

ON THE VARIETY OF AND RELATIONSHIP BETWEEN ETHICAL JUDGMENTS

Dissertation Research Summary

When philosophers speak of ethical judgments, they take for granted that their subject matter a single class of judgments with a common set of properties. This notion is most fully expressed in theories like Consequentialism and Kantianism, where all ethical judgments are seen as primarily concerned with actions whose value is conceived impartially, where one is obligated, forbidden, or permitted to perform some act. These *moral* theories are attractive because they reflect the properties of the judgments we have about questions we paradigmatically think of as ethical (e.g. is it morally permissible to have a 3rd-trimester abortion). But do all ethical judgments actually share in these properties? In other words, is morality capable of encompassing every aspect of leading an ethical life?

It has been argued that this is not the case with regard to some ethical judgments that are essentially *partial*, such as those concerning personally important projects and inter-personal commitments (e.g. friendship). And it seems that we commonly make ethical judgments that defy the obligatory/forbidden/permitted trichotomy of morality by treating moral duties as minimal standards we can surpass through kindness, courage, and generosity. In the 1970s and 1980s some theorists (e.g. Bernard Williams and Michael Stocker) argued that morality was structurally incapable of accommodating these ethical judgments, and so, should be dropped in favor of a “broader” notion of the ethical. Consequentialists and Kantians, however, responded by developing more sophisticated conceptions of morality, which aimed at reconciling their preferred picture of morality with these important aspects of our personal lives. But the question of whether the judgments that were supposed to be problematic for morality could actually be accommodated *within* morality so that all ethical judgments were moral judgments, remained unanswered as theorists moved on to other debates.

Until we determine whether morality is capable of accommodating the entirety of our ethical lives, we can understand neither the nature of the ethical, nor the relationship between impartial moral judgments and those partial considerations (e.g., personal relations, commitments, and projects) that make life worth living. If morality can do the job, then all ethical judgments may simply reduce to a type of moral judgment. If it cannot, however, then there must be other, *extra-moral* classes of ethical judgments. And if this is the case, some account is needed of how moral and extra-moral classes of ethical judgments relate to one another in deliberation. My dissertation argues for a broad view of the ethical as a sphere of considerations reflected by a multiplicity of fundamentally different, yet inter-related, classes of ethical judgments.

In **Chapter 1** I present the most productive way to conceive of the formal difference between the judgments of impartial “morality” and a broader conception of “ethical” judgments. I argue that while all ethical judgments are universal and general (they quantify over everyone and do not refer to people in virtue of unique characteristics), moral judgments can be distinguished by their impartiality – they involve an equal treatment of anyone that will be affected by an action. This leaves conceptual space within the ethical sphere for classes of ethical judgments that are not committed to impartiality as moral

judgments are.

Showing that extra-moral judgments are *conceptually* possible tells us little about whether any such judgments actually exist. In **Chapter 2** I show that we have to recognize at least one class of extra moral judgments: judgments that consciously favor performing acts judged to be morally better than what is morally required. I defend an understanding of this class of judgments as second-order ethical judgments *about* whether one should do what one has already judged is prescribed by morality. My writing sample, which is drawn from this chapter, focuses on some of the arguments for this view.

Such second-order ethical judgments broaden the subject matter of ethics beyond morality, but they are not alone. Many of our judgments about friendships and familial relationships, as well as about the place our most central and meaningful projects should play in our lives (e.g. to become a world-class violist or a good friend), appear to be *partial*, rather than impartial, ethical judgments. However, some philosophers (such as Samuel Scheffler, Peter Railton, Barbara Herman, and Marcia Baron) have argued that this fact does not make them incompatible with an impartialist view of moral judgment. In **Chapters 3 and 4** I present versions of their accounts that attempt to show that impartial morality can successfully accommodate all apparently partial ethical judgments. I argue that none of these attempts is capable of accounting for all ethical judgments, and conclude that there must be classes of extra-moral ethical judgments that are essentially partial.

Chapter 5 proceeds to examine the relationship between moral and extra-moral judgments within the ethical sphere. My discussion focuses on Thomas Scanlon's (1998) attractive account of this relationship as necessarily involving recognition of the other's value, which results in the adjustment of conflicting demands among different types of ethical judgments in order to avoid conflict between them. While Scanlon succeeds in showing that moral and extra-moral values can often be reconciled in such a manner, I argue that some legitimate extra-moral judgments are neither perfectly attuned with morality, nor intrinsically geared to drop their demands when in conflict with morality. Moral and extra-moral values can and sometimes do conflict in deep and irreconcilable ways. This in turn supports the existence of a further class of ethical judgments – higher-level ethical judgments that arbitrate conflicts between moral and extra-moral judgments.

The picture that emerges of the ethical as composed of multiple classes of inter-dependent judgments is just what we need in order to get a better grasp of the relationship between morality and other things of ethical value to us. It can also play a constructive role in meta-ethical debates that focus on the properties (such as objectivity) of what is assumed to be a *single* class of ethical judgments. For example, moral judgments such as those that hold that killing an innocent person is always wrong, intuitively appear to us as *descriptive* of some fact of the matter, while our intuitions about supererogatory ethical judgments better support the notion that the function of such judgments is primarily to *expressive* an endorsement of certain norms about how one ought to live one's life. While our intuitions about the former support the notion that the propositions expressed by ethical judgments are objectively truth-apt, our intuitions about the latter deny that conclusion. Our conflicting intuitions about the properties of different ethical judgments thus constitute a major obstacle for such disputes. If, however, we instead take a multi-class view of the ethical, we can see our intuitions split neatly in relation to different types of ethical judgments being examined, and so not in conflict after all.