Two Problems of Moral Objectivity

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Two distinct problems of objectivity in moral theory are that of reference and truth and that of justification. These questions are often run together. However, it is possible to discuss the two questions separately. A defense is offered of moral ascriptions and moral properties, in opposition to the proposals of Mackie and Harman. But the thin or minimal defense of moral ascriptions leaves the second problem of objectivity unaddressed. Further argumentation leads to a proposal that claims limited moral objectivity.

1. There are at least two problems of objectivity in moral theory, or meta-ethics. One is the problem of reference and truth. Do moral terms really refer, have truth conditions, do any explanatory work in our best theories—or, as their detractors would have it, are they incoherently “queer,” empty appendages to the hard working language it sadly lies alongside. The second problem is the problem of justification. Can we make out any satisfactory sense in which when we hold X to be really wrong, we can say more than just that we happen to think so? Can we say someone really ought and so has an objective reason to refrain from X because it is wrong, or do Y because it is right, regardless of what he wants or feels? These questions are often run together, particularly, and unsurprisingly, by those who take a skeptical posture towards morality. I say “unsurprisingly” because, if like J.L. Mackie or Gilbert Harman, you think that moral terms do not refer, that there are no moral properties really, or that moral talk is but a gratuitous addition to our well formed explanations, dispensable without loss, then the second issue tends to be fairly well pre-empted: of course we cannot make sense of X being “really wrong” or of A having a reason to do or refrain from X—apart form the desires A happens to have—if the idea of moral properties does not survive philosophical examination, if the idea of moral ascription has no coherent defense.

I want in this paper to do two things. I want to defend moral ascriptions and moral properties (if you are property friendly) against skepticism in the first sense. This I find, perhaps naively, rather easy to do. I cannot see any serious difficulty for moral ascriptions in the sorts of arguments mounted by moral skeptics, and on the contrary side of the ledger, the arguments for countenancing moral properties, for finding them fully paid up members of our explanatory
vocabulary, are continuous with the considerations and arguments philosophers find decisive elsewhere. But the thin or minimal defense of moral ascriptions that follows leaves the second problem of objectivity, or the second way of understanding the objectivity problem, unaddressed. And this remains I think a serious and interesting problem. It is not all that hard I think to throw off the ill-fitting conception against which certain skeptics profess to find moral talk wanting, and relatively easy to show moral language refers and moral properties explain. But it is not easy to say how moral judgments may be satisfactorily justified. In part this is so because, on my view, whatever does enable us to justify a particular judgment, assuming, that is, that we have the kind of judgment that admits of justification, will not enable us to do so everywhere.

2. J.L Mackie professed to find objective values to be rather “queer” entities.1 Gilbert Harman held that even if moral facts, whatever those might be, were granted within your overall theory, they failed to give any further explanatory power to what you would have had without them.2 Mackie is of course quite right to think that it would be very queer indeed to think of values naming planets to be discovered, “objective” in the sense of existing apart from anything we do, or even apart from our existing at all. Values name norms, and norms, being true of things, cannot be things themselves. So “best” may be true of some athlete, or “clever” true of some work of art, but no fog of Best-ness floats eerily along beside this athlete, no benign fairy, Cleverness, smilingly holds the painting’s hand. Of course, this is not yet anything Mackie need disagree with. “Exactly” he might say, and this being so, what sense can we make of such properties at all?

But initially at least, one wants to say, why should there be a problem with bits of the world being made in ways that answer to norms or interests that we happen to have, and with the further fact that these descriptions will not be captured when we think of the world apart from those interests? So, a philosopher speaks, and his voice is a series of events physics describes a particular way. A philosopher speaks, and what he says solves a particular puzzle. The fact that the description “solves a puzzle” fails to appear when within the language of physics hardly means the property of doing so is in any way queer. It is I agree very hard to say just what the relation between having solved a puzzle and these bits of the world might be. We cannot of course claim an identity relation, nor can we claim supervenience in the sense of there being any law-like regularity between this accomplishment concept and this or any disjunct of physical descriptions. And yet to be sure, this accomplishment of puzzle-solving occurs in this world of clouds and mountains and not in some never-never land. But our difficulty with saying just how certain accomplishments fit in with the world understood apart from such accomplishments cannot be enough to jettison the

language of accomplishment. Generally, it is not seen as a satisfactory solution to a puzzle to deny the facts under which it arises, or call one half of the puzzle “queer.” As this example is supposed to show, only if our model of what a property must be includes the idea of figuring in empirical causal explanations will properties that lack this feature seem queer. It is hardly obvious that states of affairs we bring about, and bring about because of some interest we have, like solving a puzzle, or being clever, should fall within the purview of a theory that purports to describe the world’s fundamental causal mechanisms. Why take their failure to appear *there* as proof of *anything*, much less for the proposition that they cannot really exist at all?

Moral properties, *prima facie*, seem to me no different. It may be moral concepts are in fact inescapably provincial. It may be that the rules or understandings governing their use are given distinct determinate content by different groups, or perhaps even by different sub-groups. I shall consider this possibility seriously later on. But even if this description were granted, it seems to me to raise questions about how arguments as to whether X really is M are to be characterized, not any ontological worry about M concepts as a type. It may be unclear how disputes over whether X is really clever or Y is really a tragedy are to be resolved too. Nothing about the queerness of “cleverness” or “tragedy” as concepts follows.

Just states of affairs, or generous states of affairs, if they exist at all, exist because people bring them about, and generally, people bring such states of affairs about because of some interest they have in doing so. It is not that the world “fails to be” clever or generous or puzzle solving (the way I sometimes fail to be any and all of these things)—the world as it is cannot be these things, *de jure* one might say, since by “the world,” in these conversations at least, we understand that which is bereft of teleology. Thus it is that we must take it upon ourselves to be these things, if such things are to be around at all. So much for any anxiety about moral properties grounded in their alleged queerness.

3. Unsurprisingly, I am equally at a loss to understand why someone might think that such concepts, and the states of affairs they pick out, must fail to add any explanatory content to our account of the world, as Harman seems to claim. Of course Harman’s argument is beautifully under-described—we see the boys pour gasoline on a cat and light it, and we, sentimental animal lovers that we are, find it wrong, but do we need to speak of any “wrongness” in the world, out there impinging on us as it were, in order to make sense of this (pseudo) “observation”? Can’t a fully satisfactory explanation of our “observation” be given simply by reference to things like mere feeling, reaction? The talk of observation, the unflattering comparison with neutrinos, suggests one reading, a Mackie like one, that may be set aside. Certainly we do not need to speak of some distinctive moral *thing “out there” at all* one might say. *That* point has been conceded and set aside as irrelevant to the issue. The more interesting reading of Harman’s argument may be phrased in neo-Quinean terms. Set aside whether moral con-
cepts might arise because of the need to name counterpart things; do these concepts, however understood, add anything to our general explanatory theory?

Before taking up the argument, a minor point about the example. The example exploits what is nearly a primitive in moral thinking: the virtually semantic connection between any conception of moral wrongness and the infliction of gratuitous suffering. The judgment is so simple, so unproblematic, that for this very reason it may be assimilated to something like a non-cognitive reaction. If we had chosen a complex case, say whatever it is that one “sees” when one “looks” at the Clinton-Lewinsky affair, the possibility of picking out the relevant facts without drawing heavily upon a web of moral concepts, the possibility in other words of “making sense of” our “observation” as a mere “reaction” would be a great deal harder to make out.

In the end of course, nothing beyond rhetorical power hangs on the complexity of the example. The issue is whether moral concepts perform a kind of genuine explanatory work no non-moral substitute could. I find it hard to see that they do not. Consider what goes on when people intend to do things because they believe that such things bear a moral description, and then go on to do these things as a result of their intentions. Suppose Smith gives to a Vietnamese charity because he believes the Vietnamese have been the victim of injustice. Suppose we try to explain: Smith’s behavior, the remarks Smith will give in explaining his behavior, the counterfactuals that arise if he were to discover no one will ever know he is making these contributions (he continues to give), the counterfactuals that arise if Smith were to discover that his beliefs about the relevant historical facts were false (he doesn’t). Of course we can give explanations of all these things without drawing on moral concepts. That goes without saying. We can talk about other “people” without granting talk about other minds; we can talk about what appears to be our experience of the external world without granting that there is one. And so forth. Here too, we can try to capture all this material by drawing on talk of brain states, or more plausibly, with talk about wanting or feeling things that have nothing to do with moral properties, like the approval of the girl next door, or the approval of society. The question is how good these explanations are, how well we do when we are so constrained. I submit that no explanation will do anywhere near so good a job as the one that allows us to speak of agent A intending to bring certain M states of affairs about because it is M.

It is interesting to note that there often seems an explanatory asymmetry across morally good and bad actions, moral concepts appearing more explanatorily dispensable in the latter case. It is not important that all cases of generosity be thought of as performed with the aim of being generous, but certainly many are, particularly if we are speaking of an integrated series of actions over a period of time. If A generously sends a certain sum of money every month to his cousin in need, no explanation of A’s actions that fails to mention A’s intending to be generous, or if this sounds too pompous, intending simply to be good to the person in question, will be as satisfactory as the one that includes it.
(Consider the story of Magwich and Pip in Great Expectations in this regard. How could we satisfactorily explain Magwich's sending money for twenty years without saying something about his being grateful for Pip's kindness?) But when people fail to be good, we do not always want to say they intend or set out to bring not-M about. Cruelty may stem from indifference as well as from intending to be cruel. This asymmetry between being A (typically) only if we care about A-ness and try to be A, and being not-A (typically) through indifference or opacity is not unique to morals, and as far as I can see, it raises no special problems in here. People are generally clever at philosophy only if they seek to be so, but rarely do the philosophically tedious win this accolade through trying. That is why it is easier to try to account for not-M-type actions as opposed to M-type actions without reference to M-type properties. We do not need to think of Harman's hoodlums as aiming at cruelty—they just do not care, we shall assume, about being good. Of course, the more complex the not-M action, the more substantially not-M it is, and the more obstacles there are to its successful completion as not-M, the harder it is not to think of the agent's alleged "disinterest" in M as a kind of intention in its own right. The seasoned contract killer who agrees to the kill, and agrees to include some torture too as a lesson to others, thinks about how best to execute it, follows his victim and dispatches him, is, at the least, willfully callous or criminally indifferent. And in a case like this, I do not think that we can produce nearly as satisfactory an explanation of his intentions, of his actions, of his beliefs about his intentions and his actions, or of all the counterfactuals we can raise about how he would act if certain facts were to be otherwise, if we are deprived of moral concepts. For example, it is hard to explain, satisfactorily, if the killer finds out the victim wants (suppose he wants his family to collect a lucrative insurance policy) why the killer now balks, without saying of him that "he wants to be cruel." We are now very far from a discrete episode of indifference to a cat, and appeals to indifference will no longer explain the data very well.

Perhaps before examples like this our intuitions differ, and perhaps some will feel adequate explanations are after all provided by purely behavioral concepts. So in the example above, some might think we need not say he wants to be cruel, but need only say that he wants to inflict pain. I do not think this is right—I think part of what is aimed at is that the victim feel deprived of reasonable treatment or denied respect. That is part of what is wanted. But I will not insist on the point. Harman and I can tell our stories and listeners can judge whether my story is better or whether they are equally good—so long as I may exclude from the jury pool those antecedently committed to denying moral facts (and so begging the question against me), let the games begin. But I do insist that, pursuant to the point made earlier, that moral states of affairs can be coherent objects of intention, sometimes, once in a while, in this vale of tears, and that when they are aimed at, the better explanations of the relevant actions, beliefs and counterfactuals will draw legitimately on moral concepts. This is unsurprising. When C names a complex state of affairs generally or typically achieved only when creatures capable of doing so aim to bring C about (a realist painting,
a witty lecture, a generous posture towards our cousin), we cannot usually ex-
plain cases of C-ness without being allowed to draw upon the concept in ques-
tion. It is so elsewhere; it is so here. Thus crude explanatory skepticism towards 
moral concepts must also be set aside.

4. But, as was acknowledged from the start, those interested in moral objectivity 
may well feel unsatisfied by the argument so far. The fact that M forms part of 
the best explanation for A's actions, beliefs and relevant counterfactuals when A 
does in fact intend M, and so the fact that M enjoys a substantive, non-reducible 
explanatory role in our conceptual scheme, leaves a host of distinctively norma-
tive concerns unaddressed. In particular are the issues surrounding what I ear-
lier referred to as the problem of justification. What difference does make, it 
will be asked, that we can “aspire” or “intend” to be just or generous, and that 
when we do so, a non-reducible normative conception forms part of the best 
explanation of our behavior? What matters surely is whether these are truly 
good things to be, not merely what we want, or whether rival understandings of 
these ideas can be reconciled, and so forth. So, at least, I imagine many of my 
readers will argue. The earlier issue, whether M-concepts are concepts in good 
standing, was satisfactorily handled by reference to considerations that arise 
when within what we might call our folk practice of ordinary evaluation. By 
contrast, the issue of justification is best handled by first reflecting on the dis-

tinctive role of moral theory.

5. Here is a suggestion, the first of several. Let us think of a moral theory as an 
attempt to say why our standard first order judgments go as they do. So, prom-
ising keeping is right, intentional killing wrong because (it is said): such things 
do/do not promote the greatest happiness for the greatest number, or: respect/do 
not respect the autonomy of persons, or: flow from/fail to express character 
traits that in turn are constitutive of the best life for persons. A moral theory 
points to some fact, or, perhaps more controversially, to some description of 
persons, that allegedly underlies our judgments. This is really what we are do-
ing, or are interested in, when we bring some state of affairs about, or prevent 
some other one from happening. This thing, this description, is what we (rightly, 
it is said) care about. Or so the theory tells us. One might say that a moral theory 
offers a deep interpretation of moral action, seeking to identify what is truly 
important about it.

Now one may challenge a moral theory, and the interpretation it offers of 
moral action, in a variety of ways. But in fact, the challenge we most often see 
raised, and raised as decisive, is the following: does interest in, or concern for, 
the privileged underlying description generate a clear or satisfactory implica-
tion in every case? Inevitably, it can be shown that it does not. There is always 
some case where concern for the privileged description in question either guides 
us towards no clear outcome at all, or towards the wrong one. So suppose one is 
a utilitarian. One holds that (for example) suppression of speech is wrong be-
cause that policy must fail to promote the most utility or that giving a small
amount of money to those starving is right because the loss to the giver is far smaller than the great gain accrued by the recipient, when these things are understood impersonally, and so forth. The opponent inevitably replies: These examples may be plausible illustrations of the intuition behind the theory, but they hardly amount to a vindication. The theory is “really tested” only by asking whether the X in question could underwrite all our judgments of rightness. And it cannot—which is just to say, there are cases in which we find we very much care about other things. That is why there are cases where the presence of utility and judgments of rightness diverge. The theory is then said to be discredited.

But in fact what has been discredited is the theory understood as a comprehensive explanation of our judgments. From the fact that utility cannot be the right explanation of all our judgments, does not name what we always care about, it does not follow that it is not in fact the correct explanation of some of them. From the fact that people do not always care about money all of the time it does not follow that “he did it for the money” is not sometimes the correct explanation in a particular case. What dooms moral theories is not their content but their single-mindedness. Or more precisely, that (standard) interpretation of them as accounts of what must always matter in moral life. I know there are utilitarians, and Kantians, and Aristotelians among us, but I take it as privately acknowledged by us all that these interpretations of our judgments, if imposed everywhere, will just not be everywhere plausible. I want to suggest that judgments driven by a particular moral theory may offer objectively correct interpretations of why some A is right without it having to be the case that such theories are vindicated as correct accounts of why any A is right. The argument that flows from the assumption to the contrary must be rejected and set aside. In order to see how a description can underwrite a judgment in a satisfactory way, can provide a genuine justification, we must see how this can occur as a limited possibility, not necessarily as an instance of a comprehensive—and comprehensively vindicated—justification conception. But: if we cannot hope to find moral theories vindicated by success understood comprehensively, if that ambition is to be set aside, and, assuming arguendo that this does not preclude the possibility of satisfactory theory-driven accounts before particular cases, how then is this idea, the satisfactory account in the particular case, to be understood?

6. To answer this question satisfactorily requires that I first say more about the conditions under which I take distinctively moral judgments to arise. Here is a second suggestion: By “moral life” we indicate a family of related interests. Some of these arise from the brute necessity of social life. So, we are interested in schemes by which people are able to order and resolve their conflicts. We are interested in matching, however roughly, the severity of punishment with the perceived severity of the wrong. And so forth. Others are more personal, expressing a developed sense of what is possible where interactions with others are concerned. So we are interested in overcoming certain weaknesses, such as excessive fear of those who would threaten us, or certain limitations, such as the narrowness brought on from too much self involvement.
These interests, in turn, naturally lead us to identify and care about particular facts about us. So, for example, our capacity for rational deliberation, or our capacity to experience pleasure and pain, enter into our attempts to figure out the best rules for cooperation, or the best way of structuring how are we are to match punishments to wrongs. These facts figure centrally when calculating how best to serve or pursue these interests, interests we can in turn identify as distinctively moral, as constitutive of morality. Now, I am not claiming that the connection between these facts, these descriptions of ourselves, and these interests, these concerns I take to make up morality, may be thought of as timeless, or grasped a priori. To the extent we need to, we may think of our sense of this connection as hard won through trial and error over time. But that is neither here nor there for my purposes. The important point is that it is a link not easily imagined severed now. Could a scheme of cooperation, for example, or a scheme of punishment, be just as satisfactory, just as comprehensible, if it were to track considerations of a very different sort? I do not think so. We could of course always tell a story in which people find it reasonable to have their conflicts resolved by reference to where their hair falls on a color chart, or the severity of their punishments fixed by a roll of the dice, but I take it as obvious that such thoughts pose no serious counterexamples. In those stories, as the Wittgensteinians among us would say, we do not recognize ourselves; the “people” in such examples are not clearly so at all. So these descriptions, these facts about us, while not “moral facts,” name the things we cannot help but care about when taking up any of the interests grouped under the rubric “morality.”

If this account is right so far, we may then distinguish roughly four things, two general, two particular. There is: (1) the moral interest; (2) the facts about or descriptions of persons we care about when taking this interest up, understood qua type; (3) the particular fact pattern which must be judged or managed in a particular case, and (4) the particular judgment of the facts that is then made.

7. A few more remarks about category (2), the facts or descriptions of persons we care about when pursuing or are engaged by a moral interest. As I have said before, (2) is non-reducibly multiple. Different kinds of facts about us will understandably seem more important than others in different interest-contexts. Against the interest of distributing resources, being bearers of utility and disutility seems to matter more; against that of protecting individuals against unwanted coercion, deliberative autonomy does. And even if the interest is fixed, it is sometimes so that this interest, generally understood, may be intelligibly guided by attending to either one of at least two distinct description-types. Our interest in just punishment for example may coherently take up either our deliberative autonomy or our being bearers of utility. And so this category—“that fact about persons which we care about when taking up a moral interest”—cannot be unified or reduced—a fact we pay tribute to when rehearsing counterexamples to moral theories in our introductory classes. For what is a counterexample? A
counterexample is just a case in which the description not privileged by the
theory in question is in fact the description we care about.

But though what is embraced by the category is multiple, it may not be thought
of as infinitely variable. The interest in matching punishment to intentionally
inflicted injury cannot naturally alight on or be guided by our blood type. Our
moral interests have content, and surely this cannot fail to have some implications,
constraining what we can coherently focus on or take up. Failure to appreciate this point is the non-cognitivist’s error, leading him, wrongly but consistently,
to understand morality as no more than non-specific “prescribing.” So, let us imagine D—Dn to name those descriptions of persons we find recurring
over and over again as candidates for what we care about when taking up moral
interests (we may think of these descriptions as supplied by no more than a
modest amount of self conscious reflection on the folk practice). There certainly will be dispute about which of these ought to have general priority (this is
just what it is to have differing theory commitments). And there may be disputes,
with respect to some candidates, whether this D ought ever to matter at all. This will be particularly so during a transitional time, when what seemed
uncontroversial to an earlier era has now become questionable; consider the
description “possessing an immortal soul made by God”—a description of very
little use to us in our public moral life now. I deny none of this. My claim is
minimal: for every moral interest M, there is at least some one D (there may
well be more) that non-controversially occupies us when pursuing this M. Given
the content of the interest, we cannot understand how we could not also be
interested in (at least) this fact. It is here, in this “inability to imagine” not being
interested in at least some particular feature of ourselves, that the possibility of
what I want to call “limited moral objectivity” begins to emerge.

I am not claiming there holds anything like a relation of entailment here. That would be false. One could affirm the proposition expressed by interest
M—for example, that the punishment should be matched to the gravity of the
wrong—and be convicted of no logical inconsistency if one failed to affirm any
interest in things like intentions or suffering. But I take it as well established at this point in our philosophical history that the relation between being interested
in a satisfactory theory of punishment and being interested in these facts about
persons is not captured when described along non-cognitivist lines either. The
connection between the two is not an unwarranted leap, a decision we happen to make, a feeling we happen to have, such that the account would be “equally
good” whatever fact was seized on, or such that the idea of a “good” or “bad”
account cannot, consistent with the constraints of non-cognitivism, in the end be
made out. Perhaps we need a new term here. The connection between moral
interest M and description of persons D is neither logical nor semantic. M and
not-D generate no contradiction, however the meanings of M and D are massaged. However, neither is it satisfactory to think of there being no connection

1 I have in mind of course R M. Hare’s The Language of Morals (New York: Oxford University Press, 1952).
at all, such that for any D and imagined D*, M and D and M and D* are equally coherent, equally satisfactory pairings. If the connection between M and D is neither logical nor is it non-existent. perhaps it is, to suggest a third possibility, “substantive,” anchored in how we have come to understand the substance of the moral interest.

8. I note in passing that the traditional orientation of the is/ought issue, is, on the picture I am arguing for, structurally misleading. We should not “begin” (as it were) with some fact, some description of persons, and then ask what “follows.” Rather on the account here defended begin with these interests, and ask, what, given their content, roughly understood, could reasonably occupy us when seeking success in their pursuit? It is the moral interest, not the description of persons, that provides the underlying constraint, the bulwark against non-cognitivism. Instead of asking “can we derive an ‘ought’ from an ‘is’?,” I suggest the question should be reversed in hierarchy: can we fix on some “is,” which is to say, some fact about persons, given our (moral) interest? And the answer is: yes, we can—but not via the laws of logic or from considerations generated by semantic meaning. This “fixing” occurs through how we have come over time to understand the substantive content of the interest in question. It is not the facts of the world that constrain or give us morality. It is morality that picks out the relevant facts. Or, more accurately: it is within a moral interest that certain facts about us come to matter, while others fall away as of no importance.

9. These remarks give us a picture of how to think of the connection between morality and a particular class or type of facts in the world, these in turn being those descriptions of persons we take as crucial when taking a moral interest up. But a moral judgment occurs in a given context, against a complex of particular details. Let us return then to our second problem of objectivity: Can such judgments ever be thought of as fully, which I will take to mean, satisfactorily, justified? Yes; I believe that they can, but only occasionally, only under certain conditions: only when the fact pattern in question is sufficiently simple such that there can be no question or controversy as to which D or Ds we could worry about here and, given the content D has here, no question as to what pursuit of the relevant moral interest here requires. That is my theory of limited moral judgment objectivity. Thus we can say it is wrong to torture this child (or this cat). It is wrong to enslave a racially distinct people. It is right, since you easily can, to repay this debt. The relevant moral interest, that of respecting others in the first two cases, that of cooperating in the third, just cannot admit of any other realization in action against such simple fact patterns as these. What I have called the substantive connection between how this moral interest is understood and certain fact-types narrows our field of concern. The straight forwardness of the fact type qua realized token (here) happens to leave us with no ambiguity of outcome.

Of course, it is before just these very straight forward cases that philosophers are sometimes tempted to speak of “moral facts.” I hope it is no surprise
to hear that I find this sort of talk unhelpful. Its flirtation with the idea of a parallel to the natural sciences only invites analogies that cannot be made good and subsequent ridicule from the moral skeptic. I do not really know what a "moral fact" could be beyond what I have sketched here—one of the few facts in the world that we naturally care about when taking up a particular teleology. The reason philosophers are tempted to speak about "moral facts" I think is that we have, when within our first order practice, a very deep, and I believe, actually legitimate sense of there being moral objectivity, which, on the view I am defending, is simply the justified conviction that in some cases, no other judgment than this particular judgment is really available. This sense of being "compelled," or of being "unable to affirm" any holding to the contrary is absolutely warranted. The mistake lies in taking this sense of constraint as evidence for the presence, here, for the same set of considerations that would explain it elsewhere. Thus we are led into a false analogy, and talk of "detecting" and "observing" a "moral fact" arises. But what we have in the moral case, or more specifically, in that small subset of cases that tempt us to speak this way, is not the detection of some realm of independent moral facts. Rather, there is a set of interests on one hand, and a set of facts so non-complex in their configuration on the other that, when guided by these interests, the judgment reached can admit of no substantive challenge. Objectivity in moral judgment on this account is simply what occurs when the content of the moral interest and the starkness of the facts in play combine to constrain the outcome.

10. Of course, this is not to say there will not be those who will demur. Bad faith, self deception, or otherwise motivated attachment to crazy descriptions can enter in, purporting to make the fact pattern complex, or simple enough, but now supporting a very different judgment outcome. Perhaps one thinks or pretends to think the racially distinct people are not really people. Sure. And similar remarks can be made for any example I choose. Then I suppose the outcome will be said to be not so straightforward, the justification not so objective, after all. But that is to pick back one of the antecedent conditions here. I am assuming we have a case where the underlying description really is straightforward, which is to say, a case where rival descriptions really have no independent plausibility. Such is the case in the enslavement example. No real controversy arises about whether blacks are people just because we imagine someone who puts forward a claim that has it otherwise. Real controversy arises when we have a case where the facts are complex enough so that the underlying account of the Ds in question is genuinely underdetermined. Affirmative action contexts, capital punishment contexts, whether we may torture the terrorist who knows the whereabouts of the bomb about to kill hundreds, all credibly provide such cases—and in these cases, a single credible justification, and so what is usually called an objective justification, is not going to be available.

11. Whatever one's initial dispositions towards this argument so far may be, the advantages of this model, schematically, are the following:
We can make sense of how it is that certain moral judgments are objective;

We can make sense of how it is that certain facts matter, why others are
trivial or of no importance from within moral life;

We can, consistent with affirming moral objectivity, make sense of why it
adheres to a relatively small percentage of moral judgments and why so
many moral judgments admit of credible challenge;

We do not have to speak of an independent realm of “moral facts” somehow
in the world and causing our moral beliefs in order to make sense of (1) and
(2). Within the model of objectivity and objective justification I am suggest­
ing, the explanation runs in the opposite direction from the one flirted with
by the naturalist: it is not facts in the world that on their own somehow cause
us to have certain moral beliefs—it is the teleologies we take up that cause
some of the facts to have the importance they do.

A final and it will be thought crucial challenge: How, or how well, does this
model handle the nature of moral obligation? We say that I am obligated to
prevent grievous harm to another if I can (if say there is little or no sacrifice
imposed), that I am obligated to repay that debt. How can the model I have so
far elaborated, which speaks of bits of the world being picked out, then man­
aged, by moral interests, make sense of moral considerations reaching out on
their own as it were and demanding our attention, quite apart from our pre­
dispositions, and regardless of what we make of such demands?

Obligations are certainly objective in the sense that if you have one, this is
so in virtue of certain things being so, not in virtue of any desire or interest you
might equally well disavow. Of itself this counts for little—as Phillipa Foot
observed long ago, this much can be said for rules of etiquette or law.4 The
question is how it is that these demands generate requirements we must take
seriously. Let us set aside those cases where obligations arise by consent, ex­
press or implied, since these are easily handled I think: on any theory. The hard
case for an account like mine it will be said will be the one where moral obliga­
tion seems rooted in the relevant facts, independently of anything to which any­
one has consented. So, let us take a standard, hopefully non-controversial ex­
ample, an obligation to pull the emergency switch on the subway when I see it
will otherwise crush a man stranded on the tracks. The obligation seems to arise
from a set of facts “on their own”—that he is a person, that he will otherwise
die, and that I am in a position to prevent this outcome without any cost. Can I
make sense of this feature?

I can certainly make sense of the appearance. Facts like these do matter, and
they matter without any help from anyone, but facts do no mattering the way
they have weight, i.e., utterly on their own. What I want to say, what my theory
allows me to say, is this. We cannot see these facts without also seeing them as
coming attached to others—here (the usual litany) that I have a reason to stop

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4 Phillipa Foot, “Morality As a System of Hypothetical Imperatives,” Philosophical Review, 81 (1972), 305-16.
the car, to prevent this death, regardless of what my desires might be, and so forth. One wants to say: if persons are to matter at all, then at least this must follow: what content would this claim (that persons matter) have if it did not have at least this much, against facts like these? Or, putting the point negatively, one might say, were this connection not made, the claim “persons matter” would be quite empty. And all this is true. But I do not want to say that our taking persons to matter “follows from” any fact in the world, such as the fact that persons have intentional states and deliberative autonomy. I would prefer to say that this how we make sense of considerations like these. This is how it is that we have our world. Without this stance or posture towards one another, things like social life and intimate life do not even arise. Or, one might say: they do arise, but only for creatures who take this stance. Because activities like this, living with one another in a way that involves being interested in or responsive to one another, are not best thought of as “things we do” but are instead more accurately thought of as part of what we are, the creature who did not take this up stance, did not make this connection, would simply be too different, too alien, to matter.

Minimal moral obligation thus falls out of, or comes attached to, a certain conception of persons. But this conception is not to be thought of as entailed by the facts of the world. And by this I mean: it is just false to think this is what any rational mind must think or must conclude when looking at the world, should “the world” be understood apart from this conception. This is only to say (again) that moral conceptions are not plausibly assimilated to empirical beliefs, caused by how the world is. I would rather say instead that this conception of persons is tied to and constitutive of activities central to what we are. And here is the difficulty. Normally, when we speak of a “conception,” this implies a belief system that may be picked up or set aside (e.g., I affirm Quine’s conception of science). And so when we say “A has or believes conception C,” the possibility of picking A out quite apart from C is usually in the background. But here, that implication, that further move, is not available. Thus it is, on my view, somewhat misleading to think of us as “having” or “believing” a conception of persons as important, as mattering. It is rather that we are, in part, defined by it. Or: it is rather that this conception underwrites the very possibility of that world in which we would recognize ourselves.

Of course not everyone acts in accord with this fact. No surprises there; that is why such people seem so creepy or monstrous. Nor does the account I am defending here mean I cannot say that it is true that people have worth. Sure it is. But this is not a truth that follows from the arrangements of physical particles in the universe. It is rather a conception that underlies and is expressed in the world we have made. I might perhaps put the thought this way. Suppose we imagine approaching the concept of a person by degrees, moving up the scale by increments from inanimate matter through increasingly complex animals to persons. The idea that persons matter, and so the requirements upon us that fall out of this idea (requirements that we in turn call “obligations”), may be thought
of as falling out of the conditions that signal having crossed the line and reached the type. The step-just-before, would, in the world we know, of course be the biological human-description. But the complex understandings constitutive of social life are not yet in that. As it is true that what is true of persons is more than what can be said when within the constraints imposed by biology, so it is true that persons have worth and obligations are real.

13. I am thus inclined to say that one challenge to the objectivity of morality, the ontological and explanatory challenge to moral concepts, may be fairly straightforwardly met; the other challenge, the challenge to moral justification, may be met and resolved only within a relatively narrow domain. Moral concepts do figure, non-reductively, in our best explanations, and do pull their own explanatory weight. But moral judgments, not being about how the world is apart from us, may be objectively justified only in a very limited way, and in a correspondingly rather limited range of cases. It is the content of morality, or more precisely, of the interests captured under that heading, that generates what argument for objectivity there is to be had here. The substance of these interests may understandably fix on one of possibly several descriptions, but, I have held, not on just any description. When the set of possibly relevant descriptions is unusually straightforward in a particular case, then the results, or judgment, will be too. However, it seems clear that most of our moral judgments will not be so unambiguously determined; most arise against more fluid considerations. Usually, the relevant facts are complex enough to support alternative judgment outcomes even if the moral interest is fixed; when distinct and competing moral interests are together in play, the possibility of alternative orderings and alternative judgments is even clearer. In these sorts of cases, whatever non-controversial conception of fact and justification we may repair to will pick out no one clear winner among rivals. This fact, true of most of our judgments most of the time, has led some I think to embrace a far reaching skepticism towards moral justification. But such global or unqualified skepticism towards moral justification is I believe unwarranted. The real objectivity of moral judgment justification is in fact far too modest to deserve such wholesale ferocity. But conversely, in the fact that moral interests do have content, however general, and in the further fact that in the randomness of life we are bound to be dealt some pretty straightforward hands from time to time, lies the explanation for not only how moral judgment objectivity is possible, but how it is that most of us, at least once in a while, have had experience of it as real.