people is a bad thing to do. Perhaps. But there is a danger that any explanation we might offer will be either redundant or inadequate—doomed from the start to parody the philosopher's enterprise.

Philosophers in the business of constructing moral theories

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often suggest a scientific model for their enterprise. The theory provides a method that can be used for deciding cases. We do not know whether a certain act or policy is morally permissible, say; the theory gives us a way of deciding if it is. The judgments implied by the theory are akin to a scientific theory's predictions about how things in the world are. On this view, just as the scientific theory is challenged by failed predictions, the moral theory is challenged by judgments in conflict with our pre-theoretic intuitions. A moral theory, then, provides a method for deciding hard cases.

But the question arises just what role the easy cases—those triggering our bedrock intuitions—play in the theory. John Rawls has offered one attractive view in *A Theory of Justice*. According to this conception, in developing an account of moral matters we work with two elements—our commonsense moral intuitions and our moral theory—which must be assessed against each other. Through the process of 'reflective equilibrium,' we continually adjust our theory to fit our 'considered judgments,' as Rawls calls them, and we refine the latter in light of the former. So we must remain open to the possibility of rejecting the plain offerings of common sense.

According to the view I have sketched, however, a moral theory could never be more compelling than the bedrock intuitions with which moral thinking begins. For in what could the theory's plausibility, power, and appeal lie? Either in its consistency with these intuitions, along with its ability to explain or solve hard cases, in which case the problem we are considering does not arise; or in something else. What could this something else be? Whatever it is, we have less reason to trust it than we do our bedrock moral convictions.

Now it may be that this approach and reflective equilibrium differ less than they seem to at first sight. It depends on how we are to understand Rawls's considered moral judgments. Do they include judgments about all sorts of cases, more and less controversial, that we arrive at deliberately, yet by the seat of our pants (not, that is, driven by theory)? If so, that allows the possibility that only the less secure of such judgments will be revisable in light of theory. So, for example, pre-theoretically we may believe that abortion in the eighth month is ordinarily wrong, but perhaps in light of our moral theory we decide ultimately that this judgment was mistaken. (We could just as well run this example the other way round.)

The question is whether Rawls can or would distinguish such cases, where common sense may speak but not with deep and

unwavering conviction, from those commonsense beliefs to which we would assent come what may. In that case some of our judgments—like those with which I began—will turn out, in fact if not necessarily, to be immune to revision in light of theory.

Now on the one hand Rawls describes our considered judgments as those ‘we now make intuitively and in which we have the greatest confidence’; there are, he says, ‘questions which we feel sure must be answered in a certain way.’<sup>14</sup> Here he seems to be alluding to the kinds of judgments with which I began: those we cannot imagine to be mistaken. Yet immediately he insists that ‘even the judgments we take provisionally as fixed points are liable to revision.’<sup>15</sup> So Rawls does, it appears, grant less weight to even our deepest convictions than I think we should countenance: he implies that we should be prepared to abandon—because our theory says different—even our most secure intuitions. I do not believe we should be or could be.

It is instructive in this context to compare moral theories with scientific ones.<sup>16</sup> At one level, we can imagine having sufficient reason to accept a scientific theory whose conclusions are at odds with common sense. Indeed, we do not need to imagine: theories such as relativity and quantum mechanics *are* at odds with common sense. But although trite, this observation is misleading. Even these implausible theories must leave room to explain their implausibility: to account for the divergence between how they say things are and our immediate experience of how things are. Even if quantum theory itself does not explain, and does not need to explain, why things do not seem to us as the theory insists they are, it must leave open the possibility of such an explanation.

Anomalies between scientific theories and commonsense observations seem common, but on closer inspection they recede. So, for example (to move from the sublime to the malodorous), we are surprised to learn that sweat is odourless, for that defies our experience. Were that the end of the matter, we would have reason to doubt the claim. But then we learn that—aha!—the bacteria that consume perspiration produce smelly acids. Now we can rest easy; the appearances have been saved. A theory, even a scientific theory, that cannot accommodate the appearances suffers a defect that is probably fatal.

<sup>14</sup> *A Theory of Justice* (Cambridge: Harvard University Press, 1971), 19.

<sup>15</sup> *Ibid.*, 20.

<sup>16</sup> For a useful discussion of changing views of the relationship of common sense to scientific and metaphysical theories, see Keith Campbell, ‘Philosophy and Common Sense,’ *Philosophy* 63 (1988), 161–75.

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Still, scientific theories and moral theories differ in their relationship to common sense. The virtues of scientific theories—the reasons we have for accepting them—have to do with their explanatory value: their ability to explain why things are as they are or happen as they do. Although, as I have been arguing, a theory's explanations must ultimately be compatible with our immediate experience, its explanatory mechanisms themselves can be as obscure or counter-intuitive as you like.

But moral theories are not explanatory in this way; certainly they are not causal. A moral theory is supposed to explain what we ought to do (or desire or aim at) and why we ought to do it (or desire or aim at it). Presumably the theory explains what we ought to do in those cases when we do not already know—those cases on which common sense does not pronounce loudly. And it does so by describing what it is about actions (or intentions or states of character or whatever) that render them right or otherwise valuable. But now we are to suppose that according to the theory a deeply held moral conviction such as that it is wrong to hurt an innocent child turns out to be mistaken.

It could not be. The considerations in favour of a moral theory will always be weaker than our bedrock convictions. For what could such considerations be? The theory will (among other things) account for rightness and wrongness; it will explain what we ought to do, or how we ought to decide, in hard cases. But if its answers to hard cases come at the expense of easy ones—so undermining the bedrock of common sense with which we began—what reason could we have for our confidence in the theory?

In this respect scientific theories are different. A theory that ran afoul of commonsense experience could possess other undeniable virtues. It could enable us to explain something, and the evidence of its explanatory power could be palpable—by enabling us to cure a disease or build a flying machine.<sup>17</sup> But no such virtue is imaginable in the moral case.

## VII

Contemporary moral theories of the monistic kind that have dominated the philosophical landscape in recent years allocate to our bedrock convictions a marginal role at best. Let me make this point more precise.

<sup>17</sup> It is possible, of course, to possess the wrong biological theory and still cure disease, to possess the wrong physical theory and still make flying machines.

## Moral Certainty

For simplicity we can divide these moral theories into two classes: substantive and procedural. Substantive theories—utilitarian and other consequentialist views are the obvious examples—offer contentful criteria, such as pleasure and pain, for good and bad states of affairs in virtue of which actions are evaluated and virtues and vices determined. Procedural theories, of which Kant's is the most notable example, approve conclusions possessing a certain pedigree—i.e. those that have been tested by and survived a given procedure, specified by the theory.

Substantive theories like utilitarianism encounter problems that are well-known. Utilitarians cannot account for some of our deepest moral convictions, such as those concerning justice and the wrongness of killing. It is not that utilitarians cannot admit that it is wrong to frame an innocent person; they can. In attempting to do so they will describe the short- and long-term consequences of such an action: its effects on specific individuals and its tendency to encourage practices that decrease utility. But these explanations always omit something crucial, viz. the *injustice* of framing an innocent person, the inherent badness of doing so quite apart from consequences.

Similarly, with its focus on pleasure and pain, or in any case on some feature of experience, utilitarians have no trouble explaining the badness of inflicting harm, but, perhaps because death is not an experience, explaining the wrongness of killing is something of an embarrassment for them. They must explain it in terms of deprivation of future pleasurable (or otherwise beneficial) experience, but this is never wholly plausible, because it allows for the intrinsic replaceability of individuals: side effects apart, it is all right to kill someone if you can replace him with another whose life is equally satisfactory.

Not only are the utilitarian's arguments against such actions intrinsically inadequate, the 'contingent' quality of the utilitarian's opposition to such injustices renders our moral convictions about such practices highly vulnerable. Because the utilitarian fails to acknowledge the most basic reason for the wrongness of killing or of convicting an innocent person, his claim of its wrongness is hypothetical and unstable. Furthermore, our dissatisfaction with the utilitarian's reasons provides evidence for the principle-based view I outlined earlier: our intuitions are not merely about the outcomes of cases but about the principles underlying them.

Any substantive theory will encounter problems like those utilitarianism faces, I believe, unless it employs gimmicks, like the inclusion of justice among the ends to be maximized. This is a gimmick because it fosters the illusion of a unified theory to what

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is really an assortment of ad hoc principles designed to render the theory compatible with our intuitions; the illusion is enhanced by the implied precision of talk about maximization. Such a theory may look like utilitarianism, but it really amounts to a kind of intuitionism: there are lots of reasons that make things good or bad, right or wrong, and to decide what to do in a particular case we have to weigh the costs and benefits to these values. Better to wear your pluralism on your sleeve.

Procedural theories encounter a different problem. Unlike substantive theories such as utilitarianism, they need not confront contradictions or counter-examples to the conclusions proffered by the theory. The problem is rather that the theory depends on substantive moral convictions in a way it does not acknowledge; these convictions actually drive its conclusions. In attempting to decide or determine what one could will to become a universal law, or what rational people in a certain situation would agree to, one inevitably falls back on substantive moral convictions. How could one proceed *without* imagining what would result if this maxim were universalized or this principle adopted and testing the results against one's moral intuitions?

This is not to say that procedural theories do not contribute to our understanding of morality. It is only to say that they cannot get off the ground without relying on substantive moral judgments not derivable from the theory.

If this critique of moral theory-building is right, it suggests that our bedrock intuitions are more than simply fixed points of which moral reasoning must not run afoul. They are in many cases the stuff out of which we reason; without them we could not find our way. Our responses to examples fix our sense of right and wrong, good and evil; in reflecting on them we discover the principles and refine the skills that guide our judgment in other cases.

The point is generalizable beyond the bedrock cases. Moral reasoning typically proceeds from the concrete. We tell stories about people, situations, societies; we render moral judgments based on the particulars. We render subtly different moral judgments about subtly different cases. Either we have an enormous number of moral principles, or we have fewer principles that, when combined with particular 'fact situations,' produce a large and subtle variety of conclusions. There can be a point in seeking the unity underlying the diversity, although whether the unity is there to be found is another question. But those who want to understand and render judgment on worldly matters—acts, policies, practices, people—must be interested in the many, not the one.

### VIII

My central point has been that some of our moral convictions are as immune from doubt and revision as any of our beliefs could be. Although abstractly we must perhaps concede that we could be mistaken about such beliefs, as soon as we return from this realm of utter detachment we cannot doubt them. In this respect ethics is in the same boat with other realms of human inquiry.

This view is incompatible with the general direction of much contemporary moral philosophy, both at the meta-level and at the level of normative theory. As to the questions of moral truth, realism, and objectivity that have so preoccupied recent discussions, it makes them largely irrelevant. On the one hand, at the level of common sense and ordinary talk some moral beliefs are true if anything is true. We could not purge our experience of the evaluative dimension; no matter what we must, individually and collectively, make judgments and choices. To look at these matters in a slightly different way, we might say that we behave, and must behave, as if our moral beliefs were true, and indeed we cannot explain our commitment to such beliefs without supposing that they have a force or reality independent of us that powers our commitment. But precisely what the mechanism or connection is between our beliefs or attitudes and what powers them I leave open. If truth implies a purely cognitive posture, perhaps we should not speak of moral truth. It does not matter very much.

As to normative theory, I have argued that the monistic moral theories that have occupied so much attention in recent years fall short, either because they conflict with fundamental intuitions, or else because they rely on them in a way they do not acknowledge.

But if there are moral propositions that we cannot doubt, there are many that we can doubt, and many that we should doubt. An important question is how to tell the difference—how to distinguish those moral beliefs that form part of the essential fabric of our thinking and our social life from those that are simply habitual, parochial, or convenient.

I have sketched an answer to this question as it arises in a specific case, the case of slavery. With any moral issue, we can question and probe and so uncover the extent to which a particular principle is bedrock for a given person. In this way we learn whether there is a point in continuing the conversation with her. But of course we may be interested not only in exposing the views of other people; we may also be worried about our own. Whether the dialogue takes place between two people or within one, no fool-proof methods exist for separating the wheat from the chaff. All

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we can do is to be serious and honest in asking and answering questions about what we, or another, can and cannot genuinely doubt.

But this raises another question. Even assuming there are moral fixed points, we may ask how much of the moral realm has this character, or anything approaching it. It should be clear from what I have said that I believe that the real fuel for our interest in ethics arises from moral uncertainty, disagreement, conflict, and deviance. And so in asking about the limits of moral certainty, we are really asking how much moral conflict and disagreement is eliminable.

Moral certainty about some things is compatible with uncertainty or indeterminacy about many others. It is incumbent on one who speaks of what we cannot doubt to explain dissent and disagreement: if we cannot doubt some things then how come so many others can? I have suggested, in various places throughout this essay, several explanations of moral disagreement. Some make reference to pathologies of the individual: self-interest, weakness of will, the refusal to adopt the moral point of view, madness or other biological or psychological deficiencies. Some make reference to particular circumstances or social conditions: the philosopher's imaginings and the anthropologist's descriptions; the interplay of material and cultural differences. Finally, we must recognize that moral certainty does not take us that far, for at least two reasons. First, because intrinsically compatible principles can clash in practice, and sometimes there may be no means of resolving such conflicts. And second, because intuition and common sense sometimes fail to guide us at a more basic level: a moral principle like the retributivist principle or the doctrine of double effect may be plausible, but so may be its denial. Disagreements about such matters can be striking and ineradicable; and yet we do not regard those who disagree with us in the same way we view those who believe it is all right to harm innocent people.

Why have I made so much of moral certainty if in the end I admit that it does not take us very far? Because it points us in the right direction. Let us forget for a while about how we could know what we all know we know. Otherwise we will not get to thinking about those questions for which blood and toil and tears are shed. To what extent can the realm of moral conflict be reduced? How fundamental, how ineradicable, are our disagreements? These are questions of not merely theoretical interest.

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