

Moralism

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ABSTRACT *In this paper moralism is defined as the illicit use of moral considerations. Three different varieties of moralism are then discussed — moral absolutism, excessive standards and demandingness, and presenting non-moral considerations as moral ones. Both individuals and theories can be regarded as moralistic in some of these senses. Indeed, some critics of consequentialism have regarded that theory as moralistic. The author then describes the problems associated with each sense of ‘moralism’ and how casuistry evolved to try to deal with some of these problems. The author also defends consequentialism against one charge of moralism [1].*

“Moralism” is a very broad term. In philosophy, it is often shorthand for legal moralism, or the view that at least in some cases morality should be legislated [2]. However, in more ordinary contexts moralism refers to something broader. In this paper I will explore ‘moralism’ as the illicit introduction of moral considerations [3]. In this sense, ‘moralism,’ like other terms of disapproval such as ‘sexism,’ is essentially normative, and attributes some kind of mistake or error. Usually, but not always, the moralizer is condemned for making a mistake in judgment and behaviour. Sometimes the mistake is one of emphasis or excess. Moralizers can be excessive about morality in some way, and thus seem to exhibit a vice, one involving lack of due proportion in the direction of extreme demandingness or strictness. But a moralizer is also didactic, and this is the behavioural aspect. Sometimes, for example, the excess has to do with how the person reacts to perceived immorality. An excessively harsh reaction, then, can also be characterized as moralism. The excessive concern about perceived moral issues blocks due concern for other issues, so the moralizer can often come off as one-dimensional or priggish. To the moralizer what matters is **morality**, and those who find his behaviour irritating are those who are failing to do what they ought to do, or to believe what they ought to believe. Thus, the moralizer considers himself completely justified. And, it is hard to see what *is* wrong with moralizing behaviour, given that moral reasons are held to be overriding — the moralizer is just pointing out our true obligations, right? I have argued elsewhere that moralizing which involves actively trying to impose values on others can be counterproductive [4]. However, in this essay I’d like to explore the more general issues raised by moralism as an illicit use of moral considerations. An additional issue to be explored is one reaction to at least one sort of moralism discussed here. That reaction is a casuistical method for making moral judgments.

One variety of moralism I would like to look at is that associated with being excessively demanding. There are at least two ways in which one might be excessively demanding or excessively strict: (1) by holding the supererogatory to be obligatory, or otherwise not being sensitive to non-moral costs — a form of moral perfectionism, and

(2) by insisting on strict adherence to absolute moral rules. These are distinct because, though they both involve issues taken (by someone) to be genuinely moral, in the first category the moralizer fails to recognize the moral *optionality* of some actions and in the second category the moralizer seems insensitive to nuances that might move one away from strict adherence to rules [5].

The moralizer is also one who seeks to convert others, or apply pressure — and this is what is especially problematic. For example, in the case of (1) we might actually hold someone to be particularly admirable if they adopted as personal obligations what most consider supererogatory. Sainly people are sometimes viewed this way — as putting enormous demands on *themselves*. This is not moralism in and of itself. However, if they attempt to get others to risk their lives for the sake of someone else, and if they portray those who don't as lacking even minimal decency, then this looks like moralism. Thus, *simply* having high standards does not make one moralistic — Mother Teresa had high standards, but this did not make her moralistic. However, if she had insisted that everyone must make the sacrifices she made in order to be minimally decent the case would have been otherwise. Thus, there seems to be a public aspect to moralizing. Sermonizing seems to be the same. While one can internally be moralistic, one cannot purely be an internal moralizer. Internal admonishment is not moralizing since it does not involve imposing on someone else. The imposition of excessive values or the excessive imposition of values captures what is wrong with moralizing. When someone is moralizing one is putting undue moral pressure on another. Thus, moralizing points to a self/other asymmetry in moralism. A *moralist* can simply be putting pressure on *himself*, but a *moralizer* does so with respect to *others*. There are situations in which people moralize about others amongst each other — for example, you could imagine two people watching the New York City news on T.V. and clucking over the outrageous and immoral behaviour prevalent in the big city — the condemnation is not directed at someone else — no one else witnesses it, even. However, it is still about others and publicly expressed.

There is a third category of moralism that may or may not be demanding of others. This consists in (3) taking non-moral factors to be moral ones. That is, making illicit use of distinctly moral considerations both in prescription and explanation [6]. This category is somewhat different in that there doesn't seem to be the same requirement of publicity as in the first two senses, since it isn't associated necessarily with blame or castigating behaviour. One can make such misattributions with respect to oneself (indeed, social psychologists tend to think of this as fairly common) and it can be private [7]. However, to the extent that these sorts of misattributions are public and made against the behaviour of others this tendency is a vice. It seems similar to (1) since a person exhibiting this vice is putting *moral* emphasis where it does not belong. However, it is different because (1) involves taking a genuinely moral consideration and inflating it. So (3) exhibits a different vice — that of treating moral reasons as more pervasive than they actually are.

Casistry developed as a response to the excessive demands of moralism that seemed to follow on absolutist or perfectionist interpretations of religious doctrine. Casistry, *historically*, developed as a way to help make practical ethical decisions within a framework of underspecified rules and norms. It was a method for dealing with the ensuing uncertainty [8]. Hugo Bedau writes that 'casistry' “. . . refers to the study of individual 'cases of conscience' in which more than one settled moral principle (or perhaps

none) applies . . . casuistry is the use of the ‘method of cases’ in the attempt to bring ethical reflections to bear on problems requiring the decision and action of some moral agent” [9]. One purpose of this paper is to arrive at a better understanding of casuistical method by contrast with the vices of moralism it was intended to neutralize. In the modern context, particularism is often presented as the modern embodiment of casuistical method. I will argue that this association is mistaken. For example, the absolutist moralizer (type 2) fails to treat rules as underspecified, or as open to some interpretation, thus holding persons to strict adherence. Casuistry offers a method for rule adherence in making moral decisions, but treats rules as mere rules of thumb, thus allowing for flexibility and discretion in moral judgment. Its connection to moral perfectionism has to do with the fact that a very demanding morality might well be a controversial one, and thus ‘uncertain’ — again, casuistry, historically, developed to allow individual flexibility, to allow for the scope of conscience. This in turn is likely to be associated with choosing the less demanding of the acceptable alternatives [10]. This tendency is probably what led to Blaise Pascal’s assault on the method, though, as Jonsen and Toulmin point out, it is not clear whether Pascal was attacking casuistry *per se*, or simply an extremely lax application of the method [11].

I. Type 1 — Perfectionism

(1) Andy is waiting on a street corner for the signal to cross. Ralph, who is standing next to him angrily denounces him for not helping Rose, who is standing next to them both, with her groceries. While Andy agrees that it is nice to help people carry their groceries, he doesn’t think he has an obligation to do so, and is upset by the criticism.

(2) Aurelia gives roughly 10% of her income to charity each year, but her sister Constance accuses her of moral laxity, not living up to minimal moral standards, which would require much greater levels of charitable giving — at least 50%. Aurelia disagrees, believing that she is already at the level of supererogatory giving, and deeply resents her sister’s criticism.

In these examples, Andy and Aurelia view Ralph and Constance as moralizers, as excessively demanding. While Ralph and Constance both recommend actions based on moral considerations, they demand too much for minimal decency in others. It is important to note that the moralism consists in the excessive demandingness, but that it is demandingness that is articulated as a demand against *others*. Thus, it involves an attempt to impose additional burdens on others that they themselves do not recognize as legitimate — and, in the cases I’ve discussed so far, do not seem to be objectively legitimate. However, the two cases above both involve excessive demandingness in the sense that there is some genuine value that is being amplified. It *is* nice to help people with their groceries, and it *is* nice to give a great deal to charity. One can believe this and also believe that one normally doesn’t have an *obligation* to do these things. The mistake is one of excess. But is it possible to be a moralizer making a far more serious moral error, that is, by trying to impose as a moral burden not something in excess of a legitimate value, or something that, while not simply amoral, is actually *immoral*? Consider the following case of what we might term an evil moralizer.

(3) Albert is a constantly being told my his commanding officer in the SS, Carl, that harbouring dangerous ‘elements’ — that is, Jews and foreigners and gypsies — is morally despicable, not to be tolerated, and must be crushed with the utmost of merciless efficiency. Albert considers Carl to be a moralizing old boor.

Is Carl a moralizer? That is, when we charge someone with being a moralizer in the second sense discussed above, must there at least be something good that the moralizer is recommending — though going overboard on? Or, is moralizing morally neutral, in which case Carl is a moralizer because he is excessive in what *he* sees as moral demands?

Carl is a moralizer (we don’t, after all, seem to have a category of ‘immoralizer’), though he has made a mistake about moral norms far more egregious than the mistakes we see in cases (1)–(2). We *do* need to recognize a difference between strict, but fundamentally well directed rules and norms (as in the Mother Teresa case), and those that are fundamentally misdirected (as in the Albert/Carl case). What this case underscores is the fact that when we blame someone for being a moralizer it is often the case that what they are demanding of others is something we believe to be a false demand — they are making a mistake in that sense too. So, in cases (1)–(3) the fault of the moralizer is clear. Moralizing is morally neutral, however, in the following sense — a person can be a moralizer, whether right or wrong in his moral values.

What about cases where the moralizer has values in substantial agreement with those he criticizes?

(4) Allen is committed to the plight of whales, and spends a good deal of time involved in Greenpeace activities to limit the scope of whaling. However, he decides to take a vacation and spend more time with his family. Connie, one of his co-workers, criticizes him for this, and questions his commitment to the well being of whales. Allen is upset.

In this case Allen believes that there may be a sense in which he is doing something wrong in taking the vacation. So we don’t see the kind of mistake being attributed to the moralizer as we see in some of the earlier cases. In (1) and (2) there’s disagreement between the parties about what their obligations are. In (4) there is agreement that one ought to work to save the whales. But, the demands of the moralizer in meeting one’s obligations seem excessive. And here we get cases that are puzzling, because if moral reasons are truly overriding, then the moralizer shouldn’t be viewed as doing anything wrong at all, of making any sort of excessive demand. Allen should acknowledge that there is a moral reason to forego his vacation. Thus, the moral reason ought to trump, and the moralizer is simply pointing this out, albeit vigorously.

Utilitarianism is sometimes charged with being a moralistic theory in this way — it seems to some critics that a utilitarian is committed to moralizing, since the utilitarian makes excessive demands on moral agents. Some of Bernard Williams’ criticisms point in this direction. However, the fact that the theory doesn’t allow scope for personal projects, and personal desires (or, only in the weak sense that the agent’s desires may matter, but they tend to get swamped by a plethora of competing desires), seems to lend credence to this charge. I have elsewhere argued that this would not follow, since one has to be concerned with counter-effects of one’s attempts to impose one’s own

values on others — but the cases above are different, because the values are basically shared. The disagreement is over the weight to accord those values. Thus, this sort of moralism is one which views the moral reasons one has for acting as being the most important — of treating moral concerns as so important as to *exclude* other competing projects. This explains the discomfort Allen experiences. When one accepts the values, indeed, when one is even deeply committed to them, there is a sense that one may be slacking off in not supporting those values whenever and wherever one can do so.

However, it is also true that we tend to compare the quality of our own performance relative to others'. Allen might feel that he is far more sensitive to animal rights issues than most people. Thus, his behaviour should be viewed against that backdrop. He's far more praiseworthy than most, yet there he is being condemned by Connie. One might think that this sort of attitude cuts against the overridingness intuition. But there is another way to view the case that is compatible with moral reasons' being overriding: there are actually competing moral concerns — for example, Allen's family will be quite happy to have him with them for the duration of the vacation. Even so, one could argue that in Allen's case his interests and those of his immediate family, to him, may not provide *overriding* moral reasons for action. Indeed, it is sometimes pointed out as an oddity of Utilitarianism that it counts the agent's interests as morally significant (just generally overridden by the bulk of more compelling interests and concerns) but certainly no more significant than anyone else's, and the same goes for his family members. The moralizer is one who doesn't seem to give the personal due weight. The moralizer holds people to high moral standards, pushing the bar of 'minimally decent' very high. A moralizer will make much of what, to most people, seem like small mistakes and errors. To many critics, Utilitarianism comes off as exhibiting this kind of vice.

Criticism, explicit or implied, may generate either shame or anger. These are the typical reactive attitudes associated with criticism and blame. Shame, if the feeling is that the criticism is justified, and anger if the feeling is that it is not justified. In case (4) above there is some ambivalence — due to the shared values — thus, Allen may be caused to feel some shame. On the other hand, he will also feel angry at what seems an intrusion into his personal choices against the backdrop of his already fairly benevolent activities. He is upset because he is made to feel shame when he is in fact, overall, quite a good person. If we view the generation of painful experience as something that is *prima facie* blameworthy, then the moralizer in these cases has generated unwarranted harm, and is blameworthy for this.

But let's consider yet another case:

(5) Annabelle really is a slacker. She stays at home in bed all day eating chocolates and reading movie star magazines. Her mother is constantly accusing her of wasting her life, of not doing what she can to make the world a better place, of ignoring the suffering and needs of others in pursuit of her own trivial desires . . .

Is Annabelle's mother a moralizer? Yes, though here she is basically correct. Annabelle is a slacker. However, the mistake here is one of excessive *complaint*. Her reaction to what is admittedly a genuine defect is excessive. Here we have another type of perfectionism — one that involves great complaint out of proportion to the defect or

problem. This is something like moral perfectionism by proxy, holding others to even normal standards, but doing so to an extreme degree. And this, I think, takes us to the heart of this variety of moralism. What characterizes it is blame and castigation either completely misplaced, or out of all proportion to the error.

Is there a fault of reverse moralization? That is, what of someone who praises out of all proportion? Outrageous flatterers would fall into this category. While this may seem a fault, it is not of the same degree as standard moralizing. The asymmetry is due to the fact that the praise does not impose the same harms as the blame. One may feel silly or embarrassed if someone excessively praises one's small moral efforts — but that doesn't compare to the shame and anger associated with the blame.

There will be some disagreement regarding the standards used to determine due proportion. However, one plausible standard holds that if the harm of the criticism itself is more severe than that of the fault — in case (5), the fault is one of laziness — then it lacks due proportion. Moral criticism that lacks due proportion is a mark of moralizing [12].

For these reasons 'moralizer' is clearly a term of blame, and is associated with ascribing a mistake or error of some sort to the person being blamed. The sort of mistake is some form of excess — a simple mistake in value is not sufficient. Further, the mistake is one that the moralizer in some way tries to foist upon others. The puzzling feature has to do with the overridingness of moral reasons for action. However, many of the cases can be construed as cases of competing moral concerns, where the moralizer places a great deal of weight on one concern to the exclusion of others. Thus, our intuitions about moralizing need not cause us to give up the thesis that moral reasons really are overriding.

Similar issues come up in the debate between satisficers and maximizers within consequentialist moral theory. Satisficers point to thought experiments intended to show that maximizing seems irrational — such as when, though we all agree that honey is good, let's say, there comes a point when seeking out more honey seems stupid: there comes a point at which we have *enough* honey, or enough of a good thing [13]. Maximizers, however, point out that this is not a proper counter-example. It simply shows that honey is not the *only* good, and/or that it is not the basic good. While it may be true that I have a desire to eat honey, it is not a constant desire, nor is it the only desire I have — nor is it a basic desire. So, I might value doing other things with my time, and if consuming honey interferes with this, then it would be irrational to continue with the honey. But this is fine for the maximizer, since he will argue that I am still maximizing overall desire satisfaction in stopping with the honey and moving on to some other activity. Thus, the champion of overridingness will argue that the perfectionist who moralizes is a perfectionist in a monomaniacal way — he is one who loses sight of other avenues or sources of value.

It's interesting to note, though, that this vice of lacking due proportion — or excess, appears in other normative contexts. Persons who are nitpickers about grammar, for example, and make much of small grammatical mistakes of others; persons who argue that a true artist must give life and soul to his art; persons who make others feel as though they've utterly failed if they can't run a four minute mile — and so on. There is a kind of excessive perfectionism that is possible in many contexts, but, again, what seems more puzzling about it in the moral context is that it seems to conflict with the view that moral reasons (unlike other reasons) are overriding. I've tried to show that

we can view moralizing of this sort as a vice without giving up overridingness, but by simply recognizing competing moral demands [14].

If trying to foist excessive standards is a vice, is there a corresponding vice in the other direction? This would be the vice of ‘letting people off the hook’, of advising people to not take morality so seriously — and so on. It seems that there is such a vice of being dismissive of moral concerns. This is amoralism — and though we don’t call people who advocate this ‘amoralizers,’ they do seem to be the opposite of the perfectionistic moralizers. A Utilitarian responding to Williams might argue that he is guilty of *this* mistake.

The branch of Casuistry associated with therapeutic counselling quite probably arose in response to moralizing of this sort, which was associated with the ‘moral intoxication’ of the Puritan [15]. The idea is that if one does the best one can, given the knowledge one has, one is not blameworthy. If, later, owing to improved knowledge and understanding, one were to realize that in the past one had made mistakes, one would not need to despair of being a good person. Of course, in principle this is still pretty demanding, though some commentators such as Aquinas seemed to argue for *de facto* less demanding standards, deeming some actions practically indifferent: for example, “innocent amusements and recreations” [16]. There was pressure to accommodate morally neutral action as against one kind of moralism in which moral norms infect all aspects of a person’s life — again, a vice the Utilitarian has been accused of.

This vice ties together perfectionist forms of moralizing with the next type that I will be considering, the type associated with moral absolutism. It was this vice that the critics of casuistry were worried about — the vice of giving people too much leeway.

II. Type 2 — Absolutism

Moral Absolutism is generally held to be the view that there are certain moral rules or principles that are binding on us absolutely — that is, allowing for no exceptions [17]. This differs from perfectionism in the sense that absolute rules may or may not be demanding — of course, frequently adhering to them is, but in principle they are separable [18]. The philosopher typically associated with moral absolutism is Immanuel Kant, who famously held that it was *always* wrong to tell a lie — as that violated the Categorical Imperative — even in cases where one’s motive was entirely altruistic [19]. While it is very easy to criticize Kant in this regard — and many have — his view does have some intuitive support when we think about the issue of responsibility. Consider the case typically brought up in discussing Kant on lying: Suppose that a person out to commit murder knocks on your door and asks whether or not you know where his intended victim is. Suppose also that you do know and the intended victim happens to be upstairs hiding. Do you tell the truth or lie? — and here, of course, the motive for lying is to try to save an innocent person’s life. Kant argues that one ought to tell the truth. This also means on his view that if you do tell the truth, and the innocent person ends up getting killed, it is not your fault. You are not the person responsible, even though you could have prevented it. The murderer is the only one who is responsible. While this seems counterintuitive to many, it is interesting to contrast it with another case in the literature which is structurally similar, yet which yields somewhat different intuitions, the infamous case of Jim which was first discussed by Bernard Williams as

a problem for Utilitarianism [20]. In this famous case, Jim is traveling through a remote village that has been taken over by an evil captain who, through his henchman Pedro, offers Jim the option of killing one of 20 villagers — or letting all 20 be shot anyway. What ought Jim do? Williams agrees that the Utilitarian may be right in this case — that it may be the right thing to do to kill the one who would die anyway, in order to save the 19. However, responsibility is a different issue. If Jim fails to do this I think that most would share Williams' ambivalence about whether or not to hold *Jim* responsible for their deaths. Surely the Captain is the one responsible. Thus there may be a separation of being right and being responsible. I don't think this would be a distinction that the moralizer would be comfortable with. If someone has acted wrongly, then he is responsible; likewise, if someone has acted rightly, she is responsible. How one responds to this particular case depends on what rule one takes to be operative. If the absolute rule is "Maximize the good" then Jim ought to kill the one to save the 19; however, if the absolute rule is "Never kill an innocent person," then he ought not. Yet, as the Jim case illustrates, and as many many other cases illustrate, this seems far too inflexible. If we were simply to be guided by very specific rules then we would end up acting in ways we are think of as bad. Those who criticize deviations from the rules, I want to argue, would constitute another class of moralizer — one whose failure to allow for exceptions leads to excessive adherence to rules, even rules that, *by and large*, are good rules. But note that the Utilitarian does not think that "Maximize the good" is a rule of thumb, or a rule which is simply by and large a good one. It is the correct rule, and doesn't allow for exceptions. But to accuse the Utilitarian of absolutism seems mistaken because the content of the rule allows for flexibility — based on empirical considerations, for example, regarding what does maximize the good. One way to view this is to regard "Maximize the Good" as a meta-rule or second-order rule. This rule gives one guidance on applying more specific rules. This is a point I will return to shortly. Though there are many Kantians who would disagree, absolutism associated with the Kantian view of lying, on the other hand, is genuine since the application is completely inflexible. That is, Kant himself did not seem willing to entertain exceptions, even for noble motives. Modern Kantians, however, can interpret his theory more flexibly, arguing that the theory might allow for lying under some circumstances — so the right rule would be something more complicated than just a prohibition against lying altogether.

Casistry can be seen as a reaction against the 'rule-worship' associated with absolutism [21]. According to writers like Jonsen and Toulmin, it consists in:

. . . reasoning based on paradigms and analogies, leading to the formulation of expert opinions about the existence and stringency of particular moral obligations, framed in terms of rules or maxims that are general but not universal or invariable, since they hold good with certainty only in the typical conditions of the agent and circumstances of action . . . [22]

This characterization of casistry is similar to Bedau's, though it makes reference to a role for moral experts (expert opinion) lacking in his characterization. The goal of casistry is to provide practical answers, and practical guidance. Instead of relying on general rules and principles, Jonsen and Toulmin point out that the goal instead is to try to articulate and see what lies behind them. Each individual case needs to be decided separately — no general rule or principle in itself is sufficient to do so.

A person committed to this methodology would view the absolutist — or, the absolutist who articulates his views and tries to browbeat others into feelings of guilt or into absolute adherence to the rules — as a moralizer, because they would view the adherence to rules — even good rules — as excessive. Not excessively demanding, so not mistaken in that sense, but excessive in that while articulating good values, the rules are not fine-tuned enough to the particularities of a given situation. What is needed is an awareness of the values implicit in the rules, or supporting them, and experience with cases so that one can make the sorts of comparisons needed to arrive at good moral judgment. So, the issue of the practice of casuistry can also give rise to discussion of the role of experts in helping persons determine what, morally, they ought to do or are permitted to do. If the method used in making moral judgments involves comparison of cases, then one necessary condition for the expert, presumably, is the right sort of experience. But the rules will be important not just as guides, but also as a way to justify the judgment to others. If publicity or transparency of some sort is desirable, then rules can help provide this.

Rules, then, would more properly be viewed as rules of thumb rather than absolutely binding guides to action. Thus, while it is true that “Do not lie” offers a good guide for most contexts, and provides a justification for not telling a lie, there will be situations in which it does not — as in the case where one needs to tell the lie to save an innocent person’s life. Thankfully, however, such situations are unusual. Here one wouldn’t need an expert’s advice. However, other cases might be rather different: for example, a good rule is “Do not cause the death of an innocent person” — but relatives confronted with the prospect of watching a terminally ill loved one linger in horrible pain may wonder if under those circumstances letting him die really is immoral.

In difficult situations, then, the right thing to do may involve deviation from a significant rule — and absolutists do not allow this as morally permissible. What may make this form of moralizing particularly offensive is its connection to hypocrisy [23]. Though it is far more likely that a person who holds high and or strict standards will be hypocritical or weak willed at least on occasion, that isn’t a necessary feature of moralism [24]. Though we may be skeptical, in individual actual cases, that a moralizer actually manages to live up to extreme and strict standards, it certainly seems quite possible.

Absolutism is often considered a vice of bureaucracies, or rule-governed and rule-bound organizations in which persons are rewarded for sticking to the rules. Sticking to the rules is personally less risky for the persons in charge, since the rule is always there to appeal to in justification whereas deviations cannot be so justified within the organization. While bureaucrats are popularly conceived as acting from self-interest, a moral analogue might exist with moral absolutism. Moral safety concerns might militate against taking the initiative, and push one in the direction of strict adherence to the rules. But even here it seems to me the casuist has some work to do. To be plausible, rules must be fully contentful — and the feeling against absolutism is that while it may be true that we need to stick to the rules, the rules that cause the problems in hard cases are simply underdescribed. So, there are two ways in which the rule system can generate confusion: the first is that there will be situations in which rules clash, e.g. “Do not cause the death of an innocent person” and “Do not lie”. The second is that we can view the rules as underdescribed in some critical way, for example, “Do not cause the death of an innocent person” — but what counts as a person? Is someone

who lacks higher brain states still a person? Of course, there will be absolutists who agree. The point, they will argue, is not just to stick to rules, it is to stick to the properly described ones, the ones that are fleshed out enough to be plausibly applied to a variety of cases. Here, then, the particularist worry does raise its head. The worry is that no such rules exist, since moral reality is too complex to be captured by fully-articulated rules.

Casuistry developed in part to deal with these sorts of problems. There is evidence that some casuists challenged the legitimacy of the rules themselves — or rather, rule — following — by bringing up the sorts of Wittgensteinian concerns, mentioned earlier, which have motivated some recent virtue-theorists. The idea is that if rules are validated, it is by practice, not the other way around. Thus, it makes sense to view the rules as rules of thumb, as merely useful guides to the moral truth. Whatever they believed about the status of rules, though, in practice they seemed to want to avoid the sort of moralizing associated with absolutism.

But critics of casuistry might point out that casuistry lends itself to the abuse discussed in the previous section, especially if it is taken as having a therapeutic function. The casuist is motivated to relieve the conscience of a person making a difficult moral decision — does one let Grandpa die, or continue to employ extraordinary means to keep him ‘alive’ but at the expense of what one takes to be his dignity? In allowing individual judgment, a critic could argue that the casuist doesn’t take the moral rules seriously enough, and thus, like the amoralizer postulated in section I, doesn’t take moral concerns seriously enough. But I would argue that this manoeuvre would not be fair to the casuist. Like the ethical particularist, he might argue that his job is to bring out competing moral concerns, and allow for exceptions to certain rules in the light of moral factors not explicitly present in the rules. This does not denigrate morality, or undermine its significance, or even lead to the view discussed earlier that morality really isn’t the most important factor in practical decision-making. Thus, resolution of any disagreement will rest on the extent to which casuistry really does let people off the hook, morally speaking.

The vice associated with absolutism seems clear to me and an easy target: most who consider the Kantian example of lying tend to want to reject the absolutist aspect of his view. However, there are several ways to avoid simplistic absolutism. (1) One could argue for a kind of higher-level absolutism, in the sense of arguing for a *unifying principle of morality*, such as Sidgwick does for Utilitarianism, or (2) one could take a more particularist route, or (3) one could argue for a form of generalism which involves a system of rules or principles but which does not appeal to any higher-level rule as a way to provide adjudication between the principles [25]. Indeed, the demandingness criticism of Utilitarianism has more to do with viewing it as absolutist — a rule that allows no exceptions. However, but to view a universal principle of morality in this way is to defang the criticism. The point of “allowing exceptions” is to arrive at the moral truth. But by arguing for one unifying principle, the principle of utility, Utilitarianism has come under fire as moralistic, as moralizing. This would be a mistake. The principle of utility allows much flexibility — indeed, some would argue, too much since it makes the theory difficult to falsify. Thus, if one levels the charge of “absolutism”, that only really makes sense if one relativizes the charge to a particular rule or issue, or type of case. One might call Kant an absolutist about truth-telling, for example [26]. Thus, to emphasize a point alluded to earlier, Utilitarianism is no more “absolutist” than any

theory that tries to give a comprehensive account of right action. Aspirations of comprehensiveness should not be confused with absolutism.

Another option — (2) — is particularism. Particularism can be viewed as an outgrowth of casuistical method. It is often opposed to Rossian Generalism — which is an example of strategy (3) — as well as Absolutism [27]. Absolutism is, of course, considered problematic by many for the very reasons discussed here. The more compelling alternative, therefore, at least in contrast to absolutism seems to be a kind of generalism [28]. Brad Hooker contrasts the views in the following way:

Generalists hold that some properties, whenever they are instantiated, *always* count morally in favor of an action, and that other properties, whenever instantiated, *always* count morally against. Particularists hold that the very same properties may count morally in favor in some circumstances and against in other circumstances [29].

Consider the property of pleasant. Presumably, if something is pleasant that would count in its favour in any context, to the generalist, yet the Particularist will argue against this view, pointing out that causing pain to others is pleasant to the sadist — and surely that can't even count in its favour.

As Roger Crisp notes, too, it is very important to distinguish different sorts of particularism. There is particularism with respect to rules, particularism with respect to reasons, and particularism with respect to motivation. Particularism about rules seems to be associated with virtue ethics, and it's not the sort advocated by Jonathan Dancy, who is a particularist regarding reasons and motivation [30]. It is particularism with respect to rules that ought properly be contrasted with absolutism. The idea of particularism in this context is that general rules are insufficient to capture all that is morally relevant, that some features cannot be codified, and are morally relevant, but can be recognized by the good moral judge. However, one should note that this brand of Particularist is free to view our common sense rules as rules of thumb and, ironically, share this feature with act-utilitarianism. As others have pointed out, this has no bearing on criticism of either act or rule utilitarianism, or against the greatest happiness principle. A utilitarian is perfectly free to note that good judgment is needed in applying rules. That doesn't mean the rules are useless or even that they are incomplete in any significant way. "One ought to promote the greatest happiness for the greatest number" is very comprehensive, and complete in that sense. Applying it properly may require judgment and the use of the sorts of discriminations that are difficult if not impossible to put into rules. While writers like McDowell would point out that that's the whole point — don't we need rules to apply rules and so on — this sort of skepticism is really much broader than what ought to be embraced by moral particularists [31].

Rossian generalism involves a system of rules that are not, strictly speaking, anyway, hierarchically ordered, and which, in application, need to be *balanced* one against the other. This, I believe, is a friendlier comparison to casuistry. But note the problem of deciding how to balance the rules. What criterion allows one to justify "Save an innocent life" as taking precedence over "Don't tell a lie"? Here, a theory like Utilitarianism offers the option of a meta-rule, the Greatest Happiness Principle or something very like it, and since the consequences of lying are not as severe as the consequences of failing to save an innocent person, then if lying is necessary to save the innocent life one ought to do it. The "Save an innocent person's life" is weightier in this context.

But we are still appealing to a rule, albeit at a higher level of justification. Thus, this strategy is distinct from the generalist who would simply hold that one uses discretion at the level of applying the very specific rules. So, there seems to be a ‘balancing’ mystery. How does it work for the generalist? Casuistical method *can* offer the generalist a way of responding to the balancing criticism.

It is a mistake to therefore align the casuist with the particularist. The anti-moralistic goal of the casuist — who still believes that appeals to rules and principles have a place in moral decision-making — could be better met by the generalist. In the next section I turn to the sort of ‘moralizing’ that I believe nihilists and some varieties of relativists might attribute to moral realists — that of misattributing moral considerations, and putting them where they don’t belong. To begin, however, I will consider less radical versions of this supposed error.

III. Type 3 — Framing issues in moral terms — providing moralistic explanations

(6) Anne is in the process of buying a house. The asking price is \$250,000. She makes an initial offer of \$210,000. The owner of the house, an older gentleman who is selling the house in anticipation of retirement, reacts with indignation, accusing her of unfair practice as well as attempting to take advantage of the elderly. He is accusing her of immorality for not meeting his asking price.

Here the charge of immorality is simply a flat-out misrepresentation, as the case is described. Bargaining over house prices is entirely normal, and Anne is not guilty of coercive behaviour, since the owner is not required to accept her offer. Here the mistake is fairly easy to detect because the owner is portraying *his* self-interest as a moral issue — thus, the illicit importation of moral considerations. Failure to meet his demands is portrayed as immoral. His attempt to frame the issue in this way is an attempt to affect the bargaining process to his advantage by trying to make Anne feel ashamed of not meeting his asking price.

Other examples might involve framing sexual orientation issues as issues of sexual *morality*. Whenever simple or mere preferences are framed as issues of moral significance we have moralism of this sort. Other cases will involve cases of conflict, where each side tries to moralize the conflict so as to gain additional support — as when a Democrat charges a Republican with greed, or a Republican charges a Democrat with lax moral values [32]. I suspect that this is the sort of moralizing that often offends in cases of international conflict. It is very tempting both for individuals and collectives to try to frame issues in moral terms, so as to secure more support for their position.

Another example: social psychologists also point out that people have a tendency to misattribute vices to others — this is the Fundamental Attribution Error, or one manifestation of it [33]. If John passes Mary in the hall, and she does not respond to his greeting, there is a tendency to attribute to Mary some kind of vice, — like rudeness. There is less of a tendency to attribute the behaviour to environmental factors, such as that she has a new hearing aid and hasn’t heard his greeting. In our own case we tend to excuse bad behaviour by citing the situation, but attribute good behaviour

to virtues [34]. Moralizing of this sort opts for the morally charged description or explanation for the behaviour in question, when other, more plausible, explanations are available. When this misattribution is negative, the moralizer appears to be uncharitable. Of course, it is just as possible for the mistake to go in the other direction. Mary might morally praise Joan for her solicitude, when in fact Joan behaves nicely purely out of self-interest.

It is interesting to speculate as to why we engage in this behaviour. We seem to have a need not only to justify our behaviour to others, but also to ourselves. Feeling justified (whether one really is justified or not) would seem to have psychological advantages — it just feels better, so it's tempting from that point of view. But, also, really believing that one is justified helps one to sustain the right sorts of reactive attitudes — attitudes the expression of which help to convince *others* that you *are* justified. Thus, the external reason used to explain the behaviour is one of prudence, but the motivating reason is framed as one of morality — in many cases it is likely that the agent actually believes his behaviour is due to objectively moral concerns. But the best explanation for the behaviour is prudence rather than morality, regardless of what the agent believes, or the content of his subjective states. Where this seems blamable is where it occurs as the result of self-deception or some form of epistemic negligence.

Conclusion

In this paper I have tried to map out various ways in which the charge of moralism is made against individuals and theories, and to discuss the connection between casuistry and attempts to avoid moralism. Since “moralism” is essentially normative, mapping out the mistakes associated with it helps to clarify motives for developing a casuistical method for moral judgment. In the modern context this should not be equated with particularism, however, since one type of generalist methodology — one that employs rules and discretion, yet does not appeal to a meta-principle to solve the balancing problem — also supports casuistical aims. I have also tried to show how a major criticism of Utilitarianism can be undercut. The utilitarian, true, is offering a comprehensive ethical theory. But ‘comprehensive’ and ‘absolutist’ ought not be confused.

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NOTES

- [1] An earlier version of this paper was presented at a Centre for Applied Philosophy and Public Ethics workshop at the University of Melbourne in August of 2001. I thank the other participants for their very helpful comments. I also thank Tony Coady and Roy Sorensen for comments on an earlier draft.
- [2] See Arthur Kuflik's paper in this volume for a discussion of legal moralism.
- [3] I wouldn't want to deny that there is a more neutral sense of moralism and moralizing, for example, someone might speak of 'moralizing' aesthetics and not necessarily be disapproving of that. Thus, one might identify an even broader category of moralizing — as bringing in moral considerations. However, this is not the sense I will be talking about here, since I am concerned with identifying the sorts of mistakes people associate with moralizing.

- [4] See JULIA DRIVER (1994) Hyperactive ethics, *The Philosophical Quarterly*, Jan., 9–25.
- [5] The moralizer can very well be mistaken about moral value — thus, the subjective characterization here. However, the moralizer must either himself believe that he is pointing to correct moral value or believe that others will take him to be doing this — though either party could be mistaken.
- [6] In some ways this is more theoretically interesting since it raises the issue of whether or not we are all guilty of this vice. If nihilists are correct, and the set of moral facts is null, yet we employ them all the time in explanation, then it would turn out that the vast majority of us are moralizers.
- [7] For an interesting discussion of misattributions see OWEN FLANAGAN (1991) *Varieties of Moral Personality* (Cambridge, Harvard University Press), Part 4.
- [8] See TONY COADY (1997) Probabilism, *Midwest Studies in Philosophy*, 21, 16–33.
- [9] HUGO ADAM BEDAU (1997) *Making Moral Choices: Three Exercises in Moral Casuistry* (Oxford, Oxford University Press), 101.
- [10] Coady op. cit.
- [11] See S. R. JOHNSON and S. TOULMIN (1988) *The Abuse of Casuistry* (Berkeley, University of California Press), p. 15. Pascal's attack appears in his *Provinciales* (1657).
- [12] Of course, one can always add details to the case that would bring the criticism in line with the harm. For example, supposing that Annabelle were lazy all the time, or most of the time, then sharp criticism now and then might simply be what would be necessary to motivate her.
- [13] See, for example, MICHAEL SLOTE (1989) *Beyond Optimizing* (Cambridge, Harvard University Press).
- [14] This is simply a claim I believe to be intuitively plausible, but more work would need to be done in spelling out when self-interest is a legitimate moral concern. One can see the general point by considering cases (a person who humiliates himself, or allows himself to be degraded, might be viewed as exhibiting a moral vice), but a systematic account is still preferable.
- [15] See K. E. KIRK (1927) *Conscience and its Problems* (London, Longman), 129. Casuistry develops not only as a way to deal with absolutism, but also to deal with very high demands.
- [16] Kirk op. cit., 44 ff. This sort of 'laxity' did not sit well with the Puritans, some of whom condemned the opera, card-playing, and children's games.
- [17] See BRAD HOOKER (2000) Moral particularism: wrong and bad in BRAD HOOKER and MARGARET LITTLE (eds.) *Moral Particularism* (Oxford, Oxford University Press), 20 ff. for a discussion of a contrast between absolutism, understood this way, and Rossian Generalism as well as Particularism.
- [18] Consider, for example, the rule that states that one may do whatever one wants. Why anyone would bother with such a rule is a good question, but this just serves to demonstrate the separability of the two issues.
- [19] IMMANUEL KANT, On a supposed right to lie from an altruistic motive, reprinted in PETER SINGER (1994) (ed.) *Ethics* (Oxford, Oxford University Press).
- [20] BERNARD WILLIAMS (1973) A Critique of utilitarianism, in BERNARD WILLIAMS and J. J. C. SMART *Utilitarianism: For and Against* (Cambridge, Cambridge University Press), 77–150.
- [21] The history of the development of casuistry is actually fairly complicated. Some saw it as a way of escaping inflexible moral authority, yet others saw it as offering a form of moral therapy.
- [22] S. R. JONSEN and S. TOULMIN op. cit., p. 257.
- [23] See Robert Fullinwider's essay in this volume.
- [24] For genuine hypocrisy, one could suggest a counterfactual test: x is guilty of hypocrisy only if x would not reveal his true self to those he respects. I discuss this further in "What's so bad about hypocrisy?", unpublished.
- [25] Henry Sidgwick was worried, for example, that so-called 'self-evident' principles are simply confusing, and relying on them furnishes us:

... not with a single definite principle but with a whole swarm of principles, which are unfortunately liable to come into conflict with each other; and of which even those that when singly contemplated have the air of self-evident truth do not carry with them any intuitively ascertainable definitions of their mutual boundaries and relationships. (1907) *Methods of Ethics* (Indianapolis, Hackett Publishing Co.), 350.

A single unifying principle would avoid some of these difficulties, and one could view the unifying principle of morality as a meta-principle governing application of more specific rules of thumb. But another higher-level strategy is also suggested by the work of R. M. HARE in developing his two-level approach. See R. M. HARE (1981) *Moral Thinking* (Oxford, Oxford University Press).

- [26] I take SHELLY KAGAN (1998) to be making a similar point in *Normative Ethics* (Boulder, Westview Press) when he writes:

. . . talk of “absolutism” reveals little, if anything, about a person’s normative theory. There is simply no substitute for detailed knowledge concerning which normative factors a person accepts, and how those factors are thought to interact. (94)

This is in the context of discussing a limitation on an ‘absolutist’ constraint against doing harm that would permit an exception in cases of self-defence. To make sense, what one is an absolutist about needs to be specified.

- [27] Rossian generalism refers to the theory developed by W. D. Ross (1930) in *The Right and the Good* (Oxford, Oxford University Press).
- [28] See JONATHAN DANCY (1993) *Moral Reasons* (Oxford, Blackwell).
- [29] Hooker op. cit., 6.
- [30] See ROGER CRISP (2000) Particularizing particularism in BRAD HOOKER and MARGARET LITTLE, op. cit., 23–47, for more discussion of this issue.
- [31] For example, it leads to concerns about applying rules in mathematics. It thus raises the really interesting issue — beyond the scope of this paper — of how to evaluate misapplication of rules when one doesn’t have a rule for applying the rule. But it’s also important to note that for the consequentialist one always has the standard of looking at the consequences.
- [32] I am also reminded of a scene in *James and the Giant Peach* where James is accused of being a lazy boy for not working day and night to appease his selfish aunts.
- [33] For discussion, see OWEN FLANAGAN (1991) *Varieties of Moral Personality* (Cambridge, Harvard University Press), chapters 13–15.
- [34] However, in both of the above cases we are supposing that there is some genuine fact of the matter that is being distorted by the moralizer. Consider the more dramatic case, that of someone who believes there are no moral facts. GILBERT HARMAN (1977) in *The Nature of Morality* (New York, Oxford University Press) for example, presents compelling arguments against our reasons for believing in the existence of moral facts — they seem to be explanatorily impotent. Of course, we use moral terms; Harman would not deny this — he gives an emotivist account — so he isn’t an eliminativist with respect to our moral language. However, when most people make the claim that “Murder is wrong” they take themselves to be doing more than venting their emotions about murder. On this view, that would involve the mistake of misattributing moral facts or qualities in explanation. While some of us are willing to think that of course this does happen — maybe the Gulf War case is an illustration — we certainly don’t think that this is always the case — as World War II illustrates, perhaps. So, the *fact* that the Nazis were evil helps to explain why other countries opposed them. On a Harman-like view this would be a form of moralism, one that most of us are guilty of. Realist theories would also be moralizing in this way.