27. THE OCCASIONAL RIGHTNESS OF NOT FOLLOWING THE REQUIREMENTS OF MORALITY

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ABSTRACT. Laymen and philosophers alike find it counterintuitive to consent to the assertion that "it is sometimes right not to follow the requirements of morality". This may be because the conventions of ordinary language do much to encourage the view that "morally ought to do" functions as an equivalent for "what one ought to do all things considered". In this paper I will argue against such an equivalence and attempt to shake the holders of the prevailing view, that moral reasons are always overriding, from their dogmatism. The primary theses of this paper are (1) there is no acceptable ordering of reasons for acting—not between types of reasons nor within the category of moral reasons, and (2) moral reasons are not unconditional or unexceptionable.

The body of this paper will include a discussion of various versions of the prevailing view (that reasons do have an order with moral reasons as overriding all reasons). I will make some brief remarks about several forms of simplification or reductionism which provide fertile ground for the prevailing view, specifically (a) efforts to transform 'the all things considered ought' into a 'moral ought' and (b) three efforts to offer a single principle as the basis of moral reasoning. Then I will attempt to reveal flaws in two contemporary expressions of the prevailing view; those of D.Z. Phillips and Kurt Baier. The bulk of my efforts will be directed at demonstrating the conditionality and overrideability of moral reasons. In the process I will also attempt to illuminate the attractiveness of the, if I am correct, mistaken but prevailing view. And finally a moral will be drawn.

"Why are you tendering your resignation?" "Because I have an obligation to resign." In responding in this way one might be said to be explaining, justifying, giving his motive, offering considerations, etc. One is saying something that makes why one is doing X intelligible to others or letting others in on what leads him to do X. In a word, one is offering a reason. Surely, it is to be granted that obligations are
moral reasons for acting. Someone who seriously claims, "I have an obligation to do X, but I do not have any reason to do X" is confused about what obligations or reasons or both are.

It is equally obvious that obligations are not the only moral reasons for acting. There are numerous other moral reasons for acting e.g., the performance of duties, maximizing happiness, helping one's fellow man, showing gratitude, telling the truth, compensating one for an injury, acting justly, to list only a few. In addition to such moral reasons, there are numerous other types of reasons for acting. There are religious reasons for acting, e.g., God wills it, it is what my religion demands, the church says I must, it would be an act of great piety, etc. There are aesthetic reasons e.g., it would make things beautiful, it would enlarge your creative powers, it would be offensive (simple, graceful), it would express good form, etc. There are practical, self-regarding, and political reasons, such as it will pay off, it would be good manners, you would enjoy it, it would be in my interest, your children will thank you for doing it, you would be promoted, it would save your neck, there is a restaurant nearby, it is what you have always dreamed of doing, etc. Needless to say, many of these reasons overlap and oftentimes are used in conjunction with one another and other reasons. Furthermore, these lists are meant only to be representative of the sorts of reasons that are or can be given. If I were confident of an explanation of why some considerations are reasons for acting and others are not, I would be able to spare the reader these extended lists of 'reasons for acting'. At this point it is only clear to me that it is incontrovertible that these are reasons for acting.

There have been various efforts to collapse these various types of reasons into one another and still other attempts to place them in some sort of hierarchical order. The moves of Philosophers vary but for my purposes it is important to take note of some of them. For the sake of brevity let us call these efforts three forms of reductionism or simplification: a) the transformation of 'all things considered ought' into a 'moral ought', b) the transformation of various moral reasons all into a single 'basic' moral reason (principle), and c) the ranking or ordering of reasons which place moral reasons at the top of the hierarchy and in some cases places moral obligations at the top of all moral reasons.

First, there is the effort in situations where there is a conflict of moral reasons with non-moral reasons to identify the 'what one should do all things considered' as a moral issue. If successful, then clearly moral reasons are always overriding. From such a perspective moral reasons are always overriding since when struggling about what one ought to do, one is attempting to do what is right and according to Ross, 'right' is not defineable in a non-ethical way. Thus, we are searching for the morally suitable thing to do when we ask "All things considered what should I do?" Ross summarizes:

It seems, further, that actions can be called right for a variety of reasons, so long as 'right' is used in a rather wide sense as equivalent to 'morally suitable'; for an action is in one respect morally suitable if it proceeds from good motives, in another respect morally suitable if it (whatever motive it proceeds from) in fact produces results which are the maximum possible fulfillment of the various moral claims that exist against the agent.
In *Empiricism and Ethics* D.H. Monro also argues that morality is overriding and concludes, "Any principle that would enable one to say 'One ought not to follow the dictates of morality' is itself a moral principle." The difficulty here is the grip of the view that it is contradictory to say: "One ought not to do what morality dictates." However, it is only a contradiction if it is understood as "one ought not to do what one ought to do," where both occurrences of 'ought' are moral oughts. But in part II of this paper I will try to show that there are many cases in which what one ought to do all things considered is not what one has a moral reason to do. And that the 'ought' in such cases is not a (the) moral ought, thus avoiding the apparent contradiction.

Secondly, within the category of moral reasons there have been efforts to show that all moral reasons can be reduced to one basic reason. Forms of ethical egoism claim that the fundamental (ultimate) moral principle or reason is to produce the greatest pleasure for oneself. Utilitarians have offered a basic moral reason which they claim all other moral reasons reduce to, namely, produce the greatest pleasure (happiness) for mankind. G.E. Moore is offering the "basic moral reason" when he says we should do what will produce more good than any other action that is open to one at the time. I will not make an extensive effort to refute these three standard forms of simplification, each of which collapses moral reasons into one basic reason; this has been done by others. I reject all three of these efforts to present the moral reason as superseder of all other moral reasons. One reason for my rejection is the importance of the members of the commitment family as moral reasons. "It is a promise" functions as a strong moral reason even without any concern or consideration for "what keeping this promise will do for me," "the amount of pleasure that keeping it or failing to keep it will produce" or "whether it is the most good producing alternative open to me." Normally, we do not keep promises because of the consequences. When we are concerned with keeping promises we are especially concerned with the past. We do not think it is right to (or that we must) keep a promise because of the result keeping or failing it will have. Usually, when we have conflicts between moral reasons, we do not weigh the consequences of doing the two competing actions. No, on the contrary, if we weigh at all, we weigh the strength of the reasons for doing each of the two actions. It may well be that one of the reasons that is considered is that doing X will produce more good than doing Y, but the basis on which the decision is made is the strength of the competing reasons (not how much good will be produced).

For those who remain skeptical about the force of 'it's a promise' as the decisive factor for keeping promises, but rather are inclined to say that it is the consequences of 'keeping' or 'failing to keep' promises that is the operative consideration, I have one further reminder. One of the distinctive features of promises is that most often they involve commitment to do what one would rather not do. That is, often they require that one perform some act whose consequences are undesirable for the agent. Now then, if promise keeping were decided in terms of consequences we would find promise keeping to be the exception rather than the rule. The promise itself generates an obligation to keep it. "It is a promise" is a rather opaque way of calling to mind the obligation that often serves as the deciding reason for keeping promises.
Another reason that I have for rejecting the collapsing of moral reasons into one basic reason is that in doing so the advocate of this reductionism generates what can only be seen as a "higher order" moral reason. This in itself may not appear objectionable to some but it usually leads to the view that the "higher order" moral considerations are unconditional or inescapable all things considered. This brings me to contemporary expressions of the prevailing view.

II

Moral reasons are seen to have a special status, the status of counting more than any other sort of reason. This view is embraced by many contemporary philosophers. D.Z. Phillips is a representative of this perspective. Professor Phillips says:

Moral considerations overrule those of etiquette. The man concerned with etiquette may say, "I know that etiquette says that I ought not to shake his hand, but I ought to shake his hand nevertheless." We saw earlier that a man may care for the attainment of certain ends and yet say, for reasons of morality or etiquette, "I ought not to pursue them by these means". We have now seen that a man may care for standards of etiquette and still say in certain circumstances, "I ought not to obey these rules". This is not true of men's moral considerations. They cannot say, while caring for moral considerations, that they ought not to be fulfilled.7

And again:

The demands of morality, however, are unconditional, in that they cannot be put aside for considerations of another kind. Of course, none of this will matter to a man who does not care for moral considerations. What we have seen, however, is that to care for moral considerations is to hold that they are more important than considerations of any other kind. The difference may be marked by saying that the demands of morality are categorical while all other demands are hypothetical.8

One further passage from Phillips is needed, one in which he asserts that moral concern means caring for moral reasons above all else. "Furthermore, caring for these considerations above all else is constitutive of what we mean by moral concern."9 This last stipulation implies that it is impossible for a man who cares for morality to acknowledge that there could be a case where nonmoral reasons override moral considerations. The 'all things considered ought' for the man who cares about morality is a moral ought. But some of us10 who care a great deal for morality have no difficulty imagining cases where the moral consideration is not overriding. Let us modify one of Phillips' own cases slightly.

Consider the circumstances where I tell myself that I ought not to treat someone in a despicable way. I may be about to tell a lie which would suit my purposes (save my career) but which would cause others considerable but temporary inconvenience and distress. I pull myself
up in time saying, "Come on now, do you see what you are doing?" But I go on, "Yes I see that it will be morally wrong, but all things considered I must do it and live with the moral consequences (burden)." I submit that this is a case of a man who cares for morality and that he could be correct in his assessment that he should go ahead and tell the lie. Consider another example, one of the tenured faculty member faced with the question of cooperating with an administratively imposed post-tenure review procedure. He has argued that to do so is to jeopardize academic freedom, his own job, that of his colleagues, and possibly the very nature of his profession. And yet should we say of this man who later as the struggle wears on, shocks his colleagues by cooperating that he "cares not for morality"? I think that such a conclusion would be hasty. He may be weak, or he may even have committed a moral failure. Or he may have decided that it was not the time to take a stand, but in either case, his own anguish is a clear mark that he cares for morality. It is interesting to note that on Phillips' view one either cares or does not care. It is not a matter of degree. But consider our use of 'care', 'caring' and 'cares'. Even in cases of high stakes they are nearly always used as matters of degree.

The moral dilemma that often accompanies abortion decisions can, on occasion, provide us with another counter example to Phillips' view. A young woman who is greatly distressed with the fact of her pregnancy may well embrace the view that the fetus is a human life and it is morally wrong to end such a life. While at the same time she is distressed with the fact that her pregnancy and the raising of the child will interrupt if not end her educational and professional development. In addition, the economic burdens are ones that she will not be able to assume. Finally, she is very concerned about her emotional maturity and stability while being faced with the prospect of being a young, single parent. With all these considerations she decides, with great sadness, to have the abortion. If such a case is not bogus then surely we have an example of someone who cares about morality while at the same time decides that her other reasons direct her actions. The fact that she finds herself in a moral dilemma, and suffers great distress and remorse in taking the action that she does, reveals her "care for morality". One of the ways the moral dilemma makes itself felt is that even though she is convinced that she is doing the right thing she suffers over the taking of the life of the fetus. I would urge the reader one step further, not only does this woman "care for morality" but in some sense she is doing the right (correct) thing even though it is not the moral thing. This very fact is what leaves her struggling with and suffering from the moral hangover, a hangover that may be with her for some time. To those who might say abortion examples are suspect vehicles for making lasting points about moral principles, we could construct parallel examples involving the moral dilemmas of war. The foxhole predicament in Barth's The Floating Opera forcefully presents the same issue. Moral dilemmas seldom have the hygienic resolutions suggested in logic books. While it may be the case that if one is clever enough one is able to 'take it by the horns' or 'slip through the horns', but such maneuvers are seldom executed without considerable damage and/or grief.

Now Phillips must say that such cases are impossible or such men and women do not care for morality. The second alternative seems legislative and the first response is false. Such cases not only are possible but are all too common. Since such cases are possible, are they
actually cases where the person does not care for morality? Contrary to Phillips' view, a person who, in a hard situation, is willing to carry the burden of moral failure is not one who "cares not for morality". The poverty of Phillips' position is that it divides the world into those who care and those who do not care for morality. Those who care follow moral reasons above all others. Those who do not care do not follow moral reasons and feel no remorse. He seems to overlook the great mass of people and cases that fall between, he excludes the mixed cases which are so instructive in morals. Following Phillips' position one would have to say that Abraham was a man who did not "care for morality", for he was willing to override the "ought of morality". If Abraham did not care for morality, the moral reasons would carry no weight for him and the Abraham-Isaac story would lose a very important dimension. After all, Abraham was not just some old fool climbing a mountain, not just a religious fanatic about to murder his son. Abraham was the moral pillar of his tribe. He was the leader (father) of the Jewish people, a wise and just man. On Phillips' account, moral reasons are never balanced or weighted against other considerations for there would be no point in such a "weighing up". The only time moral reasons are weighed against other reasons is when those reasons are also moral reasons. On Phillips' view, the "what ought I do", the big question, (the very scale itself) is the moral scale. It is for this reason that Phillips asserts the absoluteness and unconditionality of moral considerations. But, it is only if the 'all things considered ought' is in some sense a neutral ought that we can weigh reasons for acting as we do.

Let us now turn our attention to a more specific sort of ranking of reasons, ranking within type. In determining what we ought to do, we may have to consider a variety of moral reasons that are relevant to the performance of our act. We compare and weigh the various reasons in determining what we morally ought to do. If I have an obligation (duty, or any other moral reason) to do X, then provided that there are no moral reasons not to do X, I morally ought to do it. The interesting and troublesome cases are those where we have moral reasons which conflict on an issue. We have an obligation to do X and other moral reasons for not doing X. What morally ought one to do? Should one always discharge one's obligation? How strong a reason is an obligation? We may be inclined to think that obligations are very strong moral reasons. Kant is a philosopher who holds that some obligations are unexceptionable, i.e., the strongest moral reasons in all cases. Ross in describing Kant's view says, "...there are certain duties of perfect obligation, such as those of fulfilling promises, of paying debts, of telling the truth, which admit of no exception whatever in favor of duties of imperfect obligation, such as that of relieving distress." Kant's claim is far too strong; counter-examples are easily constructed.12 Baier is another philosopher who holds that we can rank the strength of reasons within each type (moral, aesthetic, self-regarding, religious, etc.) and, further, that we can rank the weight or strength of the types. His system becomes a personal one; that is, say within the class of self-regarding reasons I may rank playing tennis higher than going fishing and surely higher than jogging, while you may rank them differently. But for any such ranking to have usefulness it must have considerable permanence. Baier claims that we each employ what he calls consideration-making beliefs and thereby derive beliefs about the superiority of one type of reason over another. He calls these "rules of superiority" and it is through these rules that we are able to establish the strength
of various self-regarding (moral, etc.) reasons and rank them accordingly. The ranking does not stop here, Baier goes on:

Similarly, we employ principles of superiority of one type of reason over another. We all believe that reasons of self-interest are superior to reasons of mere pleasure, that reasons of long-range interest out balance reasons of short-range interest, and reasons of law, religion, and morality outweigh reasons of self-interest. On the other hand, there is considerable uncertainty about whether and when law is superior to morality, religion to law, and morality to religion.13

Again, less boldly, in a more recent article Baier says that moral reasons override other kinds of reasons at least they always override reasons of self-interest.

(For) moral directives must be such as to be rightly regarded as overriding not only inclination but also self-interest; the question of whether or not someone follows them must not be solely his business; and so the social practice of seeing to it that everyone follows them must be justified.14

In these two passages Baier is speaking of types of reasons. Thus, on his account if I promise to meet you at noon for shuffleboard (the promise generates an obligation, a moral reason) and in the interim I find out that the personnel director of Gold Dust College, where I have applied, will hold a tea at noon (a self-regarding reason); we would all believe that I should keep the promise and play shuffleboard at noon. This is certainly not as clear cut as Baier asserts: "We all believe... that [reasons of] morality outweigh reasons of self-interest". Rather, one wonders, "How could Baier be right about such a case?" We could fill in the case so that "my going to tea" may be playing an important role in the fulfilling of my moral responsibilities as a husband and a father. But then we are not considering a case where moral reasons override reasons of self-interest but rather a case where one set of moral reasons are overridden by reasons of self-interest and moral reasons. Will it do for a defender of Baier to transform counterexamples (cases of a moral reason and a reason of some other type in conflict) into conflicts of moral reasons?

In response to the thrust of my position someone may argue that in the cases that I provide where personal, political, religious, etc., reasons override the moral reasons, these reasons most often involve or are accompanied by a cost to the agent. That is, these other types of reasons involve a cost to the agent and thus are also morally relevant considerations. So the counter examples are no longer conflicts between moral and non-moral reasons. And in so far as the counterexamples have plausibility it is only because the conflict is between moral reasons. Thus we preserve the fundamental assumption of the precedence of moral considerations.

The opponent who attempts such a maneuver will only find himself out of the frying pan and into the fire. For he now must face the problem of defending the view that, "self-interested" reasons are really moral reasons (surely neither Baier nor Phillips, see pages 482-483 and
page 480, can consistently take such a position). It is not at all obvious that "cost to oneself" constitutes a moral reason except in the questionable moral theory "ethical egoism". Furthermore this way is rocky if not closed off by those who argue that "duty can be obviated by excessive cost". The upshot is, that either way, mainstream moral reasons are overridden by "non-moral reasons" or to put it differently, "prima facie" duties do not become "duties sans phrase" because of "cost considerations".

Maybe a more clear cut case will drive the point home. I promise to play tennis at noon and then later I hear over the radio that if the owner of the blue 1968 Saab, license number EDE 211, shows up at the station at noon, he/she will win six hundred dollars. Now then, the reason for going to the radio station is purely an economic, self-regarding one (six hundred dollars is a lot of tennis balls). The reason for going to the tennis courts is more complex, it contains both self-regarding reasons (the enjoyment that I derive from the game) but also, and most importantly, the reason that would give me even a glimmer of hesitation on my way to the radio station is the moral reason (obligation) that is generated by the promise to be at the tennis courts at noon. Surely, here we have a clear cut case of a reason of self-interest overriding the moral obligation that arises from a promise. And we would, contrary to Baier, "all say" that I would be a fool not to go to the radio station.

Now then, the critic might respond that the reason we agree that I would be a fool not to go to the radio station is because I ought (morally) to go! I ought to go because not to go would "cost me $600" and such a cost is a sort of injury to oneself. Since one ought not needlessly injure oneself one ought to go to the radio station. We don't need to lower the prize to twenty dollars to point up the questionable ness of this line of reasoning as moral reasoning. Surely the failure to secure the prize money (the cost) is a matter of self interest not morality. And surely this way of thinking flies in the face of what is more commonly understood as the core meaning of morality. Alan Gewirth puts it forcefully: "A morality is set of categorically obligatory requirements for action that are addressed at least in part to every actual or prospective agent, and that are concerned with furthering the interests, especially the most important interests, of persons or recipients other than or in addition to the agent or the speaker." (emphasis added)

The shuffleboard and tennis cases appear to be ones that call Baier's system of ranking of reasons into question. One can have obligations whose content is of little significance as in the shuffleboard or tennis cases vying against reasons of self-interest which are of greater significance. In these cases, the content of the obligation appears to militate against its importance as a reason. The relevance of the content of each of these types of reasons appears to be glossed over by Baier in his ranking system. Surely the amount of pleasure, the gravity of the obligation, the degree (extent) of self-interest, the importance of the law (at issue) etc., must be considered in any effort to rank reasons. But alas, if the strength of each type is 'factored' into the ranking process, the ranking system will be untidy, complicated, and multidimensional at best, or even so lengthy as to be of little or no value as a guide for what one ought to do. Or more accurately, the ranking system will no longer be a ranking system but the process of weighing conflicting reasons itself. The upshot of the necessity for us to consider the content as well as the form (type, kind) of reasons is that we
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will all see that all moral reasons do not override all self-regarding reasons.

Another argument against the received view "that moral reasons are the strongest reasons" can be constructed by looking further at Phillips' position. Against Foot, Phillips asserts:

So though it's a fact that I must care in order that moral considerations can become reasons for acting for me, my reason for acting is not the fact that I care. Furthermore, caring for these considerations above all else is constitutive of what we mean by moral concern.17

I take Phillips to be asserting that "moral concern" means caring for moral reasons above all else. So then, a man who is diverse in his caring for reasons and so diverse as to be able to care more for non-moral reason than a moral reason, lacks moral concern. But now we see that to care for moral reasons or for moral considerations to play a part in my decisions, they must play the decisive part. Phillips is saying that a man who is able to care more about a non-moral reason doesn't care about moral reasons at all! Again, this is certainly not obvious.18 This unconditional "caring for moral reasons" appears to be a sort of 'blind sight' that plucks down on the side of moral reasons without considering the cases at hand. After all, if there are moral reasons involved and they are all on the same side of the issue, then the issue is settled irrespective of what the reasons are. But this artificially narrows the dilemmas of problem solving only to those situations where there are conflicting moral reasons. As we have seen, there are numerous significant cases in which the conflict is between a moral and another type of reason.

I conclude that there is no correct ranking of moral reasons. Furthermore, there is no correct ranking of the different kinds of reason either. Both forms of reductionism are flawed. There is no set formula, no recipe, rather the correct calculation will seldom be the same, for the elements are always changing. In each situation, we weigh the various reasons: sometimes the obligation to keep a promise is the strongest, sometimes the act of benevolence is the strongest, sometimes the relationship of being X's friend is the strongest. It will depend on the individual cases. I am in sympathy with Ross who says:

When I am in a situation, as perhaps I always am, in which more than one of these prima facie duties is incumbent on me, what I have to do is to study the situation as fully as I can until I form the considered opinion (it is never more) that in the circumstances one of them is more incumbent than any other; then I am bound to think that to do this prima facie duty is my duty sans phrase in the situation.19

But this is not as dismal and undesirable as it may seem to some on its face. For what is involved in coming to form one's considered opinion is one's fullest reflection on an examination of the particular circumstances, the duties, obligations, and all other relevant considerations. A rough list of some of the factors involved in a consideration of the strength of moral reasons may illustrate the complexity and variability of such calculations. The consequences of doing X and of not doing X are often important, but sometimes considerations of consequences will
not settle the issue. The likelihood of consequences that one cannot foresee or actually determine, and the relationship one has with the people involved, i.e., the duties of friendship, roles, and stations add moral reasons. Temporality, that is, in cases where there are two commitments, which one was made first (this is seldom a decisive factor but it should not be ignored)? In the cases of conflicting obligations, which obligation could be "made up" more easily or at all? Would doing X be more likely to reduce conflicts of interests in the future? The nature of the act itself. In deciding between two actions which is most in accord with the established way of acting, i.e., in conformity with the current moral code and current institutions and laws, etc. From this list we can see that reason, or better, reasoning plays a crucial part in such determinations. They are not simply the providence of one's moral nose (a matter of perception).20

Returning to the question of the strength that obligations have as moral reasons, there is another kind of strength that obligations seem to have that is relevant and may give us an insight into the attractiveness of the prevailing view. We can discover this strength by considering how failure to fulfill one's obligation compares to failing to do X where one had some other moral (or non-moral) reason to do X. The point here being that, if Jones has an obligation to do X and Smith has some other kind of moral reason to do X and both Jones and Smith fail to do X, we will find that there are far more acceptable excuses open to Smith than to Jones. On this basis we may be inclined to conclude that obligations are stronger than other moral reasons but this would be a hasty and unwarranted conclusion. Since obligations are moral burdens which we take upon ourselves, on the face of it, the failure to discharge them is likely to be more difficult to excuse than failure to meet moral requirements or burdens that we seem to acquire by happenstance. We can illustrate this point by considering a case where a child is drowning and (a) Black, a stranger, does not do what he ought to do; he does not save the child. (b) White fails to perform his duty as a river-patrolman; he does not rescue the child. (c) Grey, the child's babysitter, fails to fulfill his obligation; he does not rescue the child. It is obvious that there is a considerable difference among the defenses that are available to Black, White, and Grey. The following responses will serve Black, White and Grey quite differently: 1) "I am afraid of water", 2) "I was thinking of my dissertation," 3) "I hate children", 4) "I can't swim," 5) "Why me?" From the lips of Black who just happened to pass by at the unfortunate moment, 1) and 4) may excuse his failure to save the child. While it is likely that 2), 3), and 5) will not excuse Black's not saving the child, some of them will count toward reducing the blame for his failure or at least we can sympathize with him. But for Grey, who promised to care for the child, most of these responses will fall on deaf ears. This kind of case indicates a kind of strength that obligations do have as moral reasons for acting. But from this, it is a mistake to baldly conclude that obligations are unexceptionable as moral reasons.

It is a mistake to assume that obligations weigh the heaviest in considerations of what all things considered ought to be done. Just as it is mistaken to presume that obligations are always the strongest of moral reasons, it is also mistaken to presume that moral reasons are the strongest reasons, all things considered. Sometimes aesthetic, religious, political, prudential, etc., reasons outweigh moral considerations. As we have seen against Phillips and Baier, cases of this would be when the
moral reason is an insignificant one and conflicts with reasons which are of considerable importance. In such cases, what one ought to do all things considered is not necessarily what one has a moral reason to do. Cases where political reasons might override moral reasons can be constructed without much difficulty by thorough-going utilitarian (one might borrow cases from the Nixon tapes). A reconstruction of cases of immoral tactics used by some investigative reporters against a corrupt administration may furnish us with further examples. Woodward and Bernstein of the Washington Post admit to using what they call immoral and illegal tactics (methods) i.e., the same kind that the Nixon administration was using. They did this not for the moral reason, to get the truth out, they were convinced that the truth would eventually come out, but rather for either reasons of self-interest (enhance their positions at the Post) and/or for political reasons.

I make these brief remarks in an effort to shake the prevailing view which I hold to commit the error of seeing moral reasons as always being the strongest reasons for acting. The problem of determining the strength of various kinds of reasons is an especially complex one because of the extensive interrelations between the different kinds of reasons themselves. The trouble is that the various kinds of reasons may buttress or militate against one another, and they may operate on the same or on different levels. Often, we not only have moral reasons for acting in a moral manner, but also aesthetic, religious, political, self-regarding, etc., reasons as well. Similarly, we often have reasons other than aesthetic reasons for engaging in a creative activity, say painting. These various reasons not only conflict but may also overlap and support one another in a variety of ways.

To deal with problems of determining what one should do all things considered, in a productive way requires getting clear about the distinctions between the kinds of reasons one can have. I have tried to make some progress within the category of moral reasons to distinguish and get clear about some of the various kinds and characteristics of moral reasons that we can have. Toulmin and Baier in a different context make a point that I have been trying to establish through much of this essay that is relevant at this juncture:

When faced with a controversial class of utterances, which falls across the Divide, such as moral, aesthetic, mathematical, judicial, or ritual utterances, philosophers have too often reacted by consolidating some or all of these distinctions, and arguing as though they cut along the same line. But the result of welding these nine or ten different distinctions, or a selection of them, into a single, monolithic distinction is not to clear away the philosophical fog surrounding such utterances: it only thickens.22

So too, there is a need for us to break the weld of the prevailing view that would have us embrace a monolithic order which fogs over the diversity, disparity and complexity of reasons and practical reasoning.
ENDNOTES

1 I am using "obligations" here as a particular type of moral reason, one that arises out of making a commitment to someone, rather than a general, catchall term for "all sorts of moral reasons" as it is sometimes used.


5 The egoist position has been forcefully opposed by showing that it is not an ethical position but one of self-interest. See M. Singer Generalization in Ethics, 273-5. Other objections are offered by Brandt in Ethical Theory, 371-5, Baier in The Moral Point of View, 215-8. A good discussion of difficulties with the Utilitarian view is found in Chapter five of Forms and Limits of Utilitarianism by David Lyons. Also, Rawls rejects the one moral reason view, see "Two Concepts of Rules" in Foot Theories of Ethics, 144-170, especially 153-7. And see Ross The Right and The Good chapters one and two for a discussion of Moore.

6 In lecture XII of How To Do Things With Words, J.L. Austin writes of "families" of related and overlapping speech acts. "Commissives" make up one such family. He says, "the whole point of a commissive is to commit the speaker to a certain course of action."


8 Ibid., 150.

9 Ibid., 147.

10 Phillipa Foot in particular has engaged Phillips on this point. See "Morality as a System of Hypothetical Imperatives", PR, 81 (1972); "Is Morality a System of Hypothetical Imperatives? A Reply to Mr. Holmes," Analysis, 35 (1974-5)

11 W.D. Ross, The Right and The Good, (Oxford, Oxford University Press, 1946), 18. Kant's language is different from both Ross' and mine. For Kant a duty is an action that one is necessitated (or has reason) to perform. He uses "perfect obligation" to express the necessity of performing a free action which comes under a categorical imperative. So then, one can have a duty to X, and the necessity to do X could be due to a "perfect obligation" i.e., one that is under a categorical imperative or due to an "imperfect obligation", one that amounts to some other kind of moral reason for doing X. See Kant, The Doctrine of Virtue, 20-4; Kant's Theory of Ethics, Abbott 278-9, and The Groundwork of the Metaphysics of Morals, Patton 89-91.
Plato provides us with a famous counter-example, Socrates' encounter with Cephalus at the outset of the Republic (page seven in the Cornford translation). Numerous examples are provided by David Hume in Hume's Treatise of Morals: and Selections From the Treatise of the Passion's ed. J.H. Hyslop in which following the claim of justice runs against the public interest (common good). One such example runs as follows: "When a man of merit; or a beneficent disposition restores a great fortune to a miser, or a seditious bigot, he has acted justly and laudably, but the public is a real sufferer." In Diggs, The State, Justice, and The Common Good 98-99. A contemporary example: Are we to follow Kant and keep a promise, "to watch over someone's beach paraphernalia," rather than relieve the distress of a stranger undergoing a shark attack fifty feet off shore?

Kurt Baier, The Moral Point of View (Ithaca, Cornell University Press, 1958), 99. Another recent and clear expression of this view is found on page one of Alan Gewirth's Reasons and Morality, Chicago: University of Chicago Press, 1978. "...morality (sets) requirements that take precedence over all other modes of guiding actions, including even the self-interest of the person to whom it is addressed."


Phillips, op. cit., 147.

Why impose such a one dimensional scale of caring? M. Mayerhoff in his masterful little book, On Caring, forcefully demonstrates the complexity and multiple aspects of caring. See especially 38-41 "Caring as a matter of degree within limits".

Ross, op. cit., 19. See also page 42.

Bentham in An Introduction to The Principle of Morals and Legislation provides us with as extensive a way of assessing the weight (strength) of moral reasons as I have found in the literature. See his section on "Value of a Lot of Pleasure or Pain, How to be Measured".

Also, for White, the river-patrolman who has a duty to save the child, these responses will not do at all. We find that some duties like obligations have a kind of strength that is not shared by all moral reasons.

S.E. Toulmin and Kurt Baier "On Describing" in Philosophy and Ordinary Language, ed. by Charles E. Caton (Urbana Illinois: University of Illinois Press, 1963) 215. The Divide referred to is that between "descriptive statements" and emotive (normative, persuasive, prescriptive, imperatival, performatory) expressions. (See 213.)