‘ought’ implies ‘can’: 2. knowledge

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1. **The limits of human knowledge**

Some information is not just temporarily, but permanently, beyond our reach, and much of it lies at the heart of morality. How does this affect what morality may demand of us?

2. **Global consequentialist thought**

There are forms of consequentialist thinking that anyone concerned about morality will from time to time engage in. Any serious person will sometimes want to weigh the effects of an action on well-being. We all engage in local consequentialist moral — that is, consequentialist thought now and then, where appropriate. Some of us engage in global consequentialist moral thought, believing that, at a deep level, all moral thought is consequentialist. Are there limits to what we can know about the consequences of action?

To my mind, the most plausible form of global consequentialist thought — which I shall also refer to simply as ‘consequentialism’ — is highly indirect in form. It can concede that the moral norms and relations that for the most part govern our lives are in many respects like the ones that we find in common-sense morality. All that it must insist on is that they be sanctioned by the deepest-level moral consideration, the impartial promotion of interests. It proposes that we
should act in accord with the norms, or from the feelings, that would promote interests in the whole society in the long run. But my doubt about indirect consequentialism is whether we could often perform the tremendously large-scale cost-benefit calculations that it requires, or even often arrive at probabilities reliable enough for action. We can do these calculations in fairly extreme or fairly small-scale cases, but usually not otherwise.¹ Something else will then have to be at work producing determinate moral norms and relations. Global consequentialists might, at this point, object that impartially promoting interests is not, in any case, meant as an action-guiding principle. There is an important distinction between a decision procedure (how we should go about deciding how to act) and a criterion (what in the end makes an act right or wrong). Perhaps a doctor is best advised to follow certain procedures in diagnosing and treating patients — best advised because those procedures have best results overall, though not necessarily in each case. But the criterion for successful medical practice — health — is clear, and is independent of any sensible diagnostic procedures. Perhaps, similarly, the impartial promotion of the good is properly seen not as the consideration that we use to decide what to do, but as the criterion of our moral practice.

But I doubt that this reply helps global consequentialism. Although criterion and decision procedure can indeed diverge, they may not, I think, get far apart from one another. Our decision procedures will, of course, be restricted by our capacities, but any criterion for a human practice cannot become too remote from them without losing its standing as a criterion. Health can be a criterion for medical practice, because doctors can usually both act to bring it about, or come as close to it as present techniques allow, and in time find out whether they have succeeded. In parts of moral life we can also eventually find out the important consequences of our acts, but in many other parts we never do. What most promotes interests is often permanently beyond our reach. Then a would-be ‘criterion’ like that can play no role, not even that of a criterion. Our moral life cannot start from such an all-sanctioning background principle. We have to conduct it with what is within our reach. And if the criterion were to outstrip our knowledge, then it could play no role in our moral life; it would leave indirect consequentialism in need of some new, yet unknown, standard for sanctioning the rules of our decision procedure.

This is why the obvious global consequentialist reply to my line of thought is not, I think, strong enough. The reply goes like this. We consequentialists are perfectly able to accept any facts about human

nature or the workings of society, including (if they turn out to be true) your claims. We can, for instance, accept that moral life has to be conducted by appeal to fairly specific standards, in just the ways you say and for just the reasons you give. We shall simply incorporate all this in the consequentialist calculation. Our question then becomes: What set of rules and dispositions will most promote interests, given agents of such-and-such a nature and a society that works thus-an-so? But this reply does not meet the strength of the claim I have made. My suspicion is that this calculation is beyond us, and that our moral life cannot therefore rest on it. Global consequentialists cannot admit that our ignorance justifies the sort of reliance upon tradition that I think that we must accept. That concedes too much; it concedes that even indirect consequentialist thought is out of place in much of the centre of moral life. The crux is how often consequentialist thought is squeezed out. A few times would not matter; often would. If it is squeezed out of quite a large part of moral life, if there prove to be many situations in which the calculation of good and bad consequences cannot be done to a sufficient degree of reliability, then does enough remain to be called ‘consequentialism’. That is not a rhetorical question. It seems clear that sometimes the calculation of good and bad consequences, even to a reliable degree of probability, is
beyond us. And in moral life it may not be of much use that we can in future extend our knowledge, say by trial and error. If it takes virtually one’s whole life to establish that one has tried the wrong policy, one cannot live one’s life again. And if one’s error has hurt others, they cannot live their lives again either. What we have to decide is just how often tolerably reliable calculations of consequences are beyond us, and how central those failures are in moral life. What one finds will, to some extent, depend upon the kind of consequentialist one is. If indeed the most plausible form of consequentialism is a highly indirect one, then at the centre of one’s moral thought will be some such question as: What set of rules and what set of dispositions would, if they were to prevail in one’s society, produce best consequences over society at large and in the long run? But that is just the sort of question likely to defeat answer. We may know enough to identify fairly obviously inadequate rules and dispositions, but there will be many left that we cannot rank. And it is in the wide band that they would constitute that many of the hard choices in morality — choices, say, about the particular form that respect for life should take — would have to be made. Consequentialism turns ethics into a project that fits badly the capacity of the agents who are meant to carry it out. Its demands on human knowledge are unrealistically great.

3. **Local consequentialist thought**

Local consequentialist reasoning also has its limits. One can decide on best consequences overall in a particular situation only if one can compare the various goods involved. One can compare two goods only if there is a value bridging them in terms of which they can be compared. The bridging value need not itself be a substantive value. It can be a formal notion such as ‘good’ itself, or ‘prudential value’.

Consequentialist reasoning breaks down, then, when there is no bridging notion — that is, when the two values are ‘incomparable’, where that is taken to mean ‘cannot be ranked against one another as to “more”, “less”, “equal”, or “roughly equal”.

Contrary to widespread belief, it is hard to find incomparability among prudential values — among values that have to do with what is good or bad for some sentient being. But I think that one does very occasionally encounter incomparable values. Suppose the natives on an island in the middle of the Great Barrier Reef want to mine the Reef for a valuable mineral, thereby destroying much of the Reef. The natives are not abjectly poor, but they are not well off either, and the money would raise the quality of their lives substantially. The conservationists, however, are outraged. The Reef is, of course, valuable to human beings (its scientific interest and beauty) and to

many species of animals (their habitat). But it is also, many conservationists say, correctly I think, valuable in itself. It seems to me that the best explanation of this intrinsic value is along these lines. Actions can be not only right or wrong but also appropriate or inappropriate. The only appropriate response to the breathtaking beauty and biological complexity and age of the Reef is wonder and awe. And this wonder and awe should lead to great respect and strong inclination to protect. The wanton destruction of the Reef would be a monstrous act. Of course, the islanders would not be destroying the Reef wantonly. They would be doing it for a strong reason. So it looks as if the way to handle this conflict of values — their improved quality of life versus the intrinsic and extensive value of the Reef — is to weigh the values on each side and see which are the weightiest.

But that cannot be done. There is no value in this case, either substantive or formal, that could serve as a bridging notion. The notions of ‘good for a sentient creature’ or ‘prudentially valuable’ are too narrow. We do seem able to compare — though not always easily — two things that are ‘good for a sentient creature’ or that are prudentially valuable, but the intrinsic value of the environment clearly falls under neither of these heads. The notion of ‘value’ simpliciter —
that is, unqualified — is too general to serve as a bridging notion. It is unable to provide weights that are comparable.

So here is a semantic limit on local consequential reasoning: not all good are comparable. That leaves open the possibility that there is some other form of reasoning that could resolve the conflict between the islanders and the conservationists, but I cannot find a plausible one.

Incomparabilities are, I believe, not common, so we do not often encounter this sort of limit to consequentialist thought. But other sorts we do. When we cannot altogether avoid harming others, we all accept some such principle as ‘Minimize harm’. A pilot of a plane about to crash who can control only whether it kills one person or five should chose to kill one. And he should for consequentialist reasons: better one dead than five.

But consider now a case from modern casuistry. Should surgeons keep harm to a minimum by killing one person on the sly — a recluse, say, who would not be missed — to use the organs to save the lives of five desperately ill patients? The numbers are the same as the pilot faced: one dies, five are saved. But, unlike the pilot’s case, the surgeons’ case, most of us think, cannot be decided by any simple, direct consequentialist reasoning. *Indirect* consequentialist reasoning is no more successful: The pilot’s moral situation is extremely simple: is

the harm to be relatively small (one dead) or large (five dead)? The salient, the only rational, policy is, keep harm to a minimum. This policy is also modest. It makes no great demands on knowledge; the policy is obvious. And it involves no ambitious programme of action; we respond if, in the exceedingly rare circumstances, our hand should be forced.

There is nothing like that modesty in the surgeon’s case. Instead of reacting, when faced by circumstances, the surgeons’ policy, if taken seriously, is to go out into the world to find opportunities to minimize harm. A policy like that makes enormous demands on knowledge. It is also applicable to much of life. If the surgeons do it today, why not tomorrow? If this group of surgeons does it, why not others? If surgeons do it, why not politicians, say, when their consequentialists calculations come out the same. Typically, the surgeons cannot know, even to a reliable degree of probability, what in their case will most promote values overall and in the long run. Their case is far from simple. They cannot know whether, or how widely, people will learn what they have done. They cannot know how much fear and mistrust that knowledge will produce. They cannot do the calculation of total benefits against total costs. In any case, we are concerned now not with a particular case but with a policy. To do the
calculations of costs and benefits if everyone — other groups of surgeons, politicians, and the rest of us — set out to be entrepreneurs in life promotion is far beyond us. So it is not surprising that we should use the norm, Minimize harm, in cases like the pilot’s, and some such norm as, Don’t deliberately kill the innocent, in cases like the surgeons’.

Of course, the greater appropriateness of deontological prohibitions to the surgeon’s case, if indeed they are more appropriate, would also limit consequentialist reasoning, though I doubt that deontologists have any better explanation of these cases than global consequentialists have. But my point is that there are reasons within consequentialist reasoning itself that limit it, namely the absence of sufficiently reliable knowledge.

The limit on local consequentialist thought crops up ubiquitously. For instance, it would be helpful if we could tell how beneficial alternative forms of important social institutions, such as property, are, but their enormous complexity will often defeat us in the end. It is not that we can never manage such calculations. We can certainly manage to assess the costs and benefits of smallish parts of large social institutions. And we can tolerably reliably, if not precisely, assess the costs and benefits of an entire complex social institution if

its successes and failures are fairly plain. We can also advance our knowledge by trial and error. We can try, say, a centrally planned economy, and we may in time (a great deal of time) discover that it is inferior to a market economy in the efficient transmission of information. But that would still leave us with very different forms of market economy, inevitably differing in their effects on the quality of life, themselves needing to be ranked. The effects of an economic structure are pervasive and subtle; they shape, in ways that are often beyond our grasp, not only economic performance but also political structures and personal relations — for instance, our sense of community, the extent of our altruism, and the forms of our competition. Many kinds of market economy will fall in a band in which, though they differ in their costs and benefits, we shall not be able to rank them.

We shall be unable to rank them not just for the present, but often in the future too. To rank them we should need advances not just in economics, some of which may be forthcoming, but also in our understanding of how whole societies work, how individual psyches work, and how the one affects the other. There are, it is true, degrees of ignorance. We do not need certainty in order to act; a reliable degree of probability is enough. But at times we shall not have even

that. There will still be a wide band in which our ignorance defeats even such judgements of probability.

5. **Could there be a capacity-blind ethics**

Certain philosophers reject the putative principle “‘ought’ implies ‘can’”, on my interpretation of it. The source of moral norms, they say, is capacity-blind, but no less authoritative for that. Had we been in the crowd waiting for Moses to descend with the tablets, we could have hoped that God’s commandments would not exceed our capacities, but it could only be a hope. What God commands we ought to do, whether or not we can. ‘Can’, therefore, cannot be a necessary condition for ‘ought’. But the conclusion we should draw from this example is much less clear-cut than that.² If what God commands and we are able to do are too far apart, then we face a radical problem: how are we to form any conception of how actually to live? God may not lose authority by asking for so much, but we lose any articulation of a practicable policy for action. One cannot, for the reason already mentioned,³ fall back on saying that we are simply to try our best, because what we know we cannot do, we cannot try to do either. Nor can we aim simply at coming as close as possible to God’s commands, because that leaves entirely unarticulated what such a life would look

like and what sorts of policies and personalities would be most likely to realize it; the job of describing decent *human* behaviour would remain. Fortunately for the Jews, the Ten Commandments did not demand what humans could not supply; unfortunately for Christians, some remarks of Jesus seem to do that (and so set up the need to describe a decent human life, which the Christian tradition has spent much time attending to). It is not just religious ethics that may create this problem; any capacity-blind form of objective ethics — for example, some (but not all) forms of ethical realism — has the potential for doing so.

A short while ago, in discussing the distinction between a criterion and a decision procedure, I said that a global consequentialists criterion cannot get too far away from the human epistemic capacities, because the calculation of consequences is needed to sanction the norms of the decision procedure. But would it matter to the existence of a criterion that it could not be used to sanction them? Perhaps we can simply *know* that the global consequentialist criterion is true, independently of these features. We can *hope* that the criterion that we discover to be true does not demand for its practical appreciation knowledge beyond our capacity, but that too can only be a hope. Similarly, we can hope that the actions that the

criterion demands lie within our motivational capacity, but that as well can only be a hope. The true ethic, the advocates of a capacity-blind ethics can say, may or may not be a practical ethic.

I doubt that there could be such a capacity-blind ethics, especially in the domain of our obligations to each other. Within that domain, we can know some truths about ethics simply on the basis of the meaning of its central terms. For example, we could not see an action as ‘morally wrong’ — in contrast to seeing an action as ‘inappropriate’, as we might in the case of lack of respect for an intrinsic environmental value — unless it has some sort of link to what is good or bad for sentient beings. But that there must be some sort of link is a very weak requirement. It does not even commit us to teleology, and it is compatible with any sensible deontology, and with the priority of the right to the good.

Even if it were a conceptual truth that ‘morally wrong’ must have a link to what is good or bad for sentient beings, it would not be an action-guiding truth. It would not be a moral criterion or a norm in a decision procedure. How could we be satisfied of the truth of a moral criterion, such as consequentialism? The global consequentialist principle is not a conceptual truth; it is a substantial competitor of other possible criteria. I discussed earlier what is available to us to

justify the choice of one of the various possible criteria or of one of the various possible decision procedures.\(^4\) A part of the justification is bringing beliefs at different levels of generality — ranging from highest-level criteria to beliefs about particular actions — into coherence. Another part of the justification is to identify and give proper weight to beliefs of special reliability — for example, beliefs about basic human interests. But neither beliefs about particular actions nor beliefs about basic human interests are entirely capacity-blind. So the justification of a criterion cannot be either.

6. **Common-sense ethics**

Neither priests nor philosophers created ethics. Ethics appeared earlier in human history than they, probably in highly imprecise form from certain innate dispositions selected by evolution, but in much larger part and in far more articulate form from the resources of human cultures. It is no easy job to identify the content of this philosophy-free and religion-free body of ethical beliefs. In any case, one would expect the content to vary from culture to culture. But the important point is that various ur-ethics existed and have themselves evolved over time. It is by no means clear how much religion and philosophy have contributed or even can contribute, to improving these ur-ethics.

Not infrequently, philosophers these days refer to ‘common-sense ethics’. They mean, I think, a much developed form of an ur-ethic, one which has absorbed certain ideas from its parent culture, not least from religion and philosophy. Again, it is no easy job to identify the content of ‘common-sense ethics’. So let me use the name as a technical term. I shall use it to mean the descendant in our culture of an ur-ethic that has been influenced to some extent by the philosophy and religion of our (and perhaps some other) culture, by the natural sciences, and importantly by folk beliefs about human nature, primarily about human capacities. I shall mean also a piecemeal ethic: no over-arching system, conflicts of belief which sometimes have no resources for resolution, and gaps in our beliefs (important questions to which we have no answers). And I shall mean an ethic particularly in need of critical reflection, as a result of which the more thoughtful members of the culture hold certain beliefs different from, and perhaps better than, those of their less reflective neighbours.
7. **My hypothesis**

What do the limits of human motivation and knowledge suggest about ethics? I ask about a ‘suggestion’, not about anything as strong as the conclusion of an argument. Call what I want a ‘hypothesis’; hypotheses need to be tested. The advantage of formulating the hypothesis that I ask about is that it will allow us to consider a conception of ethics in addition to the familiar philosophical trio: consequentialism, deontology, and virtue ethics.

My hypothesis is this. There is, first of all, a large domain of permitted partiality. There is often no moral fault in being partial to one’s spouse, one’s children, one’s more extended family, to the career and causes and institutions that matter greatly to one, to one’s community, and so on. Obviously, some partialities can be justified impartially: the structure of society often require parents to take special care of their own children. And some partialities may be justifiable non-impartially: it may be a basic moral norm that parents owe more to their own children than they do to other children. But I want to suggest that there is a further ground for partiality: one may not demand what characteristic human motivation cannot deliver.

Furthermore, we cannot base morality on forms of thought that we cannot carry out to a degree of probability on which we should be

willing to base our lives. Most moral philosophers seem to assume that, if a theory of ethics requires certain forms of calculation, they will be available. It cannot be that they make this assumption explicitly, because it has only to be articulated to be seen to be ridiculous. We respond to the surgeons’ case by bringing it under the norm ‘Do not deliberately kill the innocent’. It is not that we sanction this norm by calculations of the good and bad that would be involved in having such a norm. We cannot calculate them to a reliable degree of probability. Instead we respond to the great value that we attach to human life by respecting it, not promoting it.\textsuperscript{5} By promoting life I mean acting so as to produce, in some way, as much of the value as possible: e.g. save most lives. By respecting life I mean not oneself taking it. Respecting differs from promoting in two obvious ways: first, respecting has no aggregative element, and, second, its perspective is not, as with promoting, the behaviour of all parts of the universe affected by one’s action including what other people do, but merely what one does oneself. Reflecting life involves an individual’s being subject to a prohibition: Do not deliberately kill the innocent. We accept this prohibition because life is so highly valuable. And its particularly great value leads us, in addition, to regard it as a particularly stringent prohibition: we follow it unless we have an
exception to it that is both especially clearly formulated and especially strongly justified. We have both such clarity of formulation and strength of justification for certain exceptions, such as a pilot of a plane about to crash or shipwrecked sailors who eat one of their number to prevent all of them from dying. And many societies are struggling to formulate a clear enough exception for euthanasia, but it is a sign of the stringency of the prohibition that, after many decades, only a very few societies have come to make euthanasia an exception. It is not that numbers of various societies have come to realize the limits of their motivation and knowledge and so have adopted certain prohibitions as the best they can do. It never occurred to people in the first place that they could do the immensely complex calculations of the consequences of their society’s living by the rule, Don’t deliberately kill the innocent. Rather, they were in no doubt of the great value of human life and, accordingly, respected it. And the natural form for the respect to take is not to destroy life. Our response to the great value of life is to settle on a prohibition (Don’t deliberately kill the innocent) and a policy (an exception admitted only if there is an especially strong case for it). This response is the one appropriate to agents like us. My guess is that one obstacle to our accepting that conclusion is the myth of the morally right answer: We do not expect

positive law always to have an answer: a situation may be so unusual that no law fits it, even that no legislator’s intention fits it. We are prepared to accept the positive law as an inadequate, incomplete human creation, not always up to coping with the complexities of life. But underlying positive law, we think, there is an ideal form of law, moral law, endlessly refinable, universally applicable, and never at a loss for an answer (though we may be at a loss to make it out). But moral law is limited in much the same way, and for many of the same reasons, as positive law. The myth is that there is always the morally right answer. Sometimes moral norms conflict, and there is no background moral rationality to resolve the conflict. Sometimes we just have to stick to a moral norm, such as, Don’t deliberately kill the innocent, despite all the nagging and, in a sense, rational worries weighing in on the other side — as in the surgeons’ case — because that is the only kind of moral life open to us.

There is something else, I think, holding us back: the myth of the sufficiency of the moral. Purely moral considerations often leave us well short of determinate standards for action, and other considerations, for example, social agreement or convergence or tradition, have to be brought in to fill the gap. For instance, human rights have their moral grounding, I should say, in the great value that

we attach to our status as persons, as agents. As persons, we deliberate about and choose our ends, and then act to realize them. Human rights are best seen, on this Enlightenment conception of them, as protections of the values associated with personhood: namely, our autonomously choosing a course through life, our having the basic wherewithal to achieve it, and others not blocking us. So one human right is a right to bodily integrity, because unless we have some security in our own bodies, we shall have no security of action. But where is the line defining that right to be drawn? Does that right bar the state from forcibly taking one of my kidneys for transplant? Does it also bar a particularly accommodating state from demanding a pint of my blood, which, it says, it will take in my own house while I sleep, leaving me to wake the next morning none the worse for it? What is clear is that, on its own, the relevant moral consideration — namely, the value of personhood — is not up to fixing a determinate line. The personhood consideration would not protect me against the accommodating state that was after my blood. It is not clear that it would protect me even against the state that was after my kidney; after all, what I should lose from a kidney extraction is only a few weeks for convalescence (if my remaining kidney packs in, there is a bank of them for me to have a transplant), and a few weeks convalescence will hardly destroy my

personhood. But the trouble is that the personhood consideration, unsupplemented, draws nothing even approaching a determinate line. And if the line is very fuzzy, we may even be reluctant to say that a right yet exists. Its existence must, to some extent, depend upon its being a manageable, socially effective claim on others. So what sort of thing must we add to make it more determinate? A lot of practical considerations must go into fixing the line — such as how threateningly interventionist the political tradition of our particular society is, whether human nature is such that we should be well-advised to leave a large safety margin, how simple and obvious the line has to be, and so on.

So we should not think that there are always determinate moral norms underlying laws or other social standards, which provide us with the ideal to which laws or social standards must measure up. It is not that there will be no rational grounds for assessing laws and social standards, but that they will not be entirely moral in content. They might, instead, be in terms of social or psychological probabilities. I am inclined to say that it is often the other way around: that moral norms — that is, norms as far as purely moral considerations take them — are often highly indeterminate, and need some realistic picture of a satisfactory form of social agreement added to them to give them

shape. Sometimes it is the law itself that will give them shape. More often, though, it is some non-legal, moral consensus — or realistic prospect of consensus. In this further way, moral norms are like laws. It is often society, through its conventions and convergences and decisions, that defines them, and so brings them into existence.

We follow the norm, Don’t deliberately kill the innocent, unless we find a tolerably clear area of exception — as there is with cases covered by the norm, minimize harm. And, as I have said, there must be another area of exception, though its boundaries are hard to draw, for euthanasia. Legislators defining a policy on euthanasia have to face up to the fact that it will be applied by limited, temptable humans. Any legislation is bound to be a messy compromise with human nature and social needs. But it is not that behind a legislator’s messy deliberation there is a moralist’s purer thought. The two deliberations will be virtually the same: the same problems, the same compromises, the same vagueness and incompleteness.

I am saying that moral norms are like positive laws not in their content, but rather in many of the modes of thought used to arrive at them, and in the considerations central to that thought, especially the limitations of agents and the solutions to actual social problems. On the contrary, one would hope that the content of moral norms would

often diverge from that of positive laws. One wants moral norms to provide grounds for criticizing laws; and so they can if those who think about ethics keep a step or two ahead of legislators. It is just that when those interested in ethics think about human rights or abortion or euthanasia, they shall have to think about very many of the same messy variety of considerations that a legislator does. Our job in ethics is not to have thoughts radically different from theirs, but earlier on, or carried further, than theirs. For instance, there is nothing to stop us from reaching a feasible norm about euthanasia before legislators do (at least, legislators in the United Kingdom and the United States); and we can carry our deliberation to the highly specific or particular (say, in the shipwrecked-sailors’ case), whereas they, given the nature of the legislative exercise, cannot.

What I am suggesting is that there is no domain of the moral — that is, a kind of thinking that appeals to purely moral considerations and is capable on its own of producing a body of determinate guides to life. A few determinate conclusions can be arrived at that way; the norms, Don’t be cruel and Don’t torture, simple enough to be examples. But many other moral norms, and important ones, will be too indeterminate to serve effectively as norms until we add various practicalities. Then there is only a wider domain — a kind of thinking

in which the considerations are much more heterogeneous, more concerned with the possible, and more subject to compromise — the domain of the social.

We have to make do without the extensive background rationality that most consequentialists and some deontologists and many virtue-ethicists think is available to us. They think that underlying our various moral standards there is, in principle, a procedure for weighing the overall amount of good at stake or the relative stringency of the duties in play. Or what the perfectly virtuous person would do. But these sorts of all-pervasive background rationality, I think, prove impossible. At points we have to fall back on natural sentiment, on a variety of well-entrenched but unsystematic norms, and on tradition, which have to recommend them that they carry us from where an exclusively moral rationality drops us to where we must get.

The source of the moral prohibitions we have been considering is located, not exclusively but in no small measure, in the nature of agents. A consequence of this is that we are right to attach moral weight to certain common-sense distinctions — for instance, between acting and omitting, doing and letting happen, duties not to harm and duties to aid. We live by, and can only live by, the moral norms and

relations that I have been speaking of, and they embody a form of these distinctions. But the source of the distinction lies, I suspect, in the nature of agents, not in the nature of two kinds of behaviour—acting and omitting, doing and letting happen, and so on. And at the same source yields the common-sense distinction between duty and supererogation. Any ethics works with an inevitably rough, arbitrary picture of the limits of the will. Often the best we can do is to adopt a correspondingly rough, arbitrary policy: say, pick some level of contribution to charity and abide by it, those doing markedly more thus going beyond the call of this ill-defined duty.

My hypothesis, despite its invocation of tradition and common-sense, is not especially conservative. It is certainly not anything like a wholesale defence of common-sense ethics, which has always had its inadequacies in the past, and must have them still. We have powerful forms of criticism available to us: appeals to utilities, to rights, to the nature of agents and of society. That there is no supreme background principle capable of bringing system to ethics does not mean that there are no less-than-supreme background principles capable of sustaining important criticism of our prevailing beliefs. To amplify this point, let me say something about the first of these critical resources, appeal to utilities.

Utilities are at the centre of the issue about euthanasia, and euthanasia is one place where common-sense ethics sorely needs change. Some cases of euthanasia are, I think, quite simple. When life has no value, when it is reduced to nothing but suffering, the prohibition on deliberately taking it loses its intelligibility. In simple situations, tradition or common sense notwithstanding, the right thing to do is clear. But many other situations are not at all simple, especially for doctors. A doctor’s life-and-death decisions often have enormously complex consequences — for trust between doctor and patient, for pressures felt by old people, and so on. The consequences are so complex, indeed, that they take us right up to the edge of our ability to calculate them to a reliable degree of probability. Doctors need a policy that will both fit a wide range of cases and suitably define a doctor’s role in society. Doctors therefore face a dilemma: obvious moral considerations, especially the relief of suffering, impel a doctor to action; complex consequences of such action ramifying through society, many of them damaging, restrain a doctor from action. It is natural that in this dilemma, doctors should look to others for their concurrence, partly because many heads can be better than one, but more importantly because we are all in this together, and, as the issue is so opaque, we should all have a hand in framing the policy.

to which we may one day be subject. Society will thereby define this part of a doctor’s role, and, if it does not do it badly, also define for us what is right and wrong about euthanasia in these highly complex cases. Moral decision here merges with social decision. And here our moral life would be lived out not only in society, but through it. It may sound unduly conservative to say, as I have said, that, given human nature, our general approach to a value such as life in fixing a policy about killing has to be the modest one of respecting it, not the God-like one of promoting it. But that claim is compatible with a belief that we should work to bring yet more cases — such as euthanasia — under the competing norm, Minimize harm. And it is compatible as well with the belief that we ought to promote life in other ways — say, by helping the starving a good deal more than we do now.
NOTES

1 There is the large question of rational strategies in the face of great ignorance. When we answer that question, might we not find indirect consequentialism reappearing? Given how little we know about the costs and benefits at stake in highly complex social institutions — say in our present institution of property — the best policy is ‘Better the devil you know’? That looks like indirect consequentialism, because it looks like the plausible thought that our particular institution has at least stood the test of time. If that is simply the thought that we have to abandon maximization in these cases, then it is well short of indirect consequentialism. But if it is the thought that our abandoning maximization is ultimately the maximizing thing to do, then I doubt that we can tell.


3 See ibid.

4 See ‘Improving Our Ethical Beliefs’.