

**Moral Justification**

**Honors Project**

**In fulfillment of the Requirements for**

**The University Honors College**


**University of North Carolina at Pembroke**

By

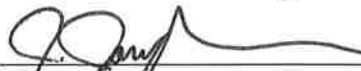
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05/2005

  
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# Moral Justification

Jason Bentley

I begin with this paper's fundamental question: why ought I behave morally? There exists in our world a preponderance of ethical prescriptions telling us how we should live, what we should do, what is good and what is right; but more fundamental than any of these is the question of why any of these moral claims should have authority over us in the first place. I will attempt here to offer a description of the final source of moral justification – to get at the origin of that normativity itself.

The clever reader will already have noted that the question is an unfair one. Before we can say that one *ought* do anything, we must suppose some normative ethical standard for our behavior. Yet normativity is of course exactly what we are after in the first place. So the question's very construction – why *ought* I behave morally? – asks for circularity, since we *ought* do nothing until we establish the normativity of moral claims.

For this reason those who would argue that moral claims should have some authority over us have usually adopted an epistemological approach; that is, such thinkers have argued that it is simply irrational to reject the normativity of certain ethical standards, or in the case of the more cautious, that there are at least some good reasons for accepting the normativity of some moral claims. The question of moral justification then becomes a question of whether or not we are justified in holding our moral beliefs. (I use the phrase 'moral belief' here to mean a belief that one ought to behave in accordance with a certain moral claim or claims.) This paper will take such an epistemological approach, looking

to see whether the justification for moral beliefs is likely to be found in epistemological norms. Before we proceed, however, we need to define the question more clearly, by taking a look at what this sort of moral justification looks like.

### **Justification: Reflection and Endorsement**

Christine Korsgaard takes up what she calls 'the problem of the normative,' and the central need for 'reflective endorsement' in her book The Sources of Normativity. "The human mind," she writes, is "self-conscious in the sense that it is essentially reflective."<sup>1</sup> We are able to call our own mental activities into question. Our impulses, then, including our moral impulses, "must be able to withstand reflective scrutiny."<sup>2</sup> While we may have particular moral inclinations or beliefs, we are able to distance ourselves from them and demand to know why we are obligated. Our self-consciousness thus subjects us to a unique problem, "the problem of the normative."<sup>3</sup> We need to know if, on reflection, we can endorse some moral claim, if "we can adopt it as a reason for action."<sup>4</sup> The test for normativity is then a test of reflective endorsement.

Take the case of an individual faced with a moral claim that will, if followed in the current instance, mean his death. The actual conditions are immaterial; any circumstance in which 'doing the right thing' means death will do. Faced with the moral demand for the sacrifice of his own life, the individual in question might well, on reflection, ask why he must do this. If the answer to that question, if the reasons to be given, lead this

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<sup>1</sup> Christine Korsgaard, The Sources of Normativity, (Cambridge University Press, 1996), pg. 92.

<sup>2</sup> Ibid., pg. 93.

<sup>3</sup> Ibid., pg. 93.

<sup>4</sup> Ibid., pg. 91.

hypothetical individual to endorse the original moral claim, that is to say yes to that moral claim, then he finds himself in a position to commit himself and go forward; but if, on reflection, he finds himself unable to endorse the original claim, he cannot so commit himself. This describes the problem of normativity in a nutshell. Not all examples of the problem will be so dramatic as the demand that one sacrifice one's life; but whenever one reflects on some moral claim, and asks the question 'why?' one demands reasons to endorse that claim before one can go forward.

Korsgaard's problem of normativity fairly captures the notion of moral justification this paper examines. We want to know whether our moral beliefs can withstand scrutiny. This paper will ask, are there any good reasons for accepting the many claims morality makes on us? First, though, let us take a moment to notice what moral justification is *not*.

### **Explanation**

We must distinguish carefully between *justification* on the one hand, and *explanation* on the other. Justification, as we have just seen, is a matter of producing good reasons for our holding certain moral beliefs. Explanation on the other hand, as Korsgaard describes it, "is a third-person, theoretical question, a question about why a certain species of intelligent animals behaves in a certain way."<sup>5</sup>

Korsgaard describes a hypothetical case in which a person believes that morality is a matter of instincts that promote the preservation of the species: though this belief might possess explanatory adequacy, under certain conditions the person in question might find

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<sup>5</sup> Ibid., pg. 16.

that an evolutionary explanation fails to give her adequate reason to endorse her own moral instincts.<sup>6</sup> Indeed, even if her instincts were of such strength that she could not help but comply with them, Korsgaard points out, our hypothetical person still might not endorse those instincts; quite the contrary, she might “wish that [she] didn’t have this instinct, that... [she] could make it go away.”<sup>7</sup>

Failure to make the distinction between justification and explanation is likely to result in a mistaken claim that some moral beliefs are justified, when in fact they are not. Let us take but one example: After describing the problem of normativity, Korsgaard herself goes on to argue, following Kant, that since our need for normativity is a consequence of our humanity, one must value that humanity;<sup>8</sup> that valuing one’s own humanity necessarily means valuing the humanity of others;<sup>9</sup> and so that we have the basis for (what looks like a fairly conventional) morality. We can see now that the problem with Korsgaard’s account of human identity is that it is but an explanation. Korsgaard’s problem of normativity does not ask for a theory with explanatory adequacy; it asks for justificatory adequacy, whether one has good reason to accept the authority of some moral claim. The mere fact that our need for normativity springs from a certain source does not show that we must value that source.

Just as a hypothetical individual might not endorse her moral instincts; even if one’s humanity does create an unavoidable need for normativity and require that one be moral,

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<sup>6</sup> Ibid., pgs. 14-15.

<sup>7</sup> Ibid., pg. 15.

<sup>8</sup> Ibid., pg. 123.

<sup>9</sup> Ibid., pg. 143.

one might not value either that necessity or the humanity behind it. One might instead wish that one's nature had been otherwise constituted. So Korsgaard's description of human identity, indeed any explanatory theory of normativity, fails to address the real issue. What moral justification asks of us, then, is not an explanation of why we do or even must behave morally, but reasons adequate for holding the moral beliefs we do.

This distinction guides this paper's position on a significant debate within moral philosophy and removes a wide class of otherwise valid theories from the scope of our discussion. We take a brief look at these issues now; after which we can finally proceed with the main arguments of the paper.

### **Cognitivism and Non-cognitivism**

This paper will explore the conditions under which we might be justified in holding that certain moral beliefs are true. This means that we will work with a cognitive account of morality, which is simply an account holding that it is appropriate to speak of moral claims in terms of truth or falsity. A non-cognitive account, by contrast, holds that moral claims can be neither true nor false; morality is a matter of values, emotions or instincts to which such truth-value terms simply do not apply. Let's look at one possible non-cognitive account of morality:

What if human beings possessed the moral instincts they do as a result of the survival benefit of those instincts? Perhaps a widespread aversion to killing and stealing promotes group cooperation and over time the most "moral" individuals prove more survivable

than their immoral counterparts, and so come to dominate the human gene pool. If we accepted such an account, we would say that the reason we frown upon killing and stealing is that avoiding such behavior promotes group survival and with it individual survival.

What if we asked instead, not for the reason we *do* frown upon killing and stealing, but for the reason we *ought* not kill or steal? In this case the non-cognitivist can give us no answer. He might be tempted to say, 'because it impedes our survival,' but the non-cognitive account gives us no reason to assume that human survival actually has value – the account only tells us that this is the way things in fact are, not that this is how they should be. We have returned, of course, to the point of the previous section, namely that an explanatory theory cannot justify our moral claims. We need a justificatory theory.

From such a perspective we could say that we should not kill or steal in order to promote our survival, or for any number of other reasons. We would then, of course, be faced with the need to give reasons to suppose that we are justified in holding our moral beliefs. In this case we would again be speaking in a cognitive idiom.

The non-cognitivist might tell us that our whole enterprise is illusory, that there never is and never can be a reason why we should act to ensure human survival (or whatever), only reasons why we do. Yet from our own experience, this may appear untrue; we can and do provide reasons for acting on various moral claims. To charge that a search for moral justification is illusory before fully exploring the question is grossly unfair; the



existence of non-cognitive explanations for morality does not demonstrate that our first-person experience of morality is necessarily illusory, any more than physicalist explanations of cognition entail the denial of our first-person experience generally.

This paper will try to chase the cognitive account, an account of moral justification, to its end. For this reason non-cognitive accounts of morality will be omitted; they speak only to explanation, not to the justification we are after. I think, however, that the reader will find at the end that the arguments developed here are compatible with both cognitive and non-cognitive speech about morality; such that, for our purposes at least, these two positions can be seen as just different idioms, two ways of speaking about moral phenomena, rather than mutually exclusive contradictory accounts. To go further into this point, however, is beyond the scope of this paper.

### **Justified Belief**

Before trying to give an account of justified moral belief, it will be helpful to ask, when am I justified in holding some belief generally? Geoffrey Sayre-McCord addresses the question of when one is justified in holding some belief, and especially some moral belief, in his essay *Coherentist Epistemology and Moral Theory*. We can begin with his rather uncontroversial claim, by now familiar to us, that justified belief “is bound up with actually having some reason to think what one believes is true,”<sup>10</sup> and the demand that “a

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<sup>10</sup> Geoffrey Sayre-McCord, *Coherentist Epistemology and Moral Theory*, [http://www.unc.edu/%7Egsmunc/Papers/Coherentist\\_epistemology.pdf](http://www.unc.edu/%7Egsmunc/Papers/Coherentist_epistemology.pdf), pg. 5.

person's beliefs be based in an appropriate way on her evidence, if the beliefs are to count as justifiably held."<sup>11</sup>

Like Sayre-McCord, I leave aside the question of what it means for beliefs to be "based in an appropriate way" on the evidence (we will return to this later).<sup>12</sup> We might ask, though, what counts as evidence? 'The facts' might appear to be the most natural answer; but since it is not immediately apparent that our moral beliefs are based in observable evidence, or whatever, it will be safer to say with Sayre-McCord, "the facts, as she takes them to be;" which is another way of saying "her other beliefs."<sup>13</sup> We will see in a moment why this formulation is helpful, as we turn now to the question of when our moral beliefs in particular are justified.

### **Justified Moral Belief**

I think it will prove helpful at this time to examine the procedure most often used in moral argumentation between persons: As Sayre-McCord writes, "most effective forms of moral argumentation appear to work by revealing to people that their own views need shoring up or changing if those views are to cohere with others they are unwilling to jettison."<sup>14</sup> When crafting some moral argument, one draws out the implications of some moral belief the audience holds that one disagrees with and tries to show those implications to be in conflict with the audience's other moral beliefs; or one draws out the implications of moral beliefs that the audience holds and tries to show those

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<sup>11</sup> Ibid., pg. 14.

<sup>12</sup> Ibid., pg. 14, footnote 16.

<sup>13</sup> Ibid., pg. 46.

<sup>14</sup> Ibid., pg. 10.

implications to include some moral belief that one wishes the audience to adopt. "When it comes to getting people actually to change their minds," as Sayre-McCord says, "little works so well as showing them that, on balance, the views they already accept recommend the position one is defending."<sup>15</sup>

Of course such arguments are not always successful; either because of an argument's own flaws or because of, as Sayre-McCord describes it, "peoples' willingness either to refuse to see the consequences of what they accept or, when they do, to accept those consequences no matter how implausible they are."<sup>16</sup> That persons are sometimes irrational in such a way is not especially peculiar; what is striking, however, is that arguments for moral beliefs, unlike other sorts of argument, are made not on the basis of (non-moral) observable facts or evidence alone, but on the basis of other moral beliefs. Why should this be so?

The answer appears to be that what we might call 'matters of fact' are insufficient to justify moral beliefs. Recall the failure of Korsgaard's attempt to locate the source of normativity in the facts of our shared humanity that give rise to moral value: as Korsgaard herself pointed out, whatever the we take the facts to be we need not necessarily endorse them. In other words, facts alone fail to give us sufficient reason to hold the moral beliefs we do. This fact-value dichotomy underlies, at least in large part, our earlier distinction between justification and explanation.

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<sup>15</sup> Ibid., pg. 10.

<sup>16</sup> Ibid., pg. 10.

## **The Is-Ought Distinction**

The 'fact-value dichotomy' or the 'is-ought distinction' was famously described by G. E. Moore in his Principia Ethica, where he argued that moral valuations always prove reducible only to 'good' or 'bad,' never to natural features of the world; and so that moral value can never be derived from those features, in other words from mere (non-moral) facts. Moore attempted to describe with his account actual features of the world, natural or moral. This paper, in keeping with its epistemological perspective on moral justification, will take a somewhat different approach to the fact-value dichotomy. Rather than addressing features of the world and asking whether moral values are reducible to fact, we will ask, can (non-moral) matters of fact provide sufficient reason for our holding the moral beliefs we do? Can (non-moral) matters of fact alone justify our moral beliefs?

We can say first of all that, quite clearly, persons evaluate identical features of our world differently; some people consider a given event good, others consider it bad; some think a certain behavior good, others think it bad. Yet this does not tell against the possibility that (non-moral) facts of the world may give sufficient reason for holding some moral beliefs; perhaps some people are evaluating events incorrectly. That is, some persons, being irrational or foolish or whatever, may fail to recognize the good reasons they have for accepting the normativity of certain factual moral claims.

Before attributing differing moral evaluations to irrationality or stupidity, however, we would do well to consider other, more obvious explanations. What relevant differences

exist between persons who assign moral value to given (non-moral) facts differently, differences that might underlie or explain those different assignments of moral value?

I submit for consideration the following example: a wealthy businesswoman believes she ought to give money to children in destitute third-world nations. Asked why, she responds that the children will otherwise starve to death. In casual conversation we would probably accept her answer as sufficient reason why she should give to the children. Is it really, though? Imagine now another wealthy businesswoman who chooses not to give money to the starving children, though she too recognizes that they will die without the aid. (Assume that both women agree about both the short and long term efficacy of monetary donations to starving children.)

Does the first, benevolent businesswoman's line of justification proceed without detour from the fact of the children's potential death by starvation to the moral evaluation that one ought to give money to those children? Or is it more likely that she holds some other, related moral belief, say that children ought not starve to death? And why has the second businesswoman chosen not to give? She may be heartless and cruel, but that is beside the point for us. Is it that she is irrational or stupid? Is *everyone* who chooses not to give irrational or stupid? Or is it again more likely that she too holds some related moral belief, for example that she has no obligation to help starving children she does not know? I propose that the moral beliefs in question follow from the (non-moral) facts of the world only in the presence of some connecting moral beliefs. Otherwise the mere (non-moral) facts are irrelevant; on their own, they have no moral value. This

explanation seems attractive for two reasons: first, it seems more likely that persons' different moral evaluations of given facts stem from different related moral beliefs than that a handful of people are right while tremendous segments of mankind are irrational, stupid or both; and second, that the usual procedure for moral argument between persons (with its reference to other moral beliefs, not just observable evidence or the like) makes more sense if moral beliefs underlie other moral beliefs than if moral beliefs in fact follow immediately from (non-moral) facts about the world. Furthermore, as we have already said, a fact-value dichotomy seems to best account for the distinctions commonly made between explanation and justification.

To those who still doubt my account, I propose the following as an (fun) empirical matter: have you ever known, or do you ever expect that you will know, a person who believes that he or she ought not shoot people in the face *because* shooting someone in the face will cause pain and probably death, without also believing that he or she ought not cause others pain or kill them? Any formally identical example will do. The point is that even when persons give matters of fact as reasons for their moral beliefs, they apparently do so if and only if they hold some other related moral beliefs that make those facts morally relevant.

### **Regress, Foundation, Coherence**

We must ask, then, if our moral beliefs are justified by yet other moral beliefs, will we not face an infinite regress? If my belief that I ought not shoot you is justified by my belief that I ought not kill others or cause them suffering, what justifies this new belief?

What will justify this (fourth) belief? And so on. Can we bring such a regress to an end? I introduce here two types of epistemological theories sometimes thought capable of halting regressions of belief: foundation theories and coherence theories.

A foundation theory of epistemology holds that the regression finally bottoms out, that we eventually reach 'the foundation' of our justificatory chains, beliefs for which we neither need nor expect any further justification. Often foundation theories are applied to our two most indispensable tools for approaching the world: our belief in experience itself and our belief in rationality itself. Applied to our moral beliefs, a foundation theory could suggest that we bring an infinite regress to an end by declaring certain moral beliefs foundational, not in need of further justification. Such an account seems insufficient for our purposes, however; since, as Korsgaard pointed out for us, we need justification for our beliefs in the first place precisely because we are able to reflect on them, question them and demand good reasons for holding the beliefs we do. Perhaps it is enough to hold certain beliefs, say our belief in rationality itself, without question; if only because we could not formulate the relevant questions, deliberate on them and give answers without the use of that very rationality. Such is not the case, however, with moral beliefs; if the foundationalist is correct, our moral beliefs may finally remain unjustified if we question them all, but it remains possible to do so.

A coherence account of moral epistemology on the other hand, such as Sayre-McCord's, tells us that consistency itself is the final justification. Our beliefs, in this case our moral beliefs, are justified insofar as they cohere with one another. Yet this account also seems

unsatisfactory. At worst, justificatory chains for individual moral beliefs could all eventually prove circular. Assuming that such is not the case, however, a coherence account still posits only internal, never external, lines of justification. For us this means that our particular moral beliefs would all justify one another, but moral belief in general and normativity as such appear unjustified. That is, claim A is normative because claims B and C are normative, while claim B is normative because claims A and C are normative, and claim C is normative because claims A and B are normative (this is highly simplified, obviously); but where is the normativity itself coming from in the first place?

A more basic problem with both sorts of accounts is that they seem to tell us more about the limitations or prerequisites of justified belief than they do about the actuality of justified belief. That is, foundation theories tell us that we can have justified beliefs only on the basis of unjustified foundational beliefs; while coherence theories tell us we can have justified belief only when our beliefs justify one another; but neither appears to be in a position to tell us that this is sufficient or, more plainly, good enough. Can we be content with a belief structure built on a foundation of unjustified belief, or a belief system that coheres well but has no external justification? Even if, as the foundation or coherence theorist would tell us, we must be content with such limitations, simply because nothing more is possible for us, it does not follow that beliefs based on unjustified beliefs or beliefs inhabiting unjustified systems are themselves justified. In fact it seems, at least intuitively, that they are not.



Finally, Sayre-McCord describes an account employing a distinction between positive and permissive forms of justification. "A belief is permissively justified," he writes, "when a person does not have, on balance, reason to reject it, whereas a belief is positively justified when a person has, on balance, positive reason to hold it."<sup>17</sup> Permissively justified beliefs – beliefs that do not conflict with the evidence, although there is no evidence for them either – are strong enough to stop a regress, Sayre-McCord argues, if one only interprets the assumption that "one belief provides justification for another only if it is, itself, justified" in the correct way.<sup>18</sup> On this account, however, it looks as if tracing justificatory chains backwards far enough, we reach a point where the answer to the question 'why do you believe this?' becomes simply, 'why not?' This account seems to show more that there is no reason why we necessarily should not (epistemologically speaking) hold the moral beliefs we do than that there is good reason why we should (again, epistemologically speaking); in other words a relatively weak claim that holding some moral beliefs is not blatantly irrational.

### **Conclusion**

After laying the foundation for our discussion (framing its question, describing justification and distinguishing it from explanation), this paper proceeded to argue that moral beliefs are in fact always justified, at least in part, by other moral beliefs. This brought to our attention the problem of an infinite regression of beliefs, and we turned to foundation and coherence theories of epistemology for a possible solution. Unfortunately, such a solution was not to be found in those theories. Our difficulty is that

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<sup>17</sup> Ibid., pg. 30.

<sup>18</sup> Ibid., pgs. 30-31.

on both coherence and foundation accounts, our moral beliefs turn out finally to lack any positive justification; in fact each of those theories tells us we can never have the sort of justification we were after. What are we left with then?

We are left, I think, with two ways of describing our moral beliefs. First, we can say our moral beliefs are, in a way, self-justifying. On the foundation account, if we are moral at all, some primitive – basic – moral beliefs of ours must stand without justification; while on the coherence account our moral framework as a whole must do without external justification. Such a description seems peculiar; yet really, it accords in a way with our moral sensibilities. Often we are inclined to feel that moral action is cheapened if done for some ulterior motive. We want to say that the mere fact that something is right is sufficient reason to do it; in other words, that our moral beliefs can (and should) stand without non-moral justification.

Second, we can say that we justify our own moral beliefs. Usually we do not reflect on our moral beliefs before acting; and even when we do, it is unlikely that anyone other than the professional philosopher traces her lines of justification back to their source. We find sufficient reason for acting on our moral beliefs without fully justifying those beliefs. Put another way, we do not need for our reasons for action to be justified; we will often endorse them (to use Korsgaard's phrase) regardless. In this way, then, we are 'justifying' our moral beliefs for ourselves – our endorsement gives them normativity, authority over us, even when we have insufficient reason to believe they are true.

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