Relativism and subjectivism are the most common ethical positions utilized in and propagated by the disciplines of the social sciences, and although these two stances may have multiple sources, the so-called fact-value dichotomy is undoubtedly their primary source. The fact-value dichotomy, furthermore, although it also has many sources, both philosophical and methodological, looks back primarily to the fons et origio of all ethical subjectivism in modern philosophy, David Hume's delineation of an is/ought gap—which R.M. Hare has designated "Hume's Law."^1

In one brief paragraph of his Treatise, David Hume identified a problem for all systems of objective morality. To this day, that problem has not been satisfactorily answered, and has seldom, in fact, been correctly understood:

I can not forbear adding to these reasonings an observation, which may, perhaps, be found of some importance. In every system of morality, which I have hitherto met with, I have always remarked, that the author proceeds for sometime in the ordinary way of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when of a sudden I am surprised to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought or an ought not. This change is imperceptible; but is, however, of the last consequence. For as this ought, or ought not, expresses some new revelation or affirmation, 'tis necessary that it should be observed and explained; and at the same time that a reason should be given, for what seems altogether inconceivable, how this new relation can be a deduction from others, which are entirely different from it.²

At the time of its publication, this particular observation attracted little comment or explication. It was in the general reaction to G.E. Moore's expounding of the "naturalistic fallacy" in his famous Principia Ethica that the centrality of the Humean dilemma to the concept of moral obligation became clear to modern ethicians.

It should also be noted at once that the concept of the "good" cannot be utilized to escape from Hume's Law for reasons best expressed by Sir Karl
Popper, who stated:

... given the analysis of "the good" in form of a sentence like: "The good is such and such" (or "such and such is good"), we would always have to ask: What about it? Why should this concern me? Only if the word "good" is used in an ethical sense, i.e., only if it is used to mean "that which I ought to do", could I derive from the information "x is good" the conclusion that I ought to do x. In other words, if the word "good" is to have any ethical significance at all, it must be defined as "that which I (or we) ought to do (or to promote)". But if it is so defined, then its whole meaning is exhausted by the defining phase, and it can in every context be replaced by this phrase, i.e. the introduction of the term "good" cannot materially contribute to our problem.  

By the very nature of definition, it is not possible to force the "ought" to stand for both a positive content as well as "that which one should do."

Due to spatial limitations, this article will not attempt to trace historically how the Humean position came to dominate the realm of the social sciences, nor will it apply its proposed answer to the Humean quandary to any particular instance of subjectivism in the social sciences. Space will only allow that the Humean problem be explored, that its challenge to all systems of moral absolutism and ethical objectivity be demonstrated, and that the proposed solution be tested. Despite these limitations, however, this article must be viewed as much belonging to the social sciences as to philosophy, for its implications have ramifications throughout the former discipline as throughout the latter field of study.

It is desirable, however, to mention at least one instance in the discipline of the social sciences where the is /ought problem has played a crucial role, and Hans Kelsen's *Pure Theory of Law* provides just such an example:

But if an absolute value in general and an absolute moral value in particular is rejected from the point of view of scientific cognition, because an absolute value can be assumed only on the basis of religious faith in the absolute and transcendent authority of a deity; if one must admit that from this viewpoint, an absolute moral order excluding the possibility of the validity of another moral order does not exist . . .

Interestingly, Kelsen not only makes extensive use of the is/ought in his work, but is under the mistaken idea that the existence of a Deity, in and of itself, solves the problem.

If we consider Hume's discovery in relation to an ordinary categorical syllogism in moral reasoning, it would be something like this:

[1a] X is the act of eating spinach.
[1b] The act of eating spinach is necessary for one's health.
[1c] Therefore, one ought to do X.
For the purposes of remaining absolutely clear, however, it is probably advisable to restate conclusion [3a] in slightly different form:

[1c (2)] X is an act which one ought to do.

Hume's Law would cause us at once to recognize that syllogism [1] is invalid, for premises [1a] and [1b] do not permit us to reach either conclusion [1c] or [1c(2)]. The formal fallacy is the fallacy often called the fallacy of the fourth term, for the second term of the conclusion [1c(2)]--"an act which one ought to do"--is a new term not introduced in either of the premises.

From the point of view of logic, this is not a new discovery, nor does it produce any logical conundrum or paradoxes. From the perspective of the logical sciences, there is no reason to suppose that [1c] or [1c(2)] could be validly obtained from premises [1a] and [1b].

From the perspective of both logic and simple ethical reasoning, the immediate problem raised by Hume's Law is easily solved by a sortes of this form:

[2a] X is the act of eating spinach.
[2b] The act of eating spinach is necessary for one's health.
[2c] Therefore, X is necessary for one's health.
[2d] One ought to do that which is necessary for one's health.
[2e] Therefore, one ought to do X.

The ultimate problem which the Humean Law creates is not one for logic nor for simple ethical reasoning, but is one which threatens to convert all ethical systems to subjectivism. The obvious corollary of Hume's Law involves the problem of justifying the premise [2d]. Factual premises, even if unprovable, may be assumed by the arguer to be true, and their reasonableness and the likelihood of others to accept them affect the cogency and force of an argument. What, however, is the status of prescriptive premises, if they be denied?

Premise [2d] is either a most basic moral principle or else it is derived from one or more syllogisms, each one of which must contain a more basic moral premise--i.e., a more basic "ought" principle--for the "ought" of premise [2d] can never be derived from a set of "is" premises (i.e., descriptive premises).

Eventually, in any moral system, one is going, of necessity, to come upon a most basic moral premise--because an infinite regression of moral premises would be illogical in the manner of all infinite regressions of explanation.

One must postulate a most basic moral premise, therefore, and it would be of this form:

[3a] One ought to do X.

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"X," of course, in this context, need not (and in most systems, would not) be a specific individual command, but would instead represent a class of actions. Thus, in a divine-command moral system, one's most basic premise would be:

[4a] One ought to obey God; or
[5a] One ought to obey the will of one's Creator.

In a natural law system, the most basic moral premise would be:

[6a] One ought to act in accordance with one's nature.

For these, or for any other conceivable most basic moral principle, an immediate problem arises. It would seem that one must be able to defy the imperative implicit in [3a], [4a], [5a] or [6a], for if one was necessitated to obey one of these most basic moral premises, then it would seem that the term "ought" (or any synonymous term such as "should" or "is obliged to," etc.) would be highly inappropriate. One does not use "ought" in regard to things which are necessitated. At least in its moral sense, it is meaningless to say that "Apples ought to fall downward from the trees," or "The sun ought to shine tomorrow." One reserves that word "ought" for instances when there are choices to be made.

If, on the other hand, there is a choice to obey or to disobey the moral imperative that makes up at least a part of the meaning of the most basic moral premises [3a], [4a], [5a], or [6a], the response implicit in the Humean challenge must be to say: "If one can refuse to do X, what does statement [3a], 'One ought to do X', mean?" The Humean is entitled to ask, "Why ought one to do X?" (The effect of the challenge remains essentially the same in regard to premises [4a], [5a], [6a], or any other simple moral imperative whatsoever.)

One cannot respond to this challenge by deriving premise [3a], [4a], [5a], or [6a] from some logically prior moral principle, for that would be to forsake its position as most basic moral principle and to start again down a trail of infinite regression of prescriptive premises. One can give a factical answer, of course, but that would, in fact, have no bearing on the most basic moral premise, unless the fact is tied to the prescription through a hypothetical premise. If one simply gives a reason why one ought to obey the imperative, that is clearly insufficient:

[7a] One ought to do X, because that is the moral thing to do.
[8a] One ought to obey God, because one loves Him.
[9a] One ought to obey one's Creator because He will reward obedience and punish disobedience.
[10a] One ought to act in accordance with one's nature because only such action with produce happiness.

Placing the reason as antecedent in a hypothetical premise to the reason for
obeying it also conditionalizes it, based on the subjective will of the individual:

[11a] If one wishes to do the moral thing, one ought to do X.
[12a] If one loves God, one ought to obey Him.
[13a] If one wishes to receive the rewards and to avoid
    the punishments of the Creator, one ought to obey Him.
[14a] If one wishes to be happy, one ought to act in
    accordance with one's nature.

Such hypothetical premises produce only a subjective moral system, and
the "ought" of the consequent can be replaced with a simple imperative:

[15a] If one wishes to do the moral thing, do X.
[16a] If one loves God, obey Him.
[17a] If one wishes to receive the rewards and to avoid
    the punishments of the Creator, obey Him.
[18a] If one wishes to be happy, act in accordance with one's nature.

One may also eliminate the "ought" of the consequent with a purely
descriptive statement:

[19a] If one wishes to do the moral thing, the only way is to do X.
[20a] If one loves God, the way to manifest that is to obey Him.
[21a] If one wishes to receive the rewards and to avoid
    the punishments of the Creator, the only way is to obey Him.
[22a] If one wishes to be happy, the only way to achieve this is to
    act in accordance with one's nature.

By eliminating the "ought," one has produced, alternatively, a purely
imperativistic system of morality or a purely descriptive moral system.
Neither of these alternatives is acceptable to one who seeks an objective,
absolute, or deontological moral order, as the Christian ethical thinker will
quite naturally do.

Perhaps, however, the problem with the moral law has been the way we
have stated it. Free choice (the liberum arbitrium⁶) and the absolute
unbreakability of the fully stated moral law must be reconciled, and this can
be accomplished by the inclusion of the most basic moral principle/premise in
an alternate proposition:

[23a] Either one ought to do X and one does X, or one ought to do
    X, one does not do X, and one to be punished.

At first blush, it might be though that the "ought" of the first alternate and the
second "ought" of the second alternate are used equivocally, but this is certainly not the case. Each "ought" is used as an imperative and each is used as a factual statement of the requirements of the moral code. The imperative nature of the second "ought" of the second alternate may not be apparent at first glance, but it comes into play in that the moral order calls upon one to accept the justice of one's punishment--indeed, as part of repentance, one may be called upon to punish oneself through an appropriate penitential activity.

Also, for the sake of completeness, one might add the theodic aspects of the moral law, in that a full system of morality--and especially a theistic system such as Christian morality--often justifies its own moral system in terms of theodic judgments. The Supreme Lawgiver then would state the most basic moral law in terms that include that theodic judgment:

\[ 24a \] Either one ought to do X and one does X, or one ought to do X, one does not do X, and one ought to be punished (because of Y).

"Y" represents the theodic purposes of God in giving man free will and in setting up either the natural law system of morality, or the Divine command system, or the natural law/Divine command system, etc. The clause containing the theodic judgment "Y" is not necessary for the purpose of avoiding the subjectivity trap posed by the implications of Hume's Law, since the alternate sentence premise \[ 23a \] prevents escape from the moral law, but the Y-clause is necessary for the completeness of the statement of the basis of the moral order.

With the alternate proposition-premise \[ 23a \], one may defy the first alternate, but then one fulfills the moral law through the second alternate. The second alternate cannot be genuinely defied. One can refuse to acknowledge the justice of one's punishment, but one cannot escape the punishment, nor can one escape the judgment of the moral system and its lawgiver that the punishment is just. It is also significant that one uses the alternate proposition, rather than the disjunctive proposition, for the disjunctive form would not be correct:

\[ 25a \] It cannot both be the case that you ought to do X and do X and that you ought not to be punished.

An alternate-disjunctive proposition would also fail to completely capture the essence of the moral law:

\[ 26a \] Either you ought to do X and do X, or you ought to be punished, but not both.

The alternate proposition captures the truth in regard to imperfect fulfillment.
of the moral law in that alternate propositions [23a] and [24a] both admit of the possibility that performance of the first alternate may be imperfect so that some punishment is also due.

Furthermore, with the addition of the theodic reasoning of the explanatory clause ("... because of Y"), the most basic moral law justifies its own form. In its theistic form, God makes the theodic judgment not only of what the moral law should be (either by His commands, or by the natures He creates, or by both), but also of the conditions of the moral realm, i.e., that men and angels should enjoy free will, etc. The theodic purposes explain, in effect, why, among other things, the most basic proposition of the moral law is in the form of an alternate proposition. Beings subject to the moral law do not have to acknowledge the theodic judgment contained therein for that law to be binding upon them.

It should also be noted that once the most basic moral principle of the objective moral order has been stated as an alternate moral proposition, e.g., [24a], the hypothetical moral statements may be employed within its scope--e.g., [11a], [12a], [13a], and [14a], or their alternatives [15a], [16a], [17a], and [18a], or [19a], [20a], [21a], and [22a]--because they no longer completely conditionalize and subjectivize the moral law. If one rejects what is offered in the antecedent clause of the hypothetical proposition, one is still within the ambit of the most basic moral proposition [24a], which deals with defiance as well as with compliance with the hypothetical moral proposition. Thus, we see:

[28a] Either one ought to love God and one loves Him, or one ought to love God, one does not love Him, and one ought to be punished, because Y.
[28b] If one loves God, one ought to obey Him.
[28c] One loves God.
[28d] Therefore, one ought to obey Him.
[28e] God commands Z.
[28f] Therefore, one ought to do Z.

Given a different scenario, however, one gets a different outcome:

[29a] Either one ought to love God and one loves Him, or one ought to love God, one does not love Him, and one ought to be punished, because Y.
[29b] If one loves God, one ought to obey Him.
[29c] One does not love God.
[29d] Therefore, one ought to be punished.

At the same time, it is important to recognize how the form of the most basic moral law as alternate proposition and the non-deriveability of the
"ought" from the "is" are essential for another part of the Christian system of objective morality—freely chosen evil.

In the old Socratic view, all moral evil resulted from ignorance. The persona Socrates says, "... no one willingly meets or accepts what he thinks evil." Later, Aristotle introduces the concept of akrasia (or weakness of the will), which supplemented the role of ignorance in the generation of moral evil, because with akrasia, one might know the morally correct action and not have the force of will to pursue it.

With the advent of late antiquity Judaism and early Christianity, the concept of freely chosen evil entered the field with all its vital ethical and theodic implications. Philosophically, however, full sense has never been made of the notion of freely chosen evil, and, at least in part, that has been due to the failure of moral philosophers to recognize the role that the so-called is/ought problem must play in the phenomenon of freely chosen evil.

If an "is" (or any set of "is" premises) implies an "ought," then the failure to act in accordance with the dictates of that "ought" must be due to one of those sources—ignorance of the "is" or ignorance of the "ought" implications of that "is"; a weakness of the will which does not allow one to do as one knows one ought; or a refusal to act as one ought. By the direct deriveability of the "ought" from the "is," however, this third option has been reduced to an irrationality, i.e., this latter can be understood only as an irrational refusal of the mind to do as it knows it ought to do.

Needless to say, furthermore, ignorance and/or weakness of the will are insufficient in themselves to establish moral culpability. If there were only ignorance as a cause of evil, that ignorance could never be culpable ignorance because, even if one's own act or one's omission of a required act generated that ignorance, that prior act or omission would itself have to be the product of ignorance, and so forth. Given this, moral culpability could never be imputed.

If weakness of the will be the sole source of sin, then that weakness can never be culpable weakness of the will because each instance of weakness of the will either not be based on prior weakness of the will (rendering it, thus, happenstance) or it will be based on an act (or omission of an act) influenced by a prior instance(s) of weakness of the will which cannot itself/themselves be culpable for the same reason, and so forth.

Moreover, even if one assumes alternating possible origins for evil in ignorance or weakness of the will or in a combination of weakness and ignorance, alternating causal chains of ignorance or weakness or ignorance and weakness in whatsoever combination will not render the causation culpable. Only an element of deliberate choice of evil can supply the necessary moral culpability in the commission of evil, whether that element of deliberate choice be the sole component of the commission of evil acts or be combined with elements of ignorance and/or weakness of will.

Unless one has a grounding for the willful selection of evil in one's
agathokakological perspective, no sense can be made of the traditional concept of evil as it appears in the Judeo-Christian moral tradition. Milton's Satan proclaims, "Evil, be thou my good," and without the non-deriveability of the 'ought' from the 'is,' this statement ultimately reduces either to an intellectual error (ignorance) or to an eruption of pure irrationality.

David Hume's discovery of the non-deriveability of prescriptive conclusions from descriptive premises stands not only on its own merits, but also on the role that the is/ought dichotomy must play in explaining the possibility of freely chosen evil--the root of all moral culpability and an essential element in the Judeo-Christian moral theology. Its concomitant implications attacking all moral absolutism and objectivity have been vitiated, however, and one important pillar of value-free social science has been struck down.

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**Notes**

6. Theologians have traditionally distinguished between the freedom enjoyed by humans and angels (the *liberum arbitrium*), which involves the choice between good and evil, and the freedom of the Deity (*libertas*), which involves the choice between goods and is certain of effectuation.
9. Agathokakology is understood here in its traditional meaning as the philosophy/theology of the nature of evil. It draws upon metaphysics (including ontology, metaphysical psychology, and natural theology), epistemology, ethics (including normative ethics and meta-ethics), and dogmatic theology for its analysis and understanding of "the mystery of iniquity."