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The Moral Argument

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G. K. Chesterton once remarked that Nietzsche was unable to laugh but could only sneer. I believe his point was that all good satire is animated by moral vision or conviction. Attempts at satire without such conviction never rise above mere sarcasm – sneering. Whether all of this is so is beyond the purpose of this chapter. But we certainly do find Nietzsche sneering in places, and in some of those places, that sneering is directed at moral conviction itself. When in the midst of a tirade against nearly anyone and everyone ever to put pen to paper, Nietzsche heaped scorn upon "G. Eliot" and her fellow "English flat-heads." Eliot – whose actual name was Mary Anne Evans – had long since rejected theistic belief, but she held fast to a sense of moral duty that she regarded as "peremptory and absolute" (Myers 1881, p. 62). Morality, she thought, simply did not require a religious foundation. Indeed, the religious impulse *dilutes* the moral, as thoughts of another world distract from the duties of the present, and hope of an eternal reward reduces moral motivation to a form of egoism. Instead, hers was a "Religion of Humanity," involving "the expansion of the sense of human fellowship into an impulse strong enough to compel us to live for others, even though it be beneath the on-coming shadow of an endless night" (Myers 1881, p. 61). At this, Nietzsche complained, "They are rid of the Christian God and now believe all the more firmly that they must cling to Christian morality" (1968, p. 69). But this "English consistency," he argued, is altogether inconsistent. He urged that, in giving up the Christian faith, "one pulls the right to Christian morality out from under one's feet." The "duty" to which Eliot and her freethinking friends appealed, was actually part and parcel of the system that is Christianity. "By breaking one main concept out of it, the faith in God, one breaks the whole: nothing necessary remains in one's hands" (Nietzsche 1968, pp. 69–70). Indeed, the moral "intuitions" to which Eliot and others appealed were nothing more than the lingering effects of Christianity upon that society – fading echoes of the late deity's voice, whose churches remained as his "tombs and sepulchers" (Nietzsche 1982, pp. 181–2).

If Eliot held out for the reality of a moral law over against the illusion of religion, Nietzsche countered with the exclamation, "Moral judgments agree with religious ones in believing in realities which are no realities" (1968, p. 55). Nietzsche's moral nihilism is handily summarized with his assertion, "*There are altogether no moral facts*" (1968, p. 55). And there are no such facts precisely because neither are there any theological ones.

Nietzsche observed that few of his contemporaries seemed to comprehend the full implications of the death of God – the fact that "belief in the Christian God has ceased to be believable." But once that belief was undermined, all that was built upon it would inevitably collapse, notably "our whole European morality" (1982, p. 447). Morality "has truth only if God is the truth—it stands or falls with faith in God" (Nietzsche 1968, p. 70). For Eliot and the English, "morality is not yet a problem" only for want of discernment.

The moral argument for the existence of God essentially takes Nietzsche's assertion as one of its premises: if there is no God, then "there are altogether no moral facts." But it urges with Evans and against Nietzsche that we have, in our moral experience, good reason to suppose that there are indeed moral facts. And so our moral experience provides some reason for belief in God. The argument may take a variety of forms, some more plausible than others. Popular versions of the argument abound. Some have argued, for instance, that wherever there are laws there is a Lawgiver, so that the existence of moral laws calls for someone who bears a strong resemblance to Moses's Host atop Sinai. Others have argued that without a carrot and a stick – heaven and hell – there is no sufficient incentive for behaving morally. Some might even be heard to argue either that belief in God is required in order to have a *knowledge* of right and wrong, perhaps through some sort of special revelation, or that such explicit belief is required in order to become virtuous – there can be no virtuous atheists, it might be said. Similarly, it is sometimes urged that a society that abandons faith in God is doomed to destruction from within due to moral decay.

More sophisticated, perhaps, is the sort of argument for which Immanuel Kant is famous. If there is no God, then the moral law makes objective demands that are not possibly met, namely, that the moral good of virtue and the natural good of happiness embrace and become perfect in a "highest good" (Kant 1956). But then those demands appear to be empty and, in the face of such an "antinomy," we might come to think of moral requirement as null and void.

For Kant, although God is not the *Author* of the moral law, he is required as a sort of Director of the screenplay. Kant also argued, promisingly, I think, that if "one vast tomb" finally engulfs both the righteous and the wicked, then it is hard to see why moral behavior ultimately matters (Kant 1987, p. 342). But if moral requirements are genuine, it seems that they *ought* to matter in some ultimate sense.[1]

Whatever merits such arguments may or may not have (and some, I think, have no merit at all), none is on offer in the essay that follows. Actually, there are two essays, each a relatively independent version of the moral argument. The first, "An Argument from Evolutionary Naturalism (AEN)," argues that theists can, where naturalists cannot, offer a framework on which our moral beliefs may be presumed to be warranted. In particular, the naturalist's commitment to a Darwinian explanation of certain salient features of human psychology presents an undercutting defeater for our moral beliefs taken as a whole. The argument is thus chiefly epistemological in nature, and seldom strays from the discipline of metaethics. The second essay, "An Argument from Personal Dignity," argues, first, that something like the Kantian notion of human or personal dignity is implicated by the sorts of moral beliefs with which we begin moral reflection. Here, it weighs various competing theories in normative ethics and finds them wanting. Second, theists can, where naturalists cannot, offer a worldview that accommodates the notion of personal dignity.

1. George Mavrodes develops an argument along similar lines in Audi and Wainwright (1986).

An Argument From Evolutionary Naturalism

Edward O. Wilson and Michael Ruse have agreed together that "ethics as we understand it is an illusion fobbed off on us by our genes in order to get us to cooperate" (Ruse & Wilson 1989, p. 51). The sociobiologists tell a familiar evolutionary story to justify this striking assertion. The pressures of natural selection have had an enormous influence on human psychology, including the hardwiring of *epigenetic rules*. According to Wilson and Ruse, these are widely distributed propensities to believe and behave in certain ways, and such rules have developed through the interaction of human genetics and human culture. "Epigenetic rules giving us a sense of obligation have been put in place by selection, because of their adaptive value" (Ruse 1998, p. 223). Such rules have adaptive value because they incline us toward adaptive behaviors, and a behavior is adaptive insofar as it tends toward reproductive success. The resulting "sense of obligation" is thus in place, not because it detects any actual moral obligations but because the perceived obligatory behavior is adaptive. Strictly speaking, experiences of, say, moral obligation or guilt are nonveridical: their seeming objects are illusory. Ruse explains:

> The Darwinian argues that morality simply does not work (from a biological perspective), unless we believe that it is objective. Darwinian theory shows that, in fact, morality is a function of (subjective) feelings; but it shows also that we have (and must have) the illusion of objectivity. (Ruse 1998, p. 253)

The belief in moral objectivity is a useful fiction, and its utility is in the name of reproductive fitness. Evolutionary theory is thus wed to some variety of moral antirealism. Ruse thinks Darwin's theory complements Hume's subjectivism.

Hume, of course, maintained that belief in objective moral properties is, at best, unwarranted, and talk of them is, in fact, meaningless. In a pivotal passage, Hume challenges his reader to produce the moral property of some putatively immoral action, such as willful murder, over and above the natural properties that we perceive. "The vice entirely escapes you, as long as you consider the object" (Hume 1978, p. 468). But a closer look does reveal a matter of fact that *is* the object of experience: one's own *sentiment* that is excited by the deed.

> Here is a matter of fact; but 'tis the object of feeling, not of reason. It lies in yourself, not in the object. So that when you pronounce any action or character to be vicious, you mean nothing, but that from the constitution of your nature you have a feeling or sentiment of blame from the contemplation of it. Vice and virtue, therefore, may be compar'd to sounds, colours, heat and cold, which, according to modern philosophy, are not qualities in objects, but perceptions in the mind. (Hume 1978, p. 469)

The mind has a "great propensity to spread itself on external objects" (Hume 1978, p. 167), so that the subjective feelings which, given our constitution, result from the contemplation of some act, are mistaken for perceptions of objective properties of the act itself. As Michael Ruse (1998) sees it, Darwin explained the origins of that constitution.

Some have seized upon these apparent implications of Darwin's theory in order to argue that naturalism – the view that reality is pretty much exhausted by the stuff of the empirical sciences – implies an unpalatable moral skepticism. To take a noteworthy example, C. S.

Lewis argued that if naturalism is true, and human moral beliefs are ultimately the product of our evolution, then the "transcendental pretensions" of morality are "exposed for a sham" (Lewis 2001b, p. 59). Let's call the combination of naturalism and an overall Darwinian account of the origin of species *evolutionary naturalism* (EN). According to Lewis, on EN, the dictates of conscience are little more than an aggregate of subjective impulses, which, although distributed widely throughout our species, are no more capable of being true or false "than a vomit or a yawn" (2001b, p. 58). "If the naturalist really remembered his philosophy out of school," then he would realize that his saying "I ought" is on a par with "I itch," and "my impulse to serve posterity is just the same sort of thing as my fondness for cheese" (Lewis 2001b, p. 59). Morality is thus an "illusion" (Lewis 2001b, p. 56), little more than a "twist of the mind" (Lewis 1996b, p. 18).

Lewis scores an apologetic point when he observes that the very people who defend such a variety of subjectivism are often later found promoting some moral cause. "A moment after they have admitted that good and evil are illusions, you will find them exhorting us to work for posterity, to educate, revolutionise, liquidate, live and die for the good of the human race" (Lewis 2001b, p. 58). Elsewhere, writing with these same thinkers in mind, he quips, "We castrate and bid the geldings to be fruitful" (Lewis 1996a, p. 37). Lewis believes that he has identified a practical inconsistency in such persons: their considered theories entail that morality is an illusion, but they nevertheless *live* as though there are objective moral facts that are the appropriate objects of our serious concern. Moral skepticism is impracticable, but it appears to be implied by a naturalistic worldview. If this is so, then, all other things being equal, we have some reason to reject naturalism.

An argument – call it the argument from evolutionary naturalism (AEN) – thus emerges from such considerations. Perhaps the following is in the spirit of what Lewis has in mind:

(1)   If EN is true, then human morality is a by-product of natural selection.
(2)   If human morality is a by-product of natural selection, then there are no objective moral facts.
(3)   There are objective moral facts.
(4)   Therefore, EN is false.

Of course, AEN, even if successful, is not an argument for the existence of God, but only for the falseness of EN. But it might be employed as an important component of such an argument were one to go on and argue that theism accommodates moral facts in a way that naturalism does not, that, all other things being equal, a worldview that makes sense of moral facts is preferable to one that does not, and so, all other things being equal, theism is preferable to naturalism.

Does AEN succeed? Off the bat, one might note that the falseness of EN is not thereby an argument for the falseness of naturalism, and the latter is the real target of such arguments. Might one be a naturalist without being an *evolutionary* naturalist? Does naturalism *entail* Darwinism? Strictly speaking, it seems possible to affirm the worldview of naturalism without also endorsing the scientific theory of evolution, and so there is no strict entailment. But as Alvin Plantinga, a theist, and Alex Rosenberg, a naturalist, agree, for the naturalist, "Darwinism is the only game in town." Indeed, Richard Dawkins was recently seen sporting a T-shirt that read, "*Evolution: The Greatest Show on Earth, The Only Game in Town.*" Perhaps Dawkins's shirt reflects his more careful comment elsewhere that, "Although

atheism might have been *logically* tenable before Darwin, Darwin made it possible to be an intellectually fulfilled atheist" (Dawkins 1986, p. 6). Before Darwin, the inference to Paley's Watchmaker seemed natural, if not inevitable, given a world filled with things "that give the appearance of having been designed for a purpose" (Dawkins 1986, p. 1). Naturalism *sans* Darwinism – like Tarzan *sans* loincloth – is lacking in essentials. It is a worldview at a loss for explanation. While it is conceivable that a critic of AEN might object by driving a wedge between the worldview and the theory, we will retain the focus on the evolutionary version of naturalism.

As we shall see, there are substantial objections to each of the three premises. Premise (3) is an assertion of the truth of moral realism, and, of course, there are a variety of extant antirealist traditions. Antirealists will tell us either that there are no moral facts whatever, or that the moral facts that obtain are not objective – that is, they are not mind-independent or *stance-independent*. When C. S. Lewis originally advanced his argument, perhaps the majority of his philosophical detractors would have embraced noncognitivism, thus denying that there are moral facts. But, at least for the present, I am more interested in those philosophers (of increasing number) who embrace (3), and thus some form of moral realism, but aim to conjoin that commitment to moral realism with EN.

I am primarily interested, then, in objections to (1) and (2). One might object to (1) by denying that natural selection is solely (or even partly) responsible for the emergence of "human morality." Theists are permitted nonsupernatural explanations of some things. Might not the Darwinian be permitted nonevolutionary explanations here and there? And (2) moves rather quickly from an account of the *origins* of human morality to the assertion that its claims to objectivity are false. But why think this? First, such a move might be thought guilty of a well-known fallacy. And should we not at least give an ear to what the evolutionary naturalist may have to say about the possible connections between the workings of natural selection and the truth of our moral beliefs?

AEN and the genetic fallacy

Let us begin with an objection to (2). At first blush, at least, the move there appears guilty of the *genetic fallacy*. At least in standard cases, the fact that a given belief B is the product of some cause C, entails nothing whatsoever regarding its truth or falsity. And (2) concludes that widespread beliefs in moral facts are false if such beliefs have an evolutionary explanation. But some forms of genetic argument may be correct. Suppose we can show that the explanation of someone's belief is *epistemically independent* of whatever would make the belief true. In a discussion that has direct bearing upon the assessment of AEN, Elliot Sober offers an example of such an ill-formed belief (Sober 1994, pp. 93–113). Consider Sober's eccentric colleague, Ben, who believes that he has 73 students in his class because he drew the number 73 from an urn filled with slips of paper numbered from 1 to 100. Presumably, there are no esoteric connections between class attendance and such random drawings. Ben's resulting belief is thus epistemically independent of its would-be truth-maker in that Ben would believe that this was his enrollment *regardless of the actual number* of students in the class. According to Sober, Ben's belief is "probably false."

Might we offer a similar evolutionary argument for moral skepticism? Sober suggests that such an argument is a tall order because one would first have to identify (a) the processes of moral belief formation and (b) the would-be truth-makers for moral beliefs, and then show that (a) and (b) are independent. Call this the *Independence Thesis*. A defense

of the Independence Thesis would call for a considerable project in metaethics for which the simple observation that our moral beliefs have evolutionary origins is no substitute.

As Sober sees things, such an evolutionary argument aims to show that "subjectivism" is true. (He identifies subjectivism as the view that "no normative ethical statement is true," and thus seems to have in mind something more akin to noncognitivism or error theory.) That is, such an argument would attempt to establish the Wilson–Ruse assertion that ethics is an *illusion*. But to say that ethics is an illusion is to advance a positive thesis regarding the ontological status of putative moral facts or properties. Presumably, such an argument would call for some positive reason for thinking that the Independence Thesis is true.

Of course, even the truth of the Independence Thesis does not entail that morality is an illusion. At best, we might conclude that it is safe to treat moral beliefs as though they are false on the grounds that it is unlikely that beliefs formed independently of their truth conditions will be true. After all, and all other things equal, we should grant the possibility that Ben's enrollment *is* precisely 73, and the possibility should be conceded even where we have a compelling argument for thinking that urns and numbered slips of paper have absolutely nothing to do with student enrollment decisions. Ben's belief about the number of students in his class is "probably false" only because we suppose that he has about a 1 in 100 chance of drawing a number that corresponds to his enrollment. And, assuming the truth of the Independence Thesis, our moral beliefs are "probably false" in that the odds that truth and adaptiveness would happen to embrace are slim. Sharon Street compares such odds to "setting out for Bermuda and letting the course of your boat be determined by the wind and tides" (Street 2006, p. 13). Well, *bon voyage!*

But we need not argue for the falseness or probable falseness of our moral beliefs. Nor is it necessary to argue for the truth of the Independence Thesis. It is one thing to suggest that there are positive reasons for asserting epistemic independence; it is quite another to say that we *lack* any reason for thinking that a relevant *dependence* relation obtains. We would have a reason for thinking there *is* such a relation just in case the best explanation for a person's having a given belief essentially involves the *truth* of that belief. One might thus argue that belief in objective moral facts is *warranted* only if there is reason for thinking that a relation of epistemic dependence obtains between our beliefs and their truth-makers.

It seems that a plausible Darwinian yarn may be spun in such a way as to offer a complete and exhaustive explanation of our various moral beliefs without ever supposing that any of them are true. According to this story, some behaviors (feeding one's babies, fleeing from large predators) are adaptive, and others (feeding one's babies to large predators) are not. Any predisposition or prompting that increases the probability of the adaptive behavior will thus also be adaptive. A predisposition to make moral judgments or form moral beliefs enforced corresponding behaviors, and so was adaptive for such reasons. Richard Joyce asks, "Can we make sense of its having been useful for our ancestors to form beliefs concerning *rightness* and *wrongness* independently of the existence of rightness and wrongness?" The answer, he thinks, is "a resounding 'Quite possibly'" (Joyce 2006, p. 183).

In review of the "whole complex story" of the evolution of altruism and "helping behavior" as well as the predisposition to form moral beliefs, Joyce notes, "It was no background assumption of that explanation that any actual moral rightness or wrongness existed in the ancestral environment" (Joyce 2006, p. 183). The observation finds support, I think, when we look around at the behaviors of many nonhuman social animals. Individual animals display the predisposition for social behavior – what Darwin called social instincts

– but, presumably, without *judgment*s of any sort regarding the appropriateness of the behavior. We explain their behavior – and the *impulse* toward the behavior – by appeal to adaptiveness. Moral properties are not included in the cast of characters. Rightness and wrongness do not even come up. On this Darwinian story, *conscience* is what arises in a social creature once the social instincts are overlain with a sufficient degree of rationality. As Darwin asserted:

> The following proposition seems to me in a high degree probable—namely, that any animal whatever, endowed with well-marked social instincts, the parental and filial affections being here included, would inevitably acquire a moral sense or conscience, as soon as its intellectual powers had become as well, or nearly as well developed, as in man. (Darwin 1882, p. 98)

Wolves in a pack know their place in the social hierarchy. A lower-ranked wolf feels compelled to give way to the alpha male. Were he endowed with the intellectual powers that Darwin had in mind, then, presumably, his "moral sense" would tell him that obeisance is his moral duty. He would regard it as a moral fact that alpha interests trump beta or omega interests. Lupine moral philosophers might even wrangle over the question of whether there *are* such moral facts, and, if so, whether the legitimacy of the ancient hierarchical social system is one of them. But we need not suppose that the moral realists among them have it right in order to understand the genealogy of lupine morals.

Arguably, given an evolutionary account of *human* moral beliefs, there is no reason for thinking that a relation of epistemic dependence obtains, and so, given an evolutionary account, belief in moral facts is unwarranted (Joyce 2006, p. 183). If our moral beliefs are without warrant, then they do not amount to moral knowledge. We might thus modify AEN so that (2) gives way to

(2*)   If human morality is a by-product of natural selection, then there is no moral knowledge.

There is moral knowledge only if there are warranted moral beliefs, and the suggestion under consideration is that an evolutionary account serves to *undercut* whatever warrant we might have had for those beliefs.

Bertrand Russell allegedly once observed, "Everything looks yellow to a person suffering from jaundice." Actually, I believe the truth of the matter is that *people* suffering from jaundice *look* yellow. But suppose that *both* are right: jaundiced people both appear and are appeared to yellowly. Jones enters Dr. Smith's office, complaining of various and vague discomforts. Smith takes one look at Jones and exclaims, "Your skin has a very tawny appearance!" He diagnoses Jones with jaundice and prescribes accordingly. Later, it occurs to Smith that *all* of his patients have a yellowish tint, as do his charts, the floor tiles, once-white pills, and the nurses' uniforms. A simple blood test determines that *he* is suffering from jaundice. It dawns on the doctor that Jones would have appeared yellow to him *regardless* of Jones' actual condition. Has Smith now a reason for supposing *Jones is jaundiced* is false in the way that, say, a negative blood test would provide such a reason? It seems not. Perhaps Jones *is* jaundiced. Smith simply lacks any reason for thinking that Jones' appearance was caused by Jones' condition, or that the belief that Jones was jaundiced is epistemically dependent upon any medical facts about Jones. And this is to suggest that facts about Dr. Smith's own condition have now supplied him with an *undercutting defeater* for his belief regarding Jones' condition.

As we have seen, Wilson and Ruse (and Lewis, hypothetically) draw the inference that ethics is an *illusion* – there are no objective moral facts. And they draw this conclusion from a consideration of the evolutionary function of our moral beliefs. We have the beliefs that we do, they suppose, because of their reproductive advantage, and not because of their truth. Thus, they think, Darwinism poses a *rebutting* defeater for our moral beliefs, as well as for moral realism itself. But it seems to me that the proponent of AEN might back off from the stronger claim that Darwinism entails that there are no moral facts, speaking instead of whether we are *warranted* in our ordinary moral beliefs. In this way, AEN becomes an *epistemological* argument for moral skepticism.

Judith Thomson (Harman & Thomson 1996) suggests that any red-blooded moral realist should seek to defend the *Thesis of Moral Objectivity* (TMO):

(TMO)   It is possible to find out about some moral sentences that they are true.

Of course, one may challenge TMO either by arguing that moral sentences never express true propositions or that it is not possible to find out. The former route involves advancing a positive metaethical theory that either denies that "moral sentences" ever express moral propositions *at all* (because there just *are* no moral propositions), or denies that moral propositions are ever *true*, or else denies that their truth is mind-independent. The latter route simply involves advancing an epistemological argument to the effect that no one is in a position to *know* whether any moral proposition is ever true. In challenging the warrant of our moral beliefs, AEN takes this route. As Richard Joyce observes, the conclusion that our moral beliefs are "unjustified" is "almost as disturbing a result" as an argument for the actual falseness of those beliefs (Joyce 2006, p. 180).

The suggestion, then, is that Darwinism presents us with an undercutting defeater for such beliefs. And so, instead of (3), perhaps we want:

(3*)   There is moral knowledge.

And this takes us to our conclusion.

(4)   EN is false.

What we lack is some reason for thinking that the adaptiveness of a moral belief depends in any way upon its being true. Perhaps, then, the tables may be turned. Instead of Sober's suggestion that the AEN defender must show that moral beliefs are independent of any truth-makers, perhaps the onus is on those who assert dependence. Why, given EN, should we suppose the world to include anything more than natural facts and properties and our subjective *reactions* to those properties? We will return to this question momentarily, and consider some possible replies. But first, let us consider a challenge to our Premise (1).

AEN and "greedy reductionism"

The evolutionary naturalist is saddled with the task of explaining the connection between adaptiveness and truth only if they accept our first premise.

(1) If EN is true, then human morality is a by-product of natural selection.

In fact, (1) is widely rejected. Consider first a homely example illustrating the reason for this rejection.

I once attended a university lecture given by a noted animal ethologist who was convinced that evolutionary psychology applies to human behavior just as surely as it applies to the canines with which she specialized. She had a good stock of examples of how widespread human behaviors betray their evolutionary and genetic roots. Suppose, she said, you are sitting on your sofa in your living room. The front door opens, and in walks a stranger, uninvited. You bristle with fear, anger, and resentment, and experience a rush of adrenalin. On the other hand, suppose that, as you are sitting there, a bird flies in through an open window and lights on a curtain rod. While, out of a concern for your new upholstery, you might take measures to shoo the bird outside, you experience none of the emotions triggered by the human intruder. Why the difference? She answered: because of our evolutionary heritage, we have been hardwired to be *territorial* toward conspecifics – members of our own species – and more tolerant of the company of other species. The difference in the two reactions is thus predicted on a sociobiological reckoning of human psychology.

But is there not a simpler, more straightforward and "cognitive" explanation? In the case of the human intruder, it is reasonable to think that harm is intended. As a moral agent, he is presumably capable of understanding and acting upon societal laws as well as the rules of morality and etiquette, and his intrusion likely signals a willful breach of all of these in order to have gained entry. And then there is that ski mask.

Arguably, *resentment* is properly directed only at *persons* in the event that they cause or intend some harm. I may be unhappy that the wind has toppled a tree, causing property damage. I may lament the fact that termites have made a meal of my guitar collection. But resentment would be misplaced and would perhaps indicate misunderstanding or emotional immaturity on my part. Lacking such moral agency, the invading bird is incapable of *intending* harm, and he is likely already showing signs of regret for what seemed at first a good idea. And, in any case, it is easy to imagine that fear, resentment, anger, and adrenalin would present themselves in the event that my door is darkened not by an intruding human but by an Alpha Centaurian who, although a person, shares no Linnaean rank whatsoever with me.

I have been instructed more than once that the sociobiological assumptions of an argument such as AEN have been "widely discredited." Sociobiologists are often accused of forcing genetic and evolutionary explanations for widespread human behaviors and thereby supplanting more plausible cultural or "cognitive" or otherwise nonevolutionary explanations. Daniel Dennett charges Wilson and others with a biological form of "greedy reductionism," for their apparent assumption that the genes have human behavior and culture reined-in on a sort of leash. As Dennett (1995) wryly puts it, the fact that tribesmen have everywhere and always thrown their spears pointy-end first does not suggest a "pointy-end-first gene." Many such traits are instead to be attributed to "the general nonstupidity of the species." C.S. Lewis's character, Ransom, in *Out of the Silent Planet*, was surprised to discover that a boat constructed on Malacandra (Mars) was very much like a human-built boat. "Only later did he set himself the question, 'What else could a boat be like?'" (The astute Lewis reader might also have noticed that Malacandran hunters throw *their* spears pointy-end first, as Dennett would have predicted.) Some ideas are just better

than others and, assuming a minimal degree of rationality, perhaps we have been equipped to discover and implement them.

The point applies forcefully in our assessment of AEN. The argument, as stated, seems to assume that our "moral beliefs" have an evolutionary explanation. We generally view deception, theft, and violence as wrong. We believe that good parents care for the welfare of their children and that kindness calls for reciprocation. We have an urge to help those who need help that we are capable of rendering. We tend to share the belief that basically equitable arrangements are *just* or manifest the moral property of justness. But, for one thing, it is just implausible to think that any fairly determinate *belief* has somehow been fashioned at the genetic level and then lodged, intact, within the human brain. Of his belief, "I ought to reciprocate to Mary for picking me up at the airport," Richard Joyce asks, "What does natural selection know of *Mary* or *airports*?" (Joyce 2006, p. 180). It would be like asserting that an unfortunate Tourette's-like disease resulted cross-culturally and through-out history in some determinate and meaningful combination of ejaculated words: "*Peter Piper picked a peck*!"

Further, do all of these traits find their explanation in the selection pressures that were at work when we came down from the trees? Is this not akin to the suggestion that all human problems stem from the trauma of early potty training? Is it not possible that certain moral beliefs are widespread because, like the hunting techniques of Dennett's tribesmen, they simply *make sense?* Philip Kitcher writes:

> All that selection may have done for us is to equip us with the capacity for various social arrange-ments and the capacity to formulate ethical rules. Recognizing that not every trait we care to focus on need have been the target of natural selection, we shall no longer be tempted to argue that any respectable history of our ethical behavior must identify some selective advantage for those beings who first adopted a system of ethical precepts. It is entirely possible that evolution fashioned the basic cognitive capacities—*alles übriges ist Menschenwerk*. (Kitcher 1985, p. 418)

Thus, our evolution may have provided us with the intellectual tools required for building cathedrals, playing chess, and drawing up social contracts. But might not these activities be more or less *autonomous* as far as the genes are concerned?

Let us agree, at least provisionally, that there are extremes to be avoided when seeking evolutionary explanations for human behavior. Thus, "It's all about the genes, stupid" expresses a form of greedy reductionism. Mary Midgley's own term for such reductionistic explanations is the "hydraulic approach," after the simpleminded person who, in seeking an explanation for rising damp, seeks a single place where the water is coming in (Midgley 1979, p. 57).

But extremes tend to come in pairs. Is it reasonable, given a background acceptance of evolutionary theory, to suppose that our evolution has had *nothing* to do with the distribu-tion of widespread moral beliefs?

For one thing, one might have thought that to appeal to natural selection to explain incisors and libidos but to exclude the deepest springs of human behavior from such an account would seem rather a tenuous position to hold. Moral behavior is not the sort of thing likely to be overlooked by natural selection because of the important role that it plays in survival and reproductive success (Sommers & Rosenberg 2003, p. 659). Early ancestors who lacked the impulse to care for their offspring or to cooperate with their fellows would, like the celibate Shakers, have left few to claim them as ancestors.

Midgley refers to the wholesale rejection of evolutionary psychology as the "blank paper view" – a notion of humans as "totally plastic" and "structureless." Stephen Gould, she thinks, assumes a view implying that "newborn babies [are] what bear cubs were once supposed to be—indeterminate lumps of animal protoplasm, needing to be licked into shape by their elders" (Midgley 1979, p. 66). To B. F. Skinner's claim that the capability for abstract thought arises not from some "cognitive faculty" but from "a particular kind of environment," she quips, "So why can't a psychologist's parrot talk psychology?" (Midgley 1979, p. 20). To the blank paper view in general, which would deny that we humans come equipped with any innate tendencies whatsoever, she asks, "How do all the children of eighteen months pass the news along the grapevine that now is the time to join the sub-culture, to start climbing furniture, toddling out of the house, playing with fire, breaking windows, taking things to pieces, messing with mud, and chasing the ducks?" (Midgley 1979, p. 56). More recently, Richard Joyce has argued forcefully that this *tabula rasa* view "is obviously wrong." Indeed, "broadly speaking, no sensible person can object to evolutionary psychology." (He also observes that many of the objections are *politically* motivated and may even evince an unfortunate willingness to treat science as a wax nose, shaped to suit particular political agendas.)

Midgley maintains that the standard "nature versus nurture" debate presents a false dichotomy between two implausible extremes, and Joyce adds to this that the dichotomy "is so dead and buried that it is wearisome even to mention that it is dead and buried." If the extreme version of the blank paper view says, paraphrasing Locke, that there is nothing in human nature that is not put there by experience, Midgley, in effect replies after Leibniz, "*except for human nature itself.*"

If "instincts" refers to basic predispositions, drives, or "programs," then humans have instincts, but the more interesting of these are, by and large, "*open* instincts" or "programs with a gap." She suggests that the more complex an animal, the greater the "gap" in the program. The gap, where it exists, leaves it to the intelligence – rational reflection and culture in general in the case of humans – of the individual or the species to fill in the details. Migratory waterfowl come equipped with a basic drive to follow the sun south in the winter, but the programming itself need not specify the details of the itinerary. While the dances of bees or the songs of some birds may be due almost exclusively to their programming, so that the *precise patterns* are genetically choreographed, the dancers and singers displayed on, say, *American Bandstand*, might be supposed to have a bit more latitude. And this remains true even if there proves to be an evolutionary answer to the question, "Why are people fond of such things as singing and dancing?" (My minister in childhood insisted that dancing is "foreplay set to music." In this he may have found one point of agreement with the evolutionary psychologists.)

That latitude – the gap in Midgley's open instincts – would seem to leave ample room for Kitcher's *Menschenwerk*, whether it involves composing a piece of 12-bar blues or forging a social contract. Joyce notes that, "By claiming that human morality is genetically 'programmed,' one doesn't deny the centrality of cultural influence, or even imply that any manifestation of morality is inevitable" (Joyce 2006, p. 8). The "development of ethical precepts" of which Kitcher speaks, thus may well be the result of careful deliberation and rational reflection, but perhaps these are in response to proclivities that come with our programming. Such programming *may* be rather more determinate than a mere *capacity* for programming. Mammalian mothers are provided with both the capacity for mother-hood and a *nearly* irresistible impulse to nurture offspring.

Along these lines, Sharon Street (2006) distinguishes between *basic evaluative tendencies* and *full-fledged evaluative judgments.* The latter include our specific moral beliefs that might be formulated as moral principles or rules, and they may be explained by appeal to a variety of influences, cultural and otherwise. The former are "proto" forms of evaluative judgment that are unreflective and nonlinguistic impulses towards certain behaviors that seem "called for." She argues that "relentless selection pressure" has had a *direct* and "tremendous" influence on our basic evaluative tendencies and these, in turn, have had a major – but not necessarily overriding – *indirect* effect on our actual moral beliefs or full-fledged evaluative judgments.

If such programming and predispositions provide our basic moral orientation, then *it is within their scaffolds that all moral reflection takes place.* Our *reflective beliefs* about the duties of parenthood or of friendship, for instance, arise from more basic parental and altruistic drives that predate and are presupposed by all such reflection. While this evolutionary account provides a role for reason, that reason is in effect, to borrow from Hume, the slave of the passions. Those "passions" – Street's basic evaluative tendencies – are almost certainly *not* cultural artifacts. Evolutionary theory requires, and the experiences of common life suggest, that they are not. Human mothers sometimes require instruction on *how* to care for their newborns. But this typically presupposes *that* they care, and that such caring comes as a part of the mother's standard equipment.

Bottlenose dolphins off Australia have been spotted wearing sea sponges on their snouts. Hardly a fashion statement, the sponges presumably protect them from sharp objects and stinging marine animals while foraging on the bottom. Further, the behavior appears to be passed on exclusively from mothers to daughters. Biologists see here clear evidence of *cultural transmission* among the dolphins. It is highly unlikely that this behavior is the product of a "sponge-on-the-snout gene." It is, with apologies to Kitcher, *Delfinwerk*. But it is *equally* unlikely, I think, that the mammalian drive to nurture offspring, seen in these mother–daughter sessions among dolphins, is *also* a feature of dolphin culture. Here, it is exceedingly reasonable to suppose that they *are* "compelled by their genes."

The sponge trick and the task of mother–daughter instruction are the result of intelligence set to work at solving problems posed, respectively, by the instincts of self-preservation and motherhood. Were the local conditions of survival different, the "idea" might never have occurred. And, presumably, were the circumstances of dolphin evolution relevantly different, mother-daughter sessions of *any* kind might have been unnecessary, and delphine maternal instincts might have been nonexistent. "Teach your children well," after all, is a precept happily ignored by the female sea turtle, whose maternal "duties" are discharged along with her eggs.

Similarly, human culture is responsible for great accomplishments that assuredly are not the direct product of our evolution. And these may well include complex systems of moral precepts. Perhaps human social contracts – like sponges on the snout – are Good Tricks in that they solve problems posed by some combination of genetics plus environment plus intelligence. Rationality – *Menschenwerk* – is certainly employed. But it is an *instrumental* rationality.

We are now in a position to refine our claim at (1). "Human morality" is a by-product of natural selection in that a fundamental moral orientation – Street's "basic evaluative tendencies" and Midgley's "programming" – is in place because it was adaptive for our ancestors given the contingencies of the evolutionary landscape. Thus, the "program" provides *general* directives or tendencies. The "gap" allows room for rational reflection

regarding our moral beliefs, but their very rationality is conditional or hypothetical: *given* the program that has been bequeathed to us by our genes, some policies are better than others. The program itself – with the general "moral" orientation that it determines – is precisely as it is due to its adaptive value given the contingencies of the evolutionary landscape. Even if the gap is positively *cavernous* for humans, allowing for rational and moral deliberation, it is nevertheless found within the scope of our programming that is directly explained by appeal to natural selection. Moral reasoning would then appear to be *means-end* reasoning, where the ends have been laid down for us by natural selection.

Counterfactually, had the programming been relevantly different, so would the range of intelligent choices. As we saw, Darwin was of the opinion that the moral sense is the result of a sort of recipe – what you get when you begin with a set of social instincts and throw in a sufficient degree of intelligence. There may be "forced moves" through evolutionary design space, as Daniel Dennett (1995) has observed. For instance, given locomotion, stereoscopic vision is highly predictable. But Darwin did not think that any determinate set of moral precepts or dictates of conscience was among them. Consider what he described as an "extreme example" and what I will call a *Darwinian counterfactual*.

> If . . . men were reared under precisely the same conditions as hive-bees, there can hardly be a doubt that our unmarried females would, like the worker-bees, think it a sacred duty to kill their brothers, and mothers would strive to kill their fertile daughters, and no one would think of interfering. (Darwin 1882, p. 99)

Given the actual conditions of our "rearing," we have come to believe that our children and siblings are deserving of our care and respect, and that equitable bargaining outcomes are just. But here we are asked to imagine a world in which the resulting fundamental moral orientation – Midgley's open instincts – is different. Darwin appears to countenance the possibility of a species that is prompted, *even upon reflection*, to behave in ways that are inequitable and, from our standpoint, unjust. If rational and moral reflection takes its cue from a more primitive predisposition, then have we any reason for supposing that such reflection – the product of culture – would inevitably settle upon equitable treatment?

Recall our lupine philosophers who find themselves strongly inclined to think in terms of a social hierarchy and to regard anything like Bentham's dictum – "Each to count for one, none to count for more than one" – an absolute *howler*. Lacking opposable thumbs and all, they do not write books. But if they did, one learned treatise might be titled, *Our Caste System of Justice*, with chapters on "Duties of Obeisance" and "Beta Encounters Alpha: Rules of Engagement." If humans as a species have come to regard equitable arrangements as fair or just (have they?), then perhaps this is only because their initial programming was wired as it was given the circumstances of human evolution. We have the actual moral orientation that we do because it was adaptive. Had the circumstances been different, some other set would have conferred fitness. Is there any plausible reason to suppose that such a moral orientation is adaptive because its resultant moral beliefs are *true*? Does this not return us to Joyce's observation, "It was no background assumption of that explanation that any actual moral rightness or wrongness existed in the ancestral environment" (2006, p. 183)?

Of course, one might reply to this line of argument by insisting that a wedge be driven between Street's "basic evaluative tendencies" and her "full-fledged moral judgments." Have we not just acknowledged that the results of such programming are not inevitable?

Following Dennett and others, might we not suggest that, with the advent of culture it became possible for us to "snap" Wilson's "genetic leash" and strike out on our own? Perhaps, then, morality is autonomous, engaging in reflection that is independent of the drives of human nature. Such a reply, however, is just implausible. Our considered judgments regarding duties of parenthood or kinship or friendship clearly find their wellspring in our psychology, just as beliefs about the sacred duties of Darwin's hive bees or our wolves would find their respective sources in apiarian or lupine psychologies. And these respective psychologies appear to be what they are because of the circumstances of evolution in each case.

There is reason, then, to accept AEN Premise (1).

(1)   If EN is true, then human morality is a by-product of natural selection.

It is time to return to the question that we raised just before our assessment of (1). If human morality is a by-product of natural selection, is there any reason to suppose that there is a relevant dependence relation between (a) the processes of belief formation and (b) the would-be truth-makers for such beliefs? We can sharpen the question by simply asking whether there is a reason to suppose that the *belief-producing mechanisms* of our moral beliefs are *truth-aimed*? Is there a plausible defense of the Dependence Thesis available to the naturalist?

Epistemological arguments and the Dependence Thesis

I have characterized AEN as an *epistemological* argument for moral skepticism. The aim is to show that, on EN, our moral beliefs are without warrant. This is because the mechanisms responsible for our moral beliefs appear to be *fitness*-aimed, and such an account of those mechanisms seems not to require our thinking that they are also truth-aimed. As Tamler Sommers and Alex Rosenberg (2003) have put it, "if our best theory of why people believe P does not require that P is true, then there are no grounds to believe P is true" (p. 667). In this, AEN resembles a much-discussed argument urged by Gilbert Harman (1977).

Harman's so-called "problem with ethics" is that moral facts, if such there are, appear to be explanatorily irrelevant in a way that natural facts are not. Hitler's behavior, for example, may be fully explained by appealing only to certain natural facts about him, such as his anti-Semitism, monomania, and will to power. According to Harman, we need not suppose that, over and above such natural facts, there is a moral fact of Hitler's depravity. Nor must we appeal to his actual depravity in order to explain our *belief* that he was depraved. "You need only make assumptions about the psychology or moral sensibility of the person making the moral observation" (Harman 1977, p. 6). Harman may thus be viewed as arguing in his own manner that we "have no reason to believe that the best explanation for our moral beliefs involves their truth." We have no good reason to suppose that the causes of those beliefs are dependent upon whatever would make them true.

Nicholas Sturgeon has replied first by noting that moral facts *are* commonly and plausibly thought to have explanatory relevance. Both Hitler's behavior and our belief that he was depraved are handily explained by his actual depravity, and this is, in fact, the default explanation. He observes, "Many moral explanations appear to be good explanations . . . that are not obviously undermined by anything else we know." "Sober people frequently

offer such explanations of moral observations and beliefs," and "many of these explanations look plausible enough on the surface to be worth taking seriously" (Sturgeon 1988, p. 239).

Citing Quine's naturalized epistemology – what Sturgeon elsewhere (1992, p. 101) refers to as the method of reflective equilibrium – he notes, "We cannot decide whether one explanation is better than another without relying on beliefs we already have about the world" (Sturgeon 1988, p. 249). Reflective equilibrium, a method employed in both science and ethics, begins with certain considered judgments, and with the assumption that our theories, scientific and otherwise, are roughly correct, then moves "dialectically in this way between plausible general theses and plausible views about cases, thus seeking a reflective equilibrium" (Sturgeon 1992, p. 101). Sturgeon notes that, whereas he allows for the inclusion of moral beliefs among the initial set, Harman does not. But, he argues, there is no non-question-begging justification for singling out moral beliefs as unwelcome in the initial set while allowing those of a scientific or commonsense nature.

In particular, Harman's argument requires us to consider the conditional, *If Hitler had done just what he did but was not morally depraved, we would, nevertheless, have believed that he was depraved.* But this calls for our entertaining the possibility that

(H)   Hitler would have done just what he did even had he not been morally depraved.

(H), in turn, presupposes that there is a possible world in which Hitler does what he did but is not morally depraved. One will seriously entertain such a counterfactual only in the event that one accepts that

(H⋆)   There is a possible world W in which Hitler's natural properties are identical to those that he possesses in the actual world but in which Hitler is not depraved.

But Sturgeon's own moral theory invokes the *supervenience* of moral properties upon natural properties. On standard accounts, if some moral property M supervenes upon some natural property (or, more likely, some *set* of natural properties) N, then it is *impossible* for N to be instantiated unless M is also instantiated. Thus, we appear to have the following implication:

(S)   For every world W, every natural property N and every moral property M, if M supervenes upon N in W, then for all worlds W*, if N obtains in W*, then M is exemplified and supervenes upon N in W*.

Allowing that there is a world that includes N but not M requires either denying that M *actually* supervenes upon N or holding that (S) is false. And so (H⋆) and (S) together entail that there is *no possible world* in which Hitler's having the personality and displaying the behavior that he did constitutes depravity. To get off the ground, Harman's argument tacitly *assumes* that there *are* no moral facts or properties, which, of course, is the very point at issue.

Further, Harman must be understood to suppose that we would have *believed* that Hitler was depraved even if, despite having done all of the things that we know him to have done, he was *not*, in fact, depraved. One should be prepared to grant this point only if one has already granted that our whole moral theory is "hopelessly mistaken" (Sturgeon 1988,

p. 251). But the fact that our theory *would* be wrong *were* this possible is no reason for either abandoning the theory or embracing the possibility. Thinking otherwise provides a recipe for skepticism of a more global variety. Thus, "We should deny that any skeptical conclusion follows from this. In particular, we should deny that it follows that moral facts play no role in explaining our moral judgments" (Sturgeon 1988, p. 251).

Sturgeon's appeal to reflective equilibrium thus plays a crucial role in his reply to Harman. We begin moral reflection with a fund of considered judgments that may serve as the initial data for the construction of ethical theories. And, Sturgeon suggests, these beliefs are "not obviously undermined by anything else we know." Since *all* theorizing has these same humble origins, how can one nonarbitrarily single out a particular domain of beliefs for suspicion? Indeed, David Brink goes to some length in arguing that "Harman fails to demonstrate any explanatory disanalogy between the scientific and moral cases" (Brink 1989, p. 185). A scientist's belief that a proton has just passed through a cloud chamber *might* be explained merely by appeal to his background beliefs and theoretical commitments. For example, his theory has it that the appearance of a vapor trail is evidence of proton activity, and so, *of course*, when he sees, or *believes* that he sees, a vapor trail, he forms the belief in the proton. But here, we are required to be realists about protons only if we have assumed that the scientist's theory is "roughly correct." Indeed, my conviction that I have a head, and my belief that *other* heads involve other minds are best explained by the actual existence of such heads and minds only on the assumption that a common theory of life is generally on the right track. But, again, why extend this courtesy in these cases while being decidedly *discourteous* in the case of morality?

To my mind, Sturgeon's reply to Harman succeeds. Why, indeed, should our considered moral beliefs be excluded at the outset? Nearly a century ago, in his Gifford Lectures, W. R. Sorley cited "Lotze's Dictum," after the nineteenth-century German philosopher Rudolph Hermann Lotze: "The true beginning of metaphysics lies in ethics" (Sorley 1935, p. 3). Sorley observed that "the traditional order of procedure" – business as usual in metaphysics – was to construct an interpretation of reality – a worldview – that drew exclusively upon nonmoral considerations, such as the deliverances of the sciences. Not until the task of worldview construction was complete did one "go on to draw out the ethical consequences of the view that had been reached" (Sorley 1935, p. 1). Sorley thought it likely that such a method would result in an artificially truncated worldview, and that moral ideas would be given short shrift. And the exclusion of our moral experience was simply arbitrary. "If we take experience as a whole, and do not arbitrarily restrict ourselves to that portion of it with which the physical and natural sciences have to do, then our interpretation of it must have ethical data at its basis and ethical laws in its structure" (Sorley 1935, p. 7). Harman seems to be following that traditional procedure that Sorley criticized, and he thus manifests that same arbitrariness. His results are achieved only by begging the question against the moral realist.

But even Sorley would, in principle, admit that the initial "ethical data" must prove to be compatible with everything else that is included in our final interpretation of reality. In fact, in the same year that Sorley delivered his Gifford Lectures, George Santayana published *Winds of Doctrine*. There, he complained that Bertrand Russell's then-held moral realism was the result of Russell's "monocular" vision. "We need binocular vision to quicken the whole mind and yield a full image of reality. Ethics should be controlled by a physics that perceives the material ground and the relative status of whatever is moral" (Santayana

1957, p. 115). Russell took notice of Sorley's "ethical data" – "the ideas of good and evil as they appear in man's consciousness" (Sorley 1935, p. 1), but, according to Santayana, he simply refused to "glance back over the shoulder" to see that "our moral bias is conditioned" and has its basis "in the physical order of things" (Santayana 1957, p. 115). Indeed, Russell had made frequent appeals to common moral sense – not at all unlike the contemporary appeal to reflective equilibrium – in the course of his arguments. But Santayana would have none of this.

> Mr. Russell . . . thinks he triumphs when he feels that the prejudices of his readers will agree with his own; as if the constitutional unanimity of all human animals, supposing it existed, could tend to show that the good they agreed to recognize was independent of their constitution. (1957, p. 166)

Clearly, Santayana thought that human moral beliefs are a function of the human constitution, and the latter had taken its shape as the result of processes with no concern for the truth. An appeal to those very constitutional beliefs hardly offsets this skeptical conclusion. Interestingly, Santayana's arrows found their mark. Russell eventually abandoned his moral realism, crediting these very arguments.

The lesson carries over to our current discussion. While Harman seems not to have provided any good reason for challenging those initial ethical data – the initial moral beliefs with which we are equipped – our vision has been "monocular." AEN calls for a glance over the shoulder, and what we see poses a challenge to Sturgeon's reflective equilibrium despite his assertion that widely held judgments are "not obviously undermined by anything else we know." An appeal to those considered judgments that tip off the process of reflective equilibrium would hardly assuage Sharon Street's worry:

> If the fund of evaluative judgments with which human reflection began was thoroughly contaminated with illegitimate influence . . . then the tools of rational reflection were equally contaminated, for the latter are always just a subset of the former. (2006, p. 125)

What we require, then, is some assurance that our original fund is *not* contaminated. And so, we return to our question, what reason have we for supposing that the mechanisms responsible for those judgments are *truth-aimed*? What reason have we for supposing that the Dependence Thesis is true?

Santayana suggested an answer to this question that he knew was unavailable to the atheist Russell: if God exists and has fashioned the human constitution with the purpose of discerning moral truth, then we have reason to embrace the Dependence Thesis. "If the good were independent of nature, it might still be conceived as relevant to nature, by being its creator or mover; but Mr. Russell is not a theist after the manner of Socrates; his good is not a power" (Santayana 1957, p. 136). Alas, neither is Sturgeon a theist. And so he and other metaphysical naturalists shall have to seek assurance of the Dependence Thesis in nature itself.

In order to inspire confidence in those initial evaluative judgments of which Street speaks, the moral realist owes us some account of their origin that would lead us to suppose that they are reliable indicators of truth. On some externalist theory of justification, such as a causal theory, one might have, as Norman Daniels puts it, a "little story that gets told about why we should pay homage ultimately to those [considered] judgments and

indirectly to the principles that systematize them" (Daniels 1979, p. 265). For the evolutionary naturalist, the account might follow that which is offered on behalf of ordinary perceptual or memory beliefs, or the everyday conclusions that we reach by induction. Quine offers such a story with a Darwinian spin to inspire confidence in our ability to acquire knowledge of the world around us. "Creatures inveterately wrong in their inductions have a pathetic but praiseworthy tendency to die before reproducing their kind," he suggests (Quine 1969, p. 126). Natural selection is unkind to those exhibiting particular behaviors that plausibly stem from either false beliefs or profound stupidity. Witness the so-called "Darwin Awards," given posthumously to people who met their fate as a result of bolting jet engines to automobiles or climbing – naked and inebriated – into bear cages. The suggestion, then, is that we should expect our cognitive faculties to be truth-aimed and generally reliable given such selection pressures.

Alvin Plantinga, of course, has challenged such stories with what he calls "Darwin's Doubt." The connection between fitness-conferring behavior and true belief might not be so certain as Quine suggests (Plantinga 2000, pp. 218–40; Beilby 2002, pp. 1–14, 204–276). If he is correct, then evolutionary naturalism is saddled with a far-ranging skepticism that takes in much more than our moral beliefs. And AEN would merely amount to a particular application of Plantinga's evolutionary argument. In that case, one might note, after the manner of Brink's comment on Harman, that there is no significant "explanatory disanalogy between the scientific and moral cases." But this would cut against the naturalist; not the proponent of AEN who rejects the evolutionary naturalism that apparently yields such untoward results.[2] However, Plantinga's argument has met with stiff resistance (Beilby 2002). Despite his many ingenious examples in which adaptive behavior results from *false* beliefs (e.g. Paul's belief that tigers are cuddly and the best way to get to know them is to run away), many people just find the link between true belief and adaptive behavior plausible. And, in any event, the two cases, moral and nonmoral, appear to be significantly different, as Street, Joyce, and others have argued.

The core of Sharon Street's paper is her "Darwinian Dilemma" that she poses to "value realists" such as Sturgeon. Our moral beliefs are fitness-aimed. Are they also truth-aimed? Either there is a fitness–truth relation or there is not. If there is not, and if we suppose that evolution has shaped our basic evaluative attitudes, then moral skepticism is in order. If there *is* a relation, then it is either that moral beliefs have reproductive fitness *because* they are true (the "tracking" relation), or we have the moral beliefs that we have simply because of the fitness that they conferred (the "adaptive link" account). But the adaptive link account suggests some variety of non-realism, such as the constructivism that Street endorses. The realist requires the tracking account in order to provide an account of warranted moral belief. Here, fitness follows *mind-independent* moral truths. But the tracking account, which, Street observes, is put forth as a *scientific* hypothesis, is just implausible from a scientific standpoint. While there is a clear and parsimonious *adaptive link* explanation of why humans have come to care for their offspring – namely, that the

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2. As Joyce (2006, p. 183) observes, Peter Railton has argued that any argument taking the form of AEN "hammers itself into the same ground into which it had previously pounded morality." His reason for saying this is that the very faculties employed in constructing such an argument are just as much a product of natural selection as are the moral faculties being pounded. Because Joyce embraces EN, his strategy is to drive a wedge between the cases of moral and nonmoral belief. Those of us who reject EN need not bother with the wedge, being content to allow the evolutionary naturalist to wield Railton's hammer.

resulting behavior tends toward DNA preservation – the *tracking* account must add that basic paternal instincts were favored because it is independently true that parents *ought* to care for their offspring.

Ethical nonnaturalists, who hold that moral properties are *sui generis* and thus distinct from any natural properties, might be thought to have the worst time of it. Unlike the environmental hazards that Quine had in mind – predators, fires, precipices, and the like – "a creature cannot run into them or fall over them or be eaten by" nonnatural properties (Street 2006). Ethical naturalists, on the other hand, view moral properties as being constituted by natural properties with causal powers, so that it may be more plausible to suggest that creatures could interact with them profitably or unprofitably. But even here, insofar as the naturalist affirms a *bona fide* version of moral realism, the answers are far less plausible than is had in a straightforward adaptive link account. Why not just say that our ancestors who had a propensity to care for their offspring tended to act on that propensity and thus left more offspring – particularly when, as we noted earlier, we witness such propensities among nonhuman animals? Do dolphin mothers care for their daughters because they *ought* to do so? But, of course, Street's adaptive link account fails to provide what we have sought in this discussion: some defense of the Dependence Thesis.

Darwinian counterfactuals and ethical naturalism

A dilemma similar to that urged by Street arises if we return to consider the *Darwinian counterfactuals*. Consider the sorts of worlds that Darwin envisioned. Had the circumstances of human evolution been more like those of hive bees or Galapagos boobies or wolves, then the directives of conscience may have led us to judge and behave in ways that are quite foreign to our actual moral sense. Our wolfish philosophers defend justice as *inequality*, and their erudite reasonings take their cue from the fund of judgments bequeathed to them by their genes. Bees and boobies graced with intellect would judge that siblicide and infanticide are morally required under certain conditions. Presumably, those beliefs are *fitness-aimed* in those worlds. Are the beliefs also *true* there?

Consider Sturgeon's version of ethical naturalism, discussed earlier. One might expect that a straightforward implication of Sturgeon's Supervenience Thesis would be that such beliefs are false. We learned earlier that there is *no possible world* in which Hitler (or anyone) has just those natural properties that Hitler actually displays but is not depraved. Indeed, Sturgeon is of the Kripkean conviction that moral terms *rigidly designate* natural properties. Thus, moral terms function in much the same way as natural kind terms in that they pick out natural properties and track those same properties across worlds. "Gold" rigidly designates that metal with an atomic number of 79 and thus *necessarily* refers to all and only substances with that atomic number. We can readily imagine a Twin Earth scenario in which some other metal – of a different atomic number – with all of the *phenomenal* qualities of gold is scarce and valued, plundered by pirates and prospected by dreamers, and is even referred to as "gold." But for all of that, Twin Earth "gold" is not gold.

If "justice" picks out some natural property or properties, such as the *equity* displayed in the distribution of societal goods, then we might expect an ethical naturalist such as Sturgeon to conclude that inequitable arrangements are unjust. And this will be true even, say, in those lupine worlds in which such inequities are thought to be just, as surely as "all is not golde that glistereth" on Twin Earth.

But to insist that our moral terms rigidly designate specific earthly natural properties to which human sentiments have come to be attached appears to be an instance of what Judith Thomson has called *metaphysical imperialism*. In seeking the reference of "good" as used in "this is a good hammer," Thomson suggests that the natural property that best serves here is "being such as to facilitate hammering nails in in manners that conduce to satisfying the wants people typically hammer nails in to satisfy." She opts for this property as opposed to the more determinate properties of "being well-balanced, strong, with an easily graspable handle, and so on" (Thomson in Harman & Thomson 1996, p. 135). Even though *we* may find that the latter set of properties coextends with those that "conduce to satisfying the wants that people typically hammer nails in to satisfy," there are all sorts of "odd possible worlds" in which people typically have quite different wants for which deviant hammers come in handy. There are worlds in which "large slabs of granite" do the best job in this regard. And so we are being metaphysical imperialists if we presume to impose *our* nail hammering wants upon denizens of those worlds. She thus fixes upon a property that is *less determinate* than those that characterize hammers of earthly goodness: it is good insofar as it *answers to wants*, and chunks of granite serve well in this respect in some possible worlds.

The ethical *non*naturalist might very well maintain that the "justice" in such worlds is ill conceived and that natural selection has had an unfortunate and distorting influence there, alleging that some transcendent principle of justice as equality is among the verities. Perhaps entire *species* can get their moral facts wrong, as might entire societies. Russ Shafer-Landau, for instance, compares moral laws to mathematical or logical laws, and asks why the former should be any more problematic than the latter (2004, p. 77). If Twin Earth logicians have a penchant for affirming the consequent, then *Earthly* logicians might regard Twin Earth as a veritable mission field. There is certainly nothing "imperialistic" about that. But our ethical *naturalist* has identified justice as a particular set of natural properties upon which human evolution has, in fact, converged. Whatever circumstances of justice have obtained on Earth are contingent and fail to obtain in those Darwinian worlds. It seems that we have no more reason to think that *Earthly* justice is normative there than we have for denying that those denizens, who lack C-fibers, ever experience pain.

Should the ethical naturalist allow that such beliefs are *true*, as well as fitness-conferring, in such worlds? Suppose so. Then it would seem that either the Supervenience Thesis is false, since the world in question is one in which justice fails to supervene upon the relevant natural properties,[3] or the *actual* supervenience base is something different from what we might have imagined. Perhaps, for instance, the sacredness of infanticide is *in virtue* of the fact that it is conducive to fitness, so that *truth follows fitness*, so to speak. Or infanticide may be fitness-conferring *because* it is indeed a "sacred duty" in such worlds. Either way, Sturgeon's own ethical theory will be in for some readjustment along unexpected and, I think, implausible, lines. Whatever we say of the truth conditions of *infanticide is a sacred duty* in that Darwinian world will function as a universal acid, bearing implications for the shared moral beliefs of the actual world – *if* the actual world is similarly Darwinian.

If the truth-maker there is the belief's conduciveness to reproductive fitness, then, presumably, *our own* moral beliefs, opposed as they are to those in that Darwinian world, will

3. Is there, after all, a world in which someone behaviorally indiscernible from our Hitler – *Schitler*, perhaps – is a moral saint?

be true in virtue of *their* conduciveness to fitness *here*. This is a Dependence Thesis of sorts that may guarantee that truth and fitness may be found together. But it is hardly what we were seeking.[4] Did Sturgeon wish to say, implausibly, that the moral properties of an action supervene upon the overall reproductive advantage that it confers?

If, on the other hand, the counterfactual beliefs in those Darwinian worlds are fitness-conferring *because* they are true, then, given the Supervenience Thesis, it would seem that the moral properties that obtain in that world supervene upon natural properties found in common with the actual world. Presumably, this would be some natural property that is common to both equitable and inequitable social arrangements and to both the nurturing and the strangling of babies.[5] In that case, the natural properties upon which justice and injustice or depravity and saintliness supervene, are neither equity nor inequity, cruelty or kindness but something that is *less determinate* and serves as the genus for these seemingly opposed species of moral properties. One unhappy result here is that those more determinate natural properties that are favored by reflective equilibrium would prove to be merely accidental and coextensive features of morality. If there is some natural property N that is common to both equitable and inequitable bargaining outcomes, and upon which justice supervenes, then N, and not equity, defines the essence of justice. This would appear to be the metaethical equivalent of the suggestion that water is *whatever fills a world's oceans*, so that Earthly H_2O and Twin-Earthly XYZ both qualify as water. But then *being H_2O* is not the essence of the stuff that we call "water." (Note that N *could* be conduciveness to reproductive fitness, so that our two earlier suggestions would seem to converge.) One might thus offer a *functionalist* account of moral properties. Perhaps, for instance, "justice" picks out *whatever* natural properties tend toward societal stability. We happen to live in a world in which, given, as Kant put it, "the nature of man and the circumstances of the world in which he is placed," *equity* has this effect. But there are worlds in which *inequity* does the trick. In addition to signaling a significant departure from the sort of account that naturalists such as Sturgeon wish to offer, such a move would seem to offer a precarious footing for any robust account of moral realism.

Taking a line from the imperishable Jeremy Bentham, Daniel Dennett has suggested that, from a Darwinian perspective, the notion of *rights* is "nonsense on stilts." But, unlike Bentham, he thinks it is "*good* nonsense," and it is good precisely because it is on stilts (Dennett 1995, p. 507). "Rights" language is *instrumentally* good in that it functions as a "conversation stopper," thus putting an end to otherwise paralyzing deliberation. It is a variety of "rule worship," and obeisance to such rules is conducive to societal stability. But from this perspective, the *content* of the rules is of no more inherent importance than the contents of varying traffic laws. Things will go smoothly in Cambridge, UK, so long as everyone keeps to the left, but they are just as smooth in the New England namesake so long as everyone does the opposite. A realism indifferent to such content is a realism in name only.

We might pursue, if only briefly, one possible route suggested by something Sturgeon says in his exchange with Alan Gibbard. Gibbard (1990) offers a possible evolutionary

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4. It is akin to saying that God is "necessarily good" in the sense that, necessarily, *whatever* God does is "good" for the simple reason that it is God who is doing it.

5. The set of natural properties that form the supervenience base might, after all, be rather complex, taking into account more than a bare description of an action, but the action performed under varying sets of circumstances.

account of human morality that he thinks is suggestive of expressivism. Perhaps our notion of justice, for instance, emerged from early "bargaining situations" in which some form of cooperation between self-interested individuals proves beneficial for all involved. Here, "beneficial" means, roughly, getting what one wants out of a bargain, and the assumption is that getting what one wants has some reproductive advantage. The problem is that, unless self-interest is checked in some way, the bargaining – and thus, the beneficial cooperation – breaks down. There is a stable outcome in which each is satisfied with getting his share, that is, an outcome that is least likely to prompt retaliation on the part of any members leading to a breakdown in the bargaining. There would thus be selection pressure in favor of a certain disposition to be satisfied with that outcome. With the advent of language, humans came to use words that were functionally equivalent to our words "just" or "fair" to express the positive sentiment attached to an outcome in which goods are distributed in some roughly equal manner. Thus, there is fitness in a particular sentiment that would likely be distributed widely. Moral language describes or expresses this sentiment. The result is a form of noncognitivism, or, at least, a variety of antirealism with regard to moral properties.

Sturgeon replies that there is nothing in Gibbard's admittedly speculative account that requires us to see morality as having been undercut. "Perhaps," Sturgeon suggests, "our ancestors sometimes called bargaining outcomes *just* because they really were" (1992, p. 105). In this case, people have come to "care about justice" and "are also able to resolve disputes about it." And perhaps "achieving consensus in debate might be a way . . . of detecting a property" (Sturgeon 1992, p. 105). Why, then, should we not think that Gibbard's bargainers are "referring to a real property that they care about, and about which their views are often correct?" (Sturgeon 1992, p. 105).

Further, moral explanations that appeal to justice enjoy the same plausibility as do appeals to, say, Hitler's depravity.

> The justice of a society . . . is supposed to stabilize it; and people are alleged to prosper precisely because of their justice. Of course, there is also a tradition that attacks this latter claim as a pious fiction. But the most prominent opposing view also treats justice as explanatory. That justice always pays, and that justice sometimes costs, are both views that cast justice as a property with causal efficacy. (Sturgeon 1992, p. 105)

We may discern here echoes of Sturgeon's exchange with Harman. We are entitled to regard moral properties as real in the event that they play an explanatory role. If an equitable distribution of goods tends toward societal stability, and people have come to believe that such equity is just, then why not conclude that the fact that the bargaining outcome *is*, in fact, just, explains both the belief and the stability? Why not suppose that the nonmoral evolutionary explanation *amplifies* rather than *undermines* the moral explanation? Sturgeon claims that Gibbard's account "does *nothing* whatever" to favor the "irrealist" account over the realist one. His general conclusion is that "nothing we know of our evolutionary history" supplies us with an undermining nonmoral explanation "or makes irrealism any more plausible than the moral realism that I am prepared to defend" (Sturgeon 1992, p. 112).

But is this so? Justice as equality has a stabilizing effect upon Gibbard's group of bargainers because of what the parties to the bargain are and are not prepared to accept. That

is, stability is achieved because each bargainer leaves the table with the belief, "I got what I deserved." Gibbard's story includes a cast of characters who are self-interested individualists, each of whom imports assumptions about his relative worth within the community. Given these conditions, there is pressure in the direction of equitable arrangements. But might we imagine a different set of initial conditions? Would *lupine* "bargainers" instead come to "detect" the natural property of *inequity*? Might some come away with a disproportionately smaller share *plus* the belief, "I got what I deserved"? *That* "justice" would then be causally efficacious. Would it then be real?[6] Not if a property's being real requires its being *mind-independent*. For in each of these worlds, actual and lupine, if justice supervenes upon certain natural facts, these will essentially include facts about the psychological constitution of the respective bargainers.

Perhaps Sturgeon or some other ethical naturalist can offer some account that sits comfortably with the implications of Darwinian counterfactuals. My present argument is *not* that there is no possibly true story that can be told. However, in considering the sorts of circumstances that Darwin describes, it seems that the most plausible explanation is that such counterfactual moral beliefs are formed as the result of selection pressures that are themselves in place due to the contingencies of the evolutionary landscape – contingencies that are morally indifferent. Such beliefs are evolutionary means to nonmoral reproductive ends. While ethical naturalists in those worlds no doubt argue for the supervenience of the moral upon the natural, the efficacy of moral explanations, and the existence of corresponding moral facts, we should, I think, regard them as mistaken. But if the moral beliefs of the actual world have also taken their cue from predispositions that were fitness-conferring, then it is hard to see why our own ethical naturalists are in any better position so to argue.

Darwinian counterfactuals, ethical nonnaturalism, and theism

I suggested earlier that the ethical nonnaturalist might have a ready reply to the argument from Darwinian counterfactuals. For the nonnaturalist may be in a position to maintain that certain natural properties bear a *necessary* relation to the moral properties that they exemplify, regardless of any evolutionary possibilities.

But nonnaturalists who are also *metaphysical* naturalists seem to have problems of their own in the face of such Darwinian counterfactuals. Here, Santayana's criticism of Russell resurfaces. If "man is a product of causes that had no prevision of the end they were achieving" and moral beliefs are ultimately the product of whatever selection pressures were in place given the contingencies of the evolutionary landscape; if there is a vast range of possible outcomes, how is it that unguided human evolution on earth has resulted in just those moral beliefs that accord with the verities? The circumstances of evolution have likely

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6. David Copp (1990) has argued that the sort of explanatory role to which Sturgeon and other "confirmation theorists" appeal falls short of the sort of justification that the moral skeptic demands. One might explain Stalin's behavior by observing that he is an *Ubermensch*. Indeed, the notion may come to be useful in identifying a particular personality type. But such explanations hardly take us in the direction of providing a *standard of behavior*. Similar things may be said of the "justice" that prevails in the Darwinian world under consideration. But, then, why suppose that things are different in the *actual* world?

been shaped by everything from plate tectonics to meteorological fluctuations to terrestrial collisions with asteroids. As Stephen Gould (1989) argued, everything about us, including our very existence, is *radically* contingent so that, were we to imagine "rewinding the reel," so to speak, and allowing it to play again, it is highly unlikely that evolution would again attempt the experiment called *Homo sapiens*. What a fortuitous chain of events that resulted in the actual existence of the kinds of creatures to whom eternally and necessarily true, but causally impotent, principles apply![7] The Dependence Thesis in the hands of the nonnaturalist seems highly improbable. A sort of "moral fine-tuning argument" is suggested. The theist may have an advantage just here. For, on theism, as Santayana put it, the Good is also nature's Creator.[8]

The theist, like the nonnaturalist, is in a position to say why there is a necessary connection between certain natural properties and their supervenient moral properties. Robert Adams, for example, has recently suggested that things bear the moral properties that they do – good or bad – insofar as they resemble or fail to resemble God. As he notes, "Natural things that resemble God do so, in general, by virtue of their natural properties" (Adams 1999, p. 61). A theist who accepts such a view can thus agree with Sturgeon that there is no possible world in which anyone does just what Hitler did but is not depraved. And this is precisely because there is no possible world in which such actions fail to be an affront to the divine nature.

But the theist also has an account of the development of human moral faculties – a theistic genealogy of morals – that allows for something akin to Street's "tracking relation": we have the basic moral beliefs we do because they are true, and this is because the mechanisms responsible for those moral beliefs are *truth-aimed*. Adams again says:

> If we suppose that God directly or indirectly causes human beings to regard as excellent approximately those things that are Godlike in the relevant way, it follows that there is a causal and explanatory connection between facts of excellence and beliefs that we may regard as justified about excellence, and hence it is in general no accident that such beliefs are correct when they are. (1999, p. 70)

The theist is thus in a position to offer Daniels' "little story" that would explain the general reliability of those considered judgments from which reflective equilibrium takes its cue. Certain of our moral beliefs – in particular, those that are presupposed in all moral reflection – are truth-aimed because human moral faculties are designed to guide human conduct in light of moral truth.

7. Apparently, Kant's Principle of Humanity, as it appeared in the empyrean and before the foundation of the world, read, "Should, against all probability, there be stars, and should, also improbably, those stars align in such a way as to permit the emergence of life, and should, against overwhelming odds, some of those living things turn out to be 'human,' then they are to be treated as ends-in-themselves and never as means to ends, and this even in the event that the contingencies of evolution direct them to think otherwise. Disregard this directive in those universes in which these conditions fail to obtain."

8. Of course, another option – one that earns "raised eyebrows, incredulous stares, or worse" – is John Leslie's recent suggestion that the best explanation for the existence of the world as it is, is simply that it is *good* for there to exist such a world. Leslie thus rousts Plato's Forms from their impotent repose and puts them directly to work in matching is for ought (Leslie 2001).

Humean skepticism or Reidean externalism?

Both the evolutionary naturalist and the theist may be found saying that certain of our moral beliefs are by-products of the human constitution: we think as we do largely as a result of our programming. Whether such beliefs are warranted would seem to depend upon who or what is responsible for the program. And this calls for some account of the metaphysical underpinnings of those beliefs and the mechanisms responsible for them.[9] With this point in mind, perhaps we may tidily summarize our discussion by comparing the perspectives of David Hume and his critic, Thomas Reid.

We saw that Michael Ruse claims Hume as one of his own in that Hume seems to have defended a variety of moral subjectivism – and a *Humean* one at that! But I am not convinced that this is right. I see Hume's discussion of moral beliefs as a part of a seamless whole that includes his discussion of the beliefs of common life. And there, I do not think that Hume should be read as advancing the positive metaphysical theses that causal connections fail to obtain or that the world is devoid of both material substances and substantial selves. Rather, his is a skeptical epistemological argument to the effect that we *lack any warrant whatsoever* for thinking that there *are* such connections. To be sure, in the final analysis, all that we are *warranted* in accepting are perceptions and the various ways in which we find them conjoined or otherwise related. But determining whether there is or is not anything more calls for speculation that exceeds the limits of Hume's skepticism. In each discussion – causality, substance, personal identity – he aims to show both that the belief in question is without any epistemic credentials and that relevant human propensities explain the belief without making any assumptions about the truth of the belief.

Things are no different when Hume turns to the question of morality. We are no more warranted in believing in objective moral properties than we are in thinking that there is any necessary connection among events. And a propensity account waits in the offing to explain the persistence of moral beliefs despite their lack of warrant. Moral beliefs are the by-products of human psychology. "Morality is more properly felt than jug'd of" (Hume 1978, p. 470). But then, so is just about everything else. "All probable reasoning is nothing but a species of sensation. 'Tis not solely in poetry and music, we must follow our taste and sentiment, but likewise in philosophy" (Hume 1978, p. 103). As I read him, Hume was no more a subjectivist than he was a bundle theorist regarding persons. He offered positive theories in neither metaethics nor metaphysics.[10] From a Humean perspective, we lack positive reasons for accepting *either* the dependence or independence theses. Thus, his is a variety of *epistemological* moral skepticism and, in this, resembles the version of AEN defended earlier.

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9. Here, the advice of Hastings Rashdall is apt: "So long as he is content to assume the reality and authority of the moral consciousness, the Moral Philosopher can ignore Metaphysic; but if the reality of Morals or the validity of ethical truth be once brought into question, the attack can only be met by a thorough-going enquiry into the nature of Knowledge and of Reality" (Rashdall 1907, p. 192).

10. This assertion is, of course, complicated by Hume's unfortunate assertion that we do not even have the *idea* of objective moral properties, and talk of them is meaningless – which seems to place him in the noncognitivist camp. But neither do we have the ideas of necessary connection, material substance, or substantial selves, according to Hume, and for precisely the same reasons. If he is, say, an "expressivist" in the one area, then he is equally so in the other.

Thomas Reid countered the conclusions of Hume's *Treatise* by appeal to "common sense." Reid compares the course of modern philosophy, which began with Descartes and ended with Hume, to a traveler who, upon finding himself "in a coal-pit," realizes that he has taken a wrong turn. Upon hearing the skeptical musings of some of the modern philosophers, the average person, confident in the deliverances of common sense, takes them to be "either merry or mad." Indeed, Reid suggests that anyone who is a true *friend* of the man who seriously entertains doubts regarding, say, his own mind or of a world of things that endure over time, will "hope for his cure from physic and regimen, rather than metaphysic and logic" (Reid 1983, pp. 4–5). He places his hope in the doctor of medicine rather than the doctor of philosophy precisely because the beliefs in question do not admit of the sort of proof that the philosopher would vainly offer. As G. K. Chesterton (1986) put it, curing a madman is not arguing with a philosopher but casting out a devil. There is no set of premises more certainly known from which such beliefs follow. Hume is right: the beliefs of common life are not endorsed by reason, but, instead, are the inevitable by-products of our constitution. But Hume is mistaken in inferring from this that such beliefs are, therefore, without warrant. Why, after all, trust the rational faculties to which Hume appeals, but not trust the faculties responsible for our commonsense beliefs? After all, both "came from the same shop" (Reid 1983, p. 85). As Nicholas Wolterstorff notes, according to Reid, that "shop" was "divine creation by fiat" (Wolterstorff 2001, p. 199).

As Reid had it, the commonsense beliefs that arise spontaneously and noninferentially given our constitution are warranted even though they fail to measure up to the exacting standards of epistemic justification assumed by foundationalists after the Cartesian fashion. My belief, *I have a head,* is not *logically* self-evident: I am free to deny it without pain of contradiction (although perhaps not without pain of running it into a post). There are logically possible scenarios that would explain my having the belief even if it were false, though, of course, none of these is commended to me. Further, *I have a head* is not *incorrigible* in the way that *I am being appeared-to headly* is. Nor have I *inferred* the former from the latter or from any other belief. Nevertheless, I am warranted in believing it, and, what is more, I *know* that I have a head just in case I have one.

These days we might say that such beliefs are *properly basic*. My belief in my head is basic in that it is noninferential. And my accepting this belief in this basic way constitutes no epistemic impropriety on my part. The belief is properly basic just in case the faculty through which it is acquired (which, presumably, *involves* my head) is functioning as it ought. More specifically, as Alvin Plantinga (1993) has refined Reid's original view, a belief is warranted just in case it is the product of a belief-producing mechanism that is truth-aimed and functioning properly in the environment for which it was designed. This account accommodates those perceptual, memorial, testimonial, and even metaphysical beliefs that are the guides of common life and, closer to our purposes, are among the fund of native beliefs with which we begin in theory assessment. Even closer to our purposes, such an account accommodates those *moral* beliefs employed in reflective equilibrium.

Reid appealed to a set of "first, or 'self-evident' principles" of morality discerned through faculties that he thought were wrought in the same shop as reason and perception. Just as there is no reasoning with the man who, despite apparent evidence to the contrary, is convinced that his head is a gourd, neither is there advantage in engaging in moral argument with a man who fails to recognize self-evident principles of morality.

If a man does not perceive that he ought to regard the good of society, and the good of his wife and children, the reasoning can have no effect upon him, because he denies the first principle upon which it is grounded. (Reid 1983, p. 322)

The details of Reid's own candidates for such first principles need not concern us in the present context. What is of significance is the suggestion that there are moral beliefs to which "we should pay homage," as Norman Daniels has put it. We pay such homage when we utilize them as data for the construction of moral theories or as a kind of court of appeal in assessing them. This is business as usual in moral philosophy. We may suppose, with Nicholas Sturgeon, that Adolf Hitler was depraved, or with Kai Nielsen (1990, p. 10) that wife beating or child molesting is vile, and go on to agree with the latter that such beliefs are "bedrock."

But our confidence in these constitutional beliefs is wisely invested only in the event that we have reason to believe the faculties responsible for them to be truth-aimed. Reid's theism provided him with such a reason: the moral faculties were forged in the same shop as our other cognitive faculties. They are designed by God for the purpose of discerning moral truth. "That conscience which is in every man's breast, is the law of God written in his heart, which he cannot disobey without acting unnaturally, and being self-condemned" (Reid 1983, p. 355). Hume, on the other hand, finding only the faculties but pretending to no knowledge of their origin, placed no such confidence in their reliability. The evolutionary naturalist may have added an account of origins, but it is one that inspires no more confidence than that displayed by Hume.

An Argument from Personal Dignity

In *The Brothers Karamazov*, one of Dostoevsky's characters relates a chilling tale of unspeakable acts of cruelty committed by soldiers at war. Among other things, he describes soldiers snatching babies from the arms of their mothers and tossing them into the air to catch them on the points of their bayonets. Presumably, bayoneting babies for fun (and for any other reason) is wrong. Indeed, we might suppose the belief that it is wrong to be included in that fund of moral beliefs with which we begin moral reflection. Employing the method of reflective equilibrium, we might appeal to such a belief as we seek to construct or assess theories of morality. We may well suppose that any ethical theory that implies the permissibility of recreational baby-bayoneting is worthy of the dustbin.

But competing ethical theories may be found to have significant overlap regarding which classes of actions are deemed right or wrong. One might imagine a group of three attempting to save a beached whale. Subsequent interviews reveal that one is a Deep Ecologist whose primary concern is the preservation of biological diversity, and this whale is a specimen of an endangered species. His collaborators include an animal rights activist who is acting from a direct concern for the welfare of the animal itself, and a theist who views the rescue as a duty of stewardship. Almost certainly, we could find other issues where the entailments of these respective views clash, but here they are in agreement. As they say, philosophy makes for strange bedfellows.

Similarly, competing grounds may be offered for the wrongness of baby-bayoneting. Consider, for example, the probable assessment of philosopher Mary Anne Warren. In a widely anthologized essay, Warren argues that all and only persons have rights, fetuses are

not persons, and so fetuses do not have rights (Warren 2005). Her reason for thinking that fetuses are disqualified is that there is a set of faculties or capacities, X, Y, and Z, some subset of which all persons possess, fetuses display none of X, Y, or Z, and so fetuses are not persons. The upshot, of course, is that abortion does not involve a violation of any fetal right to life, and so the only rights at stake in the abortion issue are those of the woman.

In a postscript to the essay, Warren anticipates an objection. *Infants* fail to display the requisite faculties and so Warren's argument has perhaps proved more than she intended: we now have before us an argument for the moral permissibility of *infanticide*. Have we not the makings of an *ad absurdum* for her original argument?

Her reply is to acknowledge that her argument does indeed imply that infants do not have a right to life, and so the killing of an infant can never amount to *murder*, since murder essentially involves the violation of such a right. But she maintains that it does not follow that infanticide is *permissible*. The moral wrongness of killing a baby may be made out without invoking rights – at least not those of the baby.

> The needless destruction of a viable infant inevitably deprives some person or persons of a source of great pleasure and satisfaction, perhaps severely impoverishing their lives. (Warren 2005, p. 124)

On Warren's view, infanticide is wrong not because it violates any direct duties owed the infant. Rather, we have direct duties to other *persons* – individuals with traits X, Y, and Z – and these direct duties imply indirect duties *regarding* infants. Even if you do not care for babies, there are other people who do, and the wanton destruction of infants deprives those other people of the pleasure and satisfaction of having a child. In this respect, Warren's view of the wrongness of infanticide displays the same structure as Kant's account of the wrongness of animal cruelty. Kant (1981) maintained that we have direct duties to all and only persons. But it does not follow that we may deal with animals as we please. Animal cruelty works as a corrosive on one's character, resulting in callousness or even cruelty to our fellow humans. Because we have direct duties of kindness to people, we should cultivate those character traits that give us a propensity for such kindness. Animal cruelty is simply counterproductive in this regard.

I suspect that most people find both Warren's and Kant's views to be inadequate. In fact, Warren acknowledges that many will regard her conclusion on infanticide as "morally monstrous." Indeed, if infants do not have rights *at all*, then not only do they not have a right not to be killed, but neither do they have a right not to be *tortured*. And so, were we to imagine Dostoevsky's scenario or (assuming there can be such a thing) worse, Warren's position entails that the wrongness of the torture of infants is contingent upon the effect that it has upon actual persons. If infants, as nonpersons, have no rights whatsoever, then even such horrific instances of cruelty cannot be understood as violating any direct duty owed the infant. They are afforded no moral standing, and any moral concern regarding their treatment must look to other grounds. Perhaps it is wrong because of the suffering that it causes the mothers or other people. Perhaps it is wrong because of some other bad societal consequence, proximate or remote. If Kant is correct in thinking that animal abuse spawns cruelty to other humans, how much easier might be the move from infant torture to the torture of "actual" persons? Or we might suppose that it is wrong in that it manifests wickedness or vice in the extreme. Thomas E. Hill (1991) offers a potentially usable model

here. He asks, if we do not think that, say, natural environments or works of art enjoy moral standing in their own right, might we explain our "moral unease" on contemplating their destruction by asking the question, "*What sort of person would do a thing like that*?" Our attention is thus shifted from a question of rights or direct duties owed anyone or anything, to an assessment of *character*. Surely, an even harsher judgment is appropriate regarding Dostoevsky's soldiers. Perhaps some combination of those mentioned can work together to arrive at the conclusion that infanticide is impermissible.

But such answers, even taken together, seem altogether unsatisfactory. Surely, if bayoneting babies for fun is morally wrong, the wrongness must be explained chiefly in terms of what is done *to the baby*. Consider Mary Midgley's objection to G. R. Grice's contract theory. Grice's theory implied that animals, young children, and the mentally impaired have no natural rights due to their nonparticipation in the contract out of which rights arise. He anticipated that some readers would chafe at such implications and urged that, for the sake of consistency with the theory, we "should be willing to accept" them even if they seem "harsh." Presumably, Grice, no more than Warren, was advocating a slaughter of the innocents. Nevertheless, Midgley will have none of this. She observes that, here, "harsh" just means "unjust." She insists, "An ethical theory which, when consistently followed through, has iniquitous consequences is a bad theory and must be changed" (Midgley 1986, p. 157). The so-called "iniquitous consequences" of the theory are seen not only in what actions would be permitted if the principle were accepted but also in the *grounds* for saying that a given action is required, permitted, or prohibited. It is along similar lines that Richard Joyce, in contemplating an example of "Jack," who treats those around him with brutality, remarks, "It is surely grotesque to think that what is wrong with Jack's actions is the self-harm being generated. The wrongness of torture, for example, surely derives chiefly from the harm being inflicted on *others*! (Joyce 2006, p. 60).

One lesson to be gleaned from the discussion thus far is that, for any proposed theory of morality to be plausible, it must not only carry implications that do justice to certain of our deep-seated moral convictions, but it must also offer a satisfactory account of those implications. After all, when told that his proposed theory implies the moral permissibility of baby-bayoneting, it is always open to the theorist to reply, "If my theory implies the permissibility of baby-bayoneting, well, then, baby-bayoneting is permissible! Let your 'intuitions' be hanged!" The fact that this is rarely done demonstrates the force of those "intuitions." In the face of such objections, most theorists will argue that, properly understood, their theories do not entail the permissibility of rape, genocide, or slavery. But if, as Norman Daniels (1979) has it, we are to "pay homage" to certain considered judgments about which acts are permissible or impermissible, and to the principles that would systemize those judgments, the honor should be extended to take in judgments about what qualifies as an acceptable explanation.

Another lesson to be gathered is that the considered judgments in question appear to call for our according *moral standing* to individuals – in the case of our considered example, human infants. I understand *S has moral standing* to mean *S is the appropriate object of direct moral duties*. And to say that S is the object of a direct moral duty is to imply that a violation of that duty would entail *wronging*, or doing an injustice to *S*.

Suppose that you carelessly park your car in the lot adjacent to the mathematics department at your university. When you return to your vehicle, you find that delinquent mathematicians have left the car on blocks and spray painted mathematical graffiti from bumper

to bumper: the Pythagorean Theorem, the Triangular Inequality, Cantor's Theorem – it is all there. Have they done something wrong? Presumably. But, this side of the Bay area, we are not likely to find people suggesting that they have wronged *the car*, done it an injustice or violated its rights. Cars are not plausibly thought to have moral standing – not even Bentleys. Rather, we might suppose that the wrongness of such vandalism stems from the violation of a direct duty *to you* to respect your property rights or the like. And that direct duty carries with it an indirect duty *regarding* the car.

Consider the wrongness of rape as a test case. Any theory worthy of consideration even as a contender will imply the wrongness of rape. But any theory that essentially and wholly explains the wrongness of that act by regarding the rape victim in the way that we regard the car in the vandalism case, where our *direct* concern is for someone or something other than the victim, is, I think, equally implausible. Generally, in the case of harms brought to persons, we have, I think, an implausible explanation if it is reducible to the form:

(ID)   *A's harming B is wrong solely because A's harming B affects C.*

Here, I will understand C to be anyone not identical to B – including A.

Moral standing and egoism

There is some reason to doubt whether philosophical egoism is to be regarded as an ethical theory.[11] But let us regard it as such, at least provisionally, in order to put the present point into sharp relief. Using our distinction between direct and indirect duties, we may classify egoism as any theory holding that agents have *direct* duties only to *themselves* and indirect duties, if there are any duties at all, regarding anyone else. An initial reaction to the egoist's proposal is to think that the principle involved entails the precept, *Do whatever you can happily get away with*. An egoist might pillage and plunder and rifle and loot like a pirate, and, so long as it serves his interests and he is able to sleep nights (and why would he not, since he is acting in accord with the only moral principle he takes to be true?) then he may well be on his way to canonization.

Of course, one might distinguish between "nasty" and "nice" egoism. The former was just described. Proponents of the latter might fold in claims about the interdependence of individuals and the societies in which they are found. Perhaps, as Jerome K. Jerome suggested, "We are so bound together that no man can labor for himself alone. Each blow he strikes in his own behalf helps to mold the universe" (Jerome 2005, p. 47). Bishop Butler maintained in earnest that "self-love" and "benevolence" (by which he meant a concern for others and the public good in general) are so intricately related that, "we can scarcely promote the one without the other" (Butler 1983, p. 27). Were this true (is it?), one might have the resources for arguing that a world full of calculating but truly circumspect egoists would be like one big Hallmark greeting card commercial, featuring smiling people exchanging kindnesses. And, of course, rape is never depicted on greeting cards.

But even "nice" egoism is not nice enough. If the egoist concludes, happily, that rape is wrong, then he can only conclude this because he has determined that it wrongs *the rapist*. Such a verdict is, as Joyce (2006) says, "grotesque." While it is no doubt true that

11. See Kurt Baier's discussion of egoism in Singer (1991).

agents who engage in horrific acts of violence do damage to themselves in the process, this concern is, or ought to be, peripheral to the direct concern that one has for the *victim*. Rape is wrong, if wrong at all, because it violates a direct duty owed the victim. The victim is *wronged* by the act and done an injustice. Egoism cannot accommodate this insight. Any attempt to do so signals the abandonment of egoism for some other, perhaps more plausible, theory of morality. Egoism satisfies the criterion that a theory must countenance the moral standing of individuals. The trouble is that the only individual who enjoys such standing is the agent. And so we have but to add the clause, *in addition to the agent*.

Moral standing and utilitarianism

Are there more plausible theories? Consider utilitarianism, which is a theory that most certainly looks beyond a concern for the good of the agent. Generically stated, the principle of utility tells us that right actions are those that have good consequences for the community. This is "generic" because a great deal of variation is possible in defining what "good" and "community" mean here. Classical utilitarians in the tradition of Jeremy Bentham and J. S. Mill have held to a hedonist theory of value, so that *pleasure* is viewed as of intrinsic value. As Mill put it, "Pleasure, and freedom from pain, are the only things desirable as ends; and . . . all desirable things (which are as numerous in the utilitarian as in any other scheme) are desirable either for the pleasure inherent in themselves, or as means to the promotion of pleasure and the prevention of pain" (Mill 2001, p. 7). But there are other, nonhedonistic theories of value that *could* be plugged in here, from the plausible (e.g. human flourishing or the meeting of interests) to the bizarre (e.g. the maximization of back hair or of plastic Elvis figurines). As for the question of what is meant by the "community," classical utilitarians have taken an anthropocentric approach, equating the community with "humanity." But, following a clue from Bentham, Peter Singer has urged that the moral community should consist of all and only *sentient* creatures. His resulting utilitarianism would thus have it that our aim should be to maximize utility for the set of all sentient animals, including, of course, sentient humans. On this latter point, we might say, then, that utilitarians may differ with regard to the *scope of the moral community*. This issue, as with the theory of value, admits of much variety, including both the plausible (e.g. humanity, sentient creatures) and the implausible or bizarre (e.g. all and only those people who are Neil Young, all and only flatworms).

We might suppose that the utilitarian's question concerning the scope of the moral community is identical to the question of who or what has moral standing. However, I believe this is a mistake. The utilitarian's "moral community" is not identical to the set of individuals who enjoy moral standing. Utilitarianism does not accord moral standing to individual members of the moral community.

Jeremy Bentham, that imperishable proponent of utilitarianism, famously said that the notion of natural rights is "nonsense on stilts." In fact, the broader context of that quote is useful for our present purpose. Bentham's subject was the *Declaration of Rights* published by the French National Assembly in 1791. That declaration included a number of articles that Bentham thought demonstrably false. Article II, in particular, asserted, "The end in view of every political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression." On analysis, Bentham suggests that the article manifests confusion and that what it asserts is

not only nonsense but also "dangerous nonsense" (2001, p. 500). In particular, Bentham challenges the notion of *natural* and *imprescriptible* rights, thought to exist, "anterior to the establishment of government." The notion is as fantastic as it is mischievous.

> How stands the truth of things? That there are no such things as natural rights – no such things as rights anterior to the establishment of government – no such things as natural rights opposed to, in contradistinction to, legal: that the expression is merely figurative; that when used, in the moment you attempt to give it a literal meaning it leads to error, and to that sort of error that leads to mischief – to the extremity of mischief. (Bentham 2001, p. 500)

Where that French document maintains that "the ignorance, neglect, or contempt of the rights of man are the sole cause of public calamities and of the corruption of governments," Bentham notes that this is little more than wishful thinking. "Reasons for wishing there were such things as rights, are not rights; – a reason for wishing that a certain right were established, is not that right – want is not supply – hunger is not bread" (Bentham 2001, p. 501). And whereas the document is motivated by a concern to preserve the natural rights of people, Bentham reasons that things that do not exist are in no danger of being destroyed and, therefore, cannot call for preservation. One might as well add unicorns and griffins to the list of endangered species. This sets the context for Bentham's well-known "non-sense" quip: "*Natural rights* is simple nonsense: natural and imprescriptible rights, rhetorical nonsense, – nonsense upon stilts" (Bentham 2001, p. 501).

Bentham's argument, then, is with the notion of rights that are *inherent* and *imprescriptible* (i.e. "inalienable"). Both features of such rights are rejected by means of one parsimonious explanation: whatever rights exist are contingent upon the circumstances of society. And those "circumstances" are determined by the question of what is "advantageous to society," that is to say, the notion of utility.

> In proportion as it is *right* or *proper, i.e.,* advantageous to the society in question, that this or that right – a right to this or that effect – should be established and maintained, in that same proportion it is *wrong* that it should be abrogated: but that as there is no *right,* which ought not to be maintained so long as it is upon the whole advantageous to the society that it should be maintained, so there is no right which, when the abolition of it is advantageous to society, should not be abolished. (Bentham 2001, p. 501)

Bentham's view does clearly entail that there are no natural or moral rights that are anterior to and independent of the civil rights that are accorded by society, and so the former are unavailable as the grounds for the latter. But it is worth highlighting here what may be obvious: this does not leave him in a position of saying that there are no anterior *moral grounds* for the granting of civil rights. Although there are no anterior and inherent rights, it may still be the case that individuals within a society *ought* to be accorded certain rights – perhaps even that list of rights delineated in the Declaration. And, of course, the court of appeal will be found in the Principle of Utility. But whether rights are extended or abrogated will be determined by the circumstances of utility, and this is always with a view to the advantage of society. There cannot be "imprescriptible" rights precisely because a concern for social utility may call for their abrogation. If there were such rights, then there would be occasions on which it is morally inappropriate to calculate consequences. But if the Principle of Utility is true, then it is always appropriate so to calculate. Whether you eat or drink, or whatsoever you do, do all to the benefit of society.

With this bit of exegesis behind us, we may see that John Stuart Mill did not veer sharply from the course already plotted by Bentham once Mill got around to discussing the notion of rights. Chapter five of *Utilitarianism* is Mill's attempt to show that utility and justice embrace, despite the criticisms of the theory's detractors. Mill identifies duties of justice with those "perfect duties"[12] discussed by philosophers. Unlike so-called "imperfect duties," these involve the rights of individuals, so that the violation of such a duty involves the *wronging* of the individual whose rights are involved. Thus, the notions of *justice* and individual *rights* are inextricably bound. "Justice implies something which it is not only right to do, and wrong not to do, but which some individual person can claim from us as his moral right" (Mill 2001, p. 50).

The ascription of any individual right, in turn, implies a claim that society ought to defend in the individual. To say, for instance, that I have a right to property is to imply that, through either legislation or education or both, society ought to defend me in my possession of that property. And it is here where Mill makes the connection between justice and utility clear:

> To have a right, then, is, I conceive, to have something which society ought to defend me in the possession of. If the objector goes on to ask, why it ought? I can give him no other reason than general utility. (Mill 2001, p. 54)

Nothing here would be likely to cause Mill's forbear, Bentham, to turn over in his booth. Mill, like Bentham, maintains that the sole basis for according rights to individuals is the effect that doing so has upon the advantage to society. He, no more than Bentham, has "anterior" or "inherent" rights in mind. But are Mill's rights "imprescriptible"?

Where Mill may offer some advance beyond Bentham is in his account of the seeming *inviolability* of such rights. As we have seen, Daniel Dennett (1995) suggests that "rights language" tends to serve as a "conversation stopper." The rights card is thought to trump any and all other considerations. Reading Bentham, one may come away with the impression that whatever "rights" we enjoy are tenuous at best, contingent as they are upon the fortuitous circumstances of social utility. We are prepared for Mill's argument in chapter five by some of the elements of his theory that are presented in earlier chapters. By the end of chapter two, it is clear that Mill is advancing a variety of rule utilitarianism. For example, he suggests at one place that there are occasions on which one must abstain from an action, even though "the consequences in the particular case might be beneficial" because "the action is of a class which, if practised generally, would be generally injurious" (Mill 2001, p. 19). And in what, at 178 words, is surely a contender for the longest sentence in the history of the English language, Mill argues for the wrongness of lying even when the lie is immediately expedient because lying undermines the trustworthiness of human assertion, ". . . which does more than any one thing that can be named to keep back civilisation, virtue, everything on which human happiness on the largest scale depends" (Mill 2001, p. 23). Lying thus falls under a rule of "transcendent expediency." He speaks of "corollaries

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12. "Imperfect" duties are typically thought to correspond to "duties of benevolence," and these leave it to the discretion of the agent just when, under what circumstances, for which beneficiaries and to what degree the duties will be carried out. "Perfect" duties leave no such latitude. My duty to refrain from lying to you is not open to my own discretion to determine *when* to lie or be truthful, and so on.

from the Principle of Utility," "intermediate generalizations," "subordinate principles," and "secondary principles," which, clearly, are moral rules derived from the "first principle" – utility. And he closes the chapter with a discussion of moral quandaries in which two or more "secondary principles" are brought into conflict. "We must remember that only in these cases of conflict between secondary principles is it requisite that first principles should be appealed to" (Mill 2001, p. 26).

Each moral rule has its place in this scheme because of the utility derived from abstaining from tokens of the act type (in the case of wrong actions) or performing such act tokens (in the case of permissible or obligatory actions). But, as with any plausible theory of morality, Mill's rule utilitarianism treats such derivative rules as posing presumptive, rather than absolute, obligations, which may be overturned by rules weightier than themselves. Relative weight is determined by direct appeal to the principle of utility. We might thus speak of a weightier rule *trumping* its less substantial competitor. Mill's account of justice focuses on a set of moral rules which, because of the supreme importance of the human goods or interests that they are designed to protect, tend to trump any rules with which they may be found to compete. Thus, "Justice is a name for certain classes of moral rules, which concern the essentials of human well-being more nearly, and are therefore of more absolute obligation, than any other rules for the guidance of life" (Mill 2001, p. 59). And again:

> Justice is a name for certain moral requirements, which, regarded collectively, stand higher in the scale of social utility, and are therefore of more paramount obligation, than any others; though particular cases may occur in which some other social duty is so important, as to overrule any one of the general maxims of justice. (Mill 2001, p. 63)

Thus, those moral rules which are designed to safeguard our fundamental security or well-being derive their supreme importance and impose paramount obligations due to the weight of the goods that they protect *as weighed on the scale of social utility*. Individual "rights" are thus claims that people have to those goods, and, as we have seen, the claims themselves are sustained by that same concern for utility.

Mill takes nothing away from Bentham. The notion of inherent or natural rights is just as fantastic by Mill's reckoning as by Bentham's. He, like Bentham, "dispute(s) the pretensions of any theory which sets up an imaginary standard of justice not grounded on utility" (Mill 2001, p. 59). A concern for individual rights or for justice is at once a concern for social utility. This is no more to say that utilitarians must act from a *conscious concern* for general utility, overlooking the individual concerned, than that advocates of the "selfish gene" theory are committed to denying consciously altruistic motives. Perhaps the utilitarian has the resources for arguing that there is greater social utility to be had in a society of individuals who consciously and mutually *value* the other intrinsically. A Kantian respect-for-persons ethic could prove to be a useful fiction on a utilitarian reckoning. But, if Mill is to be believed, it is a fiction, useful or not, and it must be so precisely *because* of that utilitarian reckoning.

Mill's chapter is motivated from a concern to answer a familiar objection to utilitarian theory. We might call that objection the *problem of justice.* The worry is that there appears to be no necessary connection between an action's maximizing utility and its being fair or just. It is sometimes urged that the consistent utilitarian would be in a position of justifying, say, slavery, the torture of innocent persons, or even rape should the circumstances of

utility call for it. I am supposing for the sake of argument that Mill's development of rule utilitarianism and account of utility-based justice offers a satisfactory solution to the problem of justice.[13] Let us assume with Mill, then, that even where it is determined that slavery or rape would produce beneficial consequences in a particular case, "it would be unworthy of an intelligent agent not to be consciously aware that the action is of a class which, if practised generally, would be generally injurious, and that this is the ground of the obligation to abstain." Indeed, let us leave the door open to Mill and to later utilitarians to demonstrate that the Principle of Utility, rightly understood, has none of these "iniquitous consequences." Nevertheless, I maintain that any and all versions of utilitarianism worthy of the name must fail to account for that portion of commonsense morality that we are holding up as a criterion: that individuals have moral standing.

Consider our test case of rape. Surely, rape is immoral if any act is immoral. And we may suppose that Mill has offered us grounds for saying why. Rape violates a moral rule that concerns "the essentials of human well-being more nearly" than other rules to such a degree that we find it difficult to imagine any competing rule trumping the rule against rape. And because justice is a name for rules in this class, and, further, justice always involves individual rights, we may say that, on Mill's view, rape involves the violation of the victim's *rights*. And, as we have seen, Mill suggests that, in such cases, the individual is *wronged* or done an injustice. Why, then, is this not sufficient for allowing that his view accords moral standing to individuals within the moral community?

The answer is that, upon analysis, the explanation for the wrongness of rape appeals to the "generally injurious" consequences for the community rather than the simple fact that the person who is the victim simply ought not to be treated in that manner. Again, Mill, no more than Bentham, offers us an account that permits the existence of inherent rights. If there is a right not to be raped, it is, therefore, derivative and contingent upon the circumstances of social utility. The structure of the utilitarian explanation of the wrongness of rape is reducible to that of (ID) mentioned earlier, and bears a strong resemblance to the explanation required of the egoist, not to mention our account of the wrongness of vandalism. And, while Mill employs language suggestive of direct duties to the holders of rights, we must not lose sight of the logic of the utilitarian analysis. William Paley, a divine command moralist who moonlighted as a utilitarian, seemed not particularly troubled over the prospect of convicting innocent persons, suggesting that "he who falls by a mistaken sentence may be considered as falling for his country" (Paley 1785, p. 369). Mill's "rights utilitarian" might endorse *Blackstone's Formulation*: "Better that ten guilty persons go free than that one innocent suffer."[14] This may call for extending certain civil rights to the obviously guilty and perhaps even acquitting in the event that those rights are deemed to have been violated in the process. Indeed, the resulting view has been aptly put by one economist: "The disutility of convicting an innocent person far exceeds the disutility of finding a guilty person to be not guilty" (Volokh 1997). But where this occurs, it is not out of a direct concern for the guilty person but for the preservation of an institution essential to social utility, and this is so despite a language of civil rights

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13. I am, in fact, persuaded by the argument that rule utilitarianism is reducible to act utilitarianism – act utilitarianism in a rented tux, so to speak.

14. Bentham, of course, referred to Blackstone's work – or perhaps the man himself – as "ignorance on stilts." Were Blackstone to join company with the French delegates – whose views were, in Bentham's estimation, of similar artificial stature – we would have the beginnings of a small circus.

that may seem to suggest otherwise. And should the utilitarian *insist* otherwise, a dilemma awaits.

To the question of why society ought to defend the rights of individuals, Mill's answer was "social utility." But this invites a further question. Why should we concern ourselves over social utility? Is it for the sake of anything beyond itself – in particular, for the sake of the individuals who make up the community – or is it not? If not, then the argument of the present chapter succeeds: the utilitarian does not act ultimately out of a regard for the moral standing of individuals. But if so, then it would appear that our utilitarian has something beyond utility in mind – perhaps something more laudable. After all, the believer in natural rights might well evince a concern for social utility in that the flourishing of the community is conducive to the flourishing of people.

When a British captain and eight soldiers were to be tried, each for his role in the Boston Massacre, John Adams hazarded "a popularity hardly earned" and incurred "a clamour and popular suspicions and prejudices" by accepting an invitation to mount their defense. Reading accounts of the defense itself, as well as Adams' own memoirs concerning the trial, it is evident that he believed his clients were innocent. "Judgment of Death against those Soldiers would have been as foul a Stain upon this Country as the Executions of the Quakers or Witches, anciently. As the Evidence was, the Verdict of the Jury was exactly right," he said (Adams & Adams 2007, p. 317). The John Adams whose name is affixed to a document asserting inalienable human rights might well be thought to have been motivated by a direct concern for innocent soldiers, Quakers, and witches, as their natural and imprescriptible rights were at stake. But had he later read and been convinced by Bentham's critique, his interest may have been diverted to the importance of avoiding the "foul Stain" for its own sake rather than for the sake of those who would endure it. As Bernard Williams notes, "consequentialism attaches value ultimately to states of affairs" (Smart & Williams 1973, p. 95). This "ultimacy" calls for those states of affairs being pursued for their own sake rather than for the sake of anyone who appreciates them.[15] Perhaps man was made for the Sabbath after all.

The point coincides with the so-called "receptacle problem" that Tom Regan has urged against utilitarianism. According to Regan, it is not *individuals* that are valued by the utilitarian, but their *mental states*. Mill, for instance, made it clear that *pleasure* is the *only* thing desirable as an end, and the desirableness of anything else is contingent upon the pleasure that it produces. Other utilitarians might substitute satisfaction of the interests of individuals as the one thing of intrinsic value. Either way, this invites the question of where *persons* fit into such a scheme. According to Regan, persons are important because they are the vessels that are laden with this treasure. Consider his following example:

> Here is an analogy to help make the philosophical point clearer: a cup contains different liquids – sometimes sweet, sometimes bitter, sometimes a mix of the two. What has value are the liquids: the sweeter the better; the bitterer the worse. The cup – the container – has no value. It's what goes into it, not what they go into, that has value. For the utilitarian, you and I are like the cup; we have no value as individuals and thus no equal value. What has value is what goes into us, what we serve as receptacles for; our feelings of satisfaction have positive value; our feelings of frustration have negative value. (Regan in Pierce & VanDeVeer 1995, p. 75)

15. Marcus Singer has pointed out in his lectures that the utilitarian's direct duty proves to be an odd abstraction: it is to maintain a number in the universe – something like a GNP on a cosmic scale – representing net utility, and this not for the sake of anyone's enjoyment.

There is no direct concern to see to it that individuals are satisfied rather than frustrated, pleased rather than pained – at least, not for the individual's own sake. The principal concern is to maintain the greatest possible net pleasure or satisfaction. And this net pleasure is not for the sake of any individual persons. Rather, the reverse is true: any regard for the individual is ultimately out of a concern for increasing net utility. Utilitarianism fails to accord moral standing to individuals.

Moral standing and virtue ethics

Virtue Ethics (VE) is often distinguished from both consequentialist and deontological theories of morality on the grounds that, whereas those theories emphasize the rightness of acts, VE places a premium upon the goodness of agents. Thus, Roger Crisp and Michael Slote write, "Certainly it is characteristic of modern VE that it puts primary emphasis on aretaic or virtue centered concepts rather than deontic or obligation-centered concepts" (Crisp & Slote 1997, p. 3). And Rosalind Hursthouse (2007) helpfully observes:

> Suppose it is obvious that someone in need should be helped. A utilitarian will point to the fact that the consequences of doing so will maximise well-being, a deontologist to the fact that, in doing so the agent will be acting in accordance with a moral rule such as "Do unto others as you would be done by" and a virtue ethicist to the fact that helping the person would be charitable or benevolent.

Aristotle maintained that excellence or right action should be understood in terms of how a good person, one of practical wisdom, would choose to act. As Monika Betzler has it, "The standard of right action is to do whatever an entirely virtuous person would do" (Betzler 2008, p. 2) and, as Robert N. Johnson suggests, such theories make "an ideal of the person, rather than duty or value" the "foundation of ethics" so that "what makes an action a moral duty and what makes something of value is its relationship to some ideal of the person" (Johnson 2008, p. 58).

It is sometimes suggested that Aristotle faces a circularity problem here. Rightness is whatever a good person would do. But what makes a good person good? One cannot say, in turn, that good people are those who perform right actions. Consider, for example, a point made by Vasilis Politis in a review of Theodore Scaltsas's *The Golden Age of Virtue: Aristotle's Ethics*. Politis observes that Scaltsas attempts to break the circle by suggesting that good people are to be understood as those who choose things that are "good by nature" (*phusei*), and that these are good by nature insofar as they contribute to a "harmonic whole." But, Politis thinks, this signals an abandonment of Aristotle's position:

> I am not sure how the proposed solution is really a solution to the problem. Aristotle thinks that right action must be determined in terms of how the good person would choose. But Scaltsas' proposal, if I am not mistaken, means that right action is determined without appeal to how the good person would choose: right action is right by virtue of contributing to the 'harmony among a variety of elements in the character of the person. (Politis 1995, p. 259)

I do not wish to spend any time in worry over this problem. Instead, I will assume that the Aristotelian is able to answer the question, "What makes good people good?" without being drawn into this vortex. Perhaps an account of human flourishing may be offered so that

the virtues amount to character traits that either conduce to or are manifestations of such flourishing – they are among the good-making traits for the kind. There is much that the virtue ethicist may plausibly say along these lines. Robert Johnson offers a formal account of VE that takes such a notion of flourishing into direct consideration.

(VE)   For all actions φ and all persons S, it is right (to be done, ethical, correct, etc.) for S to φ in C at t if and only if φ-ing in C at t is or would be characteristic of a flourishing human life (Johnson 2008, p. 60).

But Politis' criticism raises an important point for our purposes. He is, after all, analyzing the structure of moral explanation regarding the moral properties of rightness and goodness – what Johnson calls the "form" of the theory (Johnson in Betzler 2007, p. 58) – and this is our task. Does the moral standing of persons factor in to the virtue ethicist's account?

Consider how a VE account might look in explaining the wrongness of an action in a context where we do not suppose that any direct duties are being violated.[16] Richard Routley (1973) has offered a counterexample – his "Last Man" example – to the anthropocentric view that our environmental duties are indirect, derivative of direct duties owed other humans. You are literally the last person on earth and, for whatever reason – perhaps just for the hell of it – you are considering some action that will have disastrous environmental effects,[17] say, setting multiple and massive wildfires in the Redwoods. In this scenario, there are no other human persons whose well-being could be either harmed or helped by anything that you do, and so an anthropocentric theory cannot account for the apparent wrongness of the act. But it does seem to most of us (does it not?) that it would, nevertheless, be wrong. Does this not implicate an ethic of direct environmental duties – the according of moral standing to nature itself?

I agree that Routley's Last Man behaves badly. But I am equally willing to censure him in other contexts. Suppose the Last Man were to set off on a kind of iconoclastic rampage. We find him in Paris defacing *Mona Lisa*, then on to Florence to have a go at Michelangelo's *David*. I squirm at such thoughts just as I do when he is targeting trees. But I do not think it is at all plausible to extend moral standing to paintings or statues.

Thomas Hill has suggested that there is a perfectly sensible way in which we may account for environmental wrongs independently of our positing direct duties to the environment itself. In the sorts of cases considered earlier, Hill would have us ask, "What kind of person would *do* a thing like that?" His is an application of a virtue ethic to the question of environmental responsibility. With this emphasis, there is a shift – characteristic of VE – away from the question of the rightness or wrongness of the actions in question and to the issue

16. Much of what I say here follows my discussion in Linville (1998).
17. Of course, there must *be* such a thing as a "disastrous environmental effect" in its own right in order to get the argument up and running. This seems to presuppose that the notion of *proper function* is applicable when thinking about ecosystems, and that assumption may be challenged. The Missoula Valley has been the location of Lake Missoula many times over in the course of the natural history of the area, as ice dams have formed and subsequently melted with "catastrophic" effects downstream. Is there any good sense in which we may identify the flooded condition of the valley as better or worse than its present state independently of the interests of, say, those Missoulians who now work and live there? In order to be able to say that there are some things that we ought not to do to the environment, we would seem to require the prior claim that some natural states are better than others. But the claim seems problematic given an ecocentric perspective. See Chase (2001).

of *excellence of character* – or lack thereof – of the person in question. He writes, "Sometimes we may not regard an action as wrong at all though we see it as reflecting something objectionable about the person who does it" (Hill 1991, p. 108). On this view, the "moral discomfort" that we experience at the thought of the Last Man destroying the world's natural or cultural treasures is explained primarily by the fact that we find ourselves assessing the character of a person who is capable of such an action, rather than the action itself. The ability to do such things reveals something dark about a person's basic moral disposition.

Hill reasons that, while environmentally destructive behavior "does not *necessarily* reflect the absence of virtues, it often signals the absence of certain traits which we want to encourage because they are, in most cases, a natural basis for the development of certain virtues" (Hill 1991, p. 109). Such destructive behavior may reflect, among other things, a lack of the kind of humility that one develops with a full realization of his place in the scheme of things, or it may betray a lack of an aesthetic sense. Since these are human excellences that we value, we recognize character flaws in those who have failed to develop them. Routley's Last Man may be thought to have an overinflated sense of self-importance – a kind of *hubris*. The same may be said of grave robbers, vandals, and iconoclasts. A lack of love and respect for our natural environment may be evidence of a lack of the more "generic" virtues that have application in other areas of life as well. And so, if Hill's account holds up, then perhaps we may account for the moral intuitions to which Routley appeals without being required to extend moral standing to stands of trees.

I find Hill's application of this account of human excellences to environmental concerns to be highly plausible. But a parallel application to explain our "moral discomfort" in cases of rape or genocide – certainly nothing that Hill himself would countenance – would be highly implausible. As I write, a particularly brutal and grotesque case of kidnapping and murder along the Appalachian Trail is in the news. A suspect has been arrested, and he is allegedly linked to three other recent murders in bordering states. I *do* find myself asking Hill's question, "What kind of person would *do* a thing like that?" It is a monumental understatement to observe that the killer "lacks excellence of character." He is, in fact, a moral monster. But, clearly, such observations do not adequately account for the "moral discomfort" that one feels on hearing news of rapes, murders, and decapitations. To appropriate Hill's formula, intended only for the environmental contexts, and employ it here would result in a bad parody at best or an outright perversity. Nor do we find an adequate resource in an adaptation of Hursthouse's explanation given earlier of the virtue ethicist's analysis of why one ought to help a person in need: "helping the person would be charitable or benevolent." We ought not to explain why one should refrain from rape by pointing to the fact that "raping a person would be *un*charitable and malevolent." It *is* these things, of course, but it is very much more. Things are no better if we invoke Johnson's VE: it is right to refrain from rape (in C at t) just in case so refraining (in C at t) "is or would be characteristic of a flourishing human life." Moral standing is clearly implicated in the case of rape, but appears to have no place in formulations such as VE. The reason rape is wrong, and, indeed, the reason that it is committed only by bad people, is that persons ought never to be treated in that way.

My objection does not amount to what Hursthouse refers to as the "egotism objection," namely, that consistent virtue ethicists, in behaving generously or benevolently are, in fact, acting out of a concern for their own characters. Imagining a view with such implications, Mary Midgley observes:

> Anyone who refrained from cruelty merely from a wish not to sully his own character, without any direct consideration for the possible victims, would be frivolous and narcissistic. (Midgley 1986, p. 157)

And so we might imagine the would-be rapist refraining from that sordid deed solely because he wishes not to be a rapist. Or consider the *M*A*S*H** episode in which, upon learning that he nearly lost a patient through some oversight, Major Winchester, always the egotist, reacts in horror: "That would have been the worst thing ever to happen to me." To such objections, Hursthouse (2007) replies, "The virtuous agent acts as she does because she believes that someone's suffering will be averted, or someone benefited, or the truth established, or a debt repaid, or . . . thereby." I see no more reason to suppose that the egotism objection sticks here than I saw earlier for supposing that consistent utilitarians must always have "social utility" consciously before their minds and not the welfare of individuals. Surely, we can see our way to the view that generosity may be consciously altruistic regardless of what we learn about the metaethics involved in VE. But the devil is in the metaethical details.

A virtue ethic that is ultimately grounded in a notion of respect-for-persons may prove to be a rich and plausible theory. One likely interpretation of Confucianism has it as an account of human flourishing. But, whereas Aristotle defined humans as "rational animals" (which, on one standard interpretation, has the implausible result that one flourishes insofar as one basically leads the life of the philosopher), Confucius defined them as "moral animals" (Koller & Koller 1998, p. 239). On this reading, we flourish insofar as we fulfill that nature. The chief virtue lauded by Confucius is *jen*, or "human-heartedness." *Jen* amounts to a "love of humanity." One flourishes insofar as one cultivates this virtue and the complex character that is its corollary. In one place, Confucius instructs, "If a superior man departs from humanity (*jen*), how can he fulfill that name? A superior man never abandons humanity even for the lapse of a single meal. In moments of haste, he acts according to it. In times of difficulty and confusion, he acts according to it" (Analects 4:5). Allowing for obvious differences in detail, the concept of the "superior man" functions in the Confucian scheme in much the same way that the "man of practical wisdom" does in Aristotle's thought. He is the person who lives well by manifesting the desired character traits. In asking, "How can he fulfill that name?" Confucius is invoking one of his central doctrines, the Rectification of Names: "Let the ruler be a ruler, the minister a minister, the father a father and the son a son" (Analects 12:11). The idea is that each named thing has an essential function that must be fulfilled. To "fulfill the name" of "superior man" is thus to fulfill the function, and this is done, he says, by coming to love humanity. Confucianism thus folds the concept of respect-for-persons into its account of flourishing so that our question, "What makes a good person good?" is answered by reference to the person's regard for humanity and the role that such regard plays in the overall cultivation of character.

Assuming that I am correct in thinking that Confucian moral philosophy may fruitfully be regarded as a variety of VE, it would seem to differ from standard theories. Hursthouse (2007) notes that virtue ethicists largely "have eschewed any attempt to ground virtue ethics in an external foundation," and this observation is perhaps illustrated by Politis's criticism of Scaltsas's proposed ground. The "external foundation" that appears in Confucianism is a principle of respect-for-persons, and it compares favorably with the celebrated Kantian formulation of such a principle. Sandra A. Wawrytko (1982), for example, notes that "both revolve around the seminal concept of respect as the root of any system of ethics, as well

as the *sine qua non* of moral practice" (p. 237). And Stuart Hackett's explanation of the role of personal worth in the thought of Confucius would work equally well were he discussing Kant's Principle of Humanity: "Personal being is intrinsically valuable, and the locus of ultimate, intrinsic worth; while love, as recognizing and implementing the actualization of that worth, is the essential principle of ultimate moral requirement" (Hackett 1979, p. 51). This agreement between the two moral theories would seem to put both "at odds" with classical views in the Aristotelian tradition. Robert Johnson writes in the *Stanford Encyclopedia of Philosophy* (2004):

> Kant's account of virtue presupposes an account of moral duty already in place. Thus, rather than treating admirable character traits as more basic than the notions of right and wrong conduct, Kant takes virtues to be explicable only in terms of a prior account of moral or dutiful behavior. He does not try to make out what shape a good character has and then draw conclusions about how we ought to act on that basis. He sets out the principles of moral conduct based on his philosophical account of rational agency, and then on that basis defines virtue as the trait of acting according to these principles.

I conclude, then, that standard accounts of VE have no conceptual room for the moral standing of individuals, and, as I have been arguing, this counts against such theories. We should be able to say simply that rape and genocide are wrong because people ought neither to be raped nor exterminated.

Moral standing and personal dignity

Immanuel Kant's Principle of Humanity instructs, "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end" (Kant 1964, p. 96). The Principle of Humanity is informed by the idea that persons are of ultimate and unconditional worth, and to treat them as "ends" is just to respect their autonomy as persons who have wills and ends of their own, and thus to act toward them in a way that is consistent with that worth. Kant maintained that there are two ways in which something may be said to have value: either it has a *dignity* or it has a *price*. A thing has a (mere) price if it has a "market value," that is, its worth may, in principle, be expressed in terms of something else. Our various possessions pretty obviously fall into this category. One feature of such value is that it is *mind-dependent*: such objects have value only insofar as they are valued. The market value of your home, automobile, or Fender Stratocaster is strictly determined by what someone is willing to pay for it. We can readily imagine a possible world in which gold is valued by no one and is therefore of no value. The dollar in your pocket is *worth* a dollar only so long as someone *believes* that it is.

Something has dignity just in case it resists such valuation in terms of some market value so that its worth is intrinsic. Any property is intrinsic to a thing just in case that property involves no essential reference to any *other* thing, which is to say that it is *nonrelational*. Each and every individual human possesses the property *being human* intrinsically. Each and every individual *husband*, however, is such in virtue of a relation that he bears to his wife. Kantian dignity is a moral value or worth that individual persons possess intrinsically *as* persons. Since it is a nonrelational property, its value is mind-independent, and thus not reducible to or derivative of the valuings of some agent or other. If persons have dignity,

then they *ought* to be valued for their own sake even if, in fact, they are not. And because dignity is nonrelational, neither is it reducible to any sort of instrumental value.

Dignity thus constitutes the unconditional worth of its possessor. The worth of persons is unconditional in that it derives from their intrinsic nature as persons and is in no way contingent upon their performance or their contribution or usefulness to anyone or anything. It is certainly possible to find people who are of little or no instrumental worth, or "useless." Consider Otis, the town drunk, who divides his time between being face up under a bottle and face down in the gutter. But there are no worthless people, because worth is not conditioned by usefulness.

Kant's principle prohibits treating persons simply as means to ends precisely because this amounts to treating a person as though his or her value is merely instrumental, or determined by their relation to something else. And this, in turn, is to treat a person as a mere thing. The injunction to treat people as "ends" thus amounts to an imperative to act from a respect for their dignity as persons with ends of their own. Kant's Principle of Humanity has it that the essence of an immoral action is that it treats persons as though they are mere things.

Pretty clearly, such a respect-for-persons ethic attributes moral standing to individual persons in the way that we have sought here. The theoretical form of the theory grounds the wrongness of such actions as rape in direct duties owed the person. Rape is straight-forwardly a case in which a person is treated "merely as a means to an end he does not share" (Kant 1964, p. 97). Slavery is an example in which a person is regarded *quite literally* as having a market value.

Kant's notion of dignity is a natural basis for according those natural, inherent, and imprescriptible rights denied by Bentham. Persons are *entitled* to be treated *as* persons and are wronged, or treated unjustly, when treated as mere things. To Mill's question, "Why ought society to defend the rights of individuals?," the Kantian answer is not "social utility" but "personal dignity." The explanation need look no farther than a concern for the person whose rights are in question.

I have argued that moral standing of the sort capable of explaining certain of our moral beliefs requires that the duties in question not be derived from any concerns deemed more basic than or peripheral to a regard for the individuals themselves. A respect-for-persons ethic appears to be sufficient to such an explanatory task. Is it necessary? Is the intrinsic worth of the individual implied by that individual's moral standing? It is hard to see what moral standing *can* mean if it does not involve such value. We are told that we have a direct duty to some individual person S so that a violation of that duty involves *wronging* or doing an injustice to S. I have argued that Mill's notion of justice, with its attending idea of rights, does not amount to moral standing, derivative as it is from the more basic concern for social utility. Likewise, VE as commonly articulated appears to neglect moral standing, as the foundational concern is with the flourishing of the agent. Moral standing is thus not contingent upon anything extrinsic to the nature of persons *qua* persons, and so is unconditional. What is it to have such unconditional regard if it is not to value the person *intrinsically*? And to be told that one ought to value persons intrinsically would seem to imply that persons just *are* of intrinsic moral worth.[18]

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18. That is, if the imperative so to value is categorical. As noted earlier, there might be utilitarian reasons for valuing persons or other things intrinsically, although I would argue that the resulting imperatives would be hypothetical, and so the regard itself would not be unconditional. ("You may stop valuing Pete intrinsically now as your doing so is no longer useful.")

Personal dignity and worldview assessment

Assuming that the argument of this chapter has succeeded to this point, we have arrived at the conclusion that personal dignity is implicated by the sorts of pre-theoretical moral beliefs to which we typically appeal in reflective equilibrium. We turn now to another question. Should we suppose that whether persons have dignity is indifferent to questions of metaphysics? That is, are we entitled to believe that persons enjoy intrinsic value regardless of what worldview we take to be true? It would be surprising if this were the case.

To make a rather obvious point, the belief that persons have dignity would seem to involve the belief that there are persons, just as surely as "penguins are comical" presupposes penguins. As such, the belief in personal dignity would not seem to be a natural component of a worldview that denies that there are persons. I suppose we might begin by noting that the committed solipsist need not lose sleep over his dealings with "others" except insofar as imaginary persons are capable of retaliating by placing him in an imaginary asylum.

But to take a more serious example, Advaita Vedanta appears to deny the real existence of persons, as discrete selves are said to be no more real than discrete spaces within jars. Just as there is only one universal Space, there is only the Self of Brahman (Radakrishnan & Moore 1967, p. 513). Such a worldview might easily accommodate the advice, "Neither a borrower nor a lender be" as neither party to the would-be transaction exists. But it is hard to see what to make of an injunction to treat others with respect when, strictly speaking, there is no one either to respect or to do the respecting.

On Theravada Buddhism, the question of whether there are such things as persons is at least problematic. There, we are offered a view of persons as bundles of instantaneous constituents (*dharmas*). A person *at* a given time just is a bundle of these constituents. Personal identity *over* time is spelled out in terms of a series of bundles in a causal relation so that the earlier self is a causal ancestor of the later self. But at no time is there anything substantial that may be identified as the self. There are only the nonpersonal constituents. One might wonder whether a bundle of nonpersonal constituents is the sort of thing that may plausibly be ascribed dignity and taken to be the appropriate object of respect.

The naturalist may be faced with a similar problem. Can the existence of persons be accounted for on naturalism? One might have thought so. But consider this "astonishing hypothesis":

> The Astonishing Hypothesis is that 'You,' your joys and your sorrows, your memories and your ambitions, your sense of identity and free will, are in fact no more than the behavior of a vast assembly of nerve cells and their associated molecules. As Lewis Carroll's Alice may have phrased it: 'You're nothing but a pack of neurons.' This hypothesis is so alien to the ideas of most people alive today that it can be truly called astonishing. (Goetz & Taliaferro 2008, p. 22)

Francis Crick here offers a sort of bundle theory of his own, suggesting that there is no substantive, personal, and conscious element that constitutes the self. Rather, what we call "persons" are actually vast assemblages of neurons and the like.

Of course, Crick is also notorious for his one-time advocacy of "directed panspermia," which has it that human DNA was transported to the earth by a race of superintelligent aliens. But before it is supposed that his bundle theory is likewise a fringe view, we should

note that it is a direct implication of what Stewart Goetz and Charles Taliaferro call "strict naturalism," the idea that "nature is all that exists and nature itself is whatever will be disclosed by the ideal natural sciences, especially physics" (Goetz & Taliaferro 2008). As these authors note, this appears to be what Arthur Danto has in mind when he describes naturalism as "repudiating the view that there exists or could exist any entities or events which lie, in principle, beyond the scope of scientific explanation" (Goetz & Taliaferro 2008, p. 14). Unfortunately, *persons* as substantive selves that essentially possess a first-person point of view appear to lie, in principle, beyond the scope of third-person scientific explanation. It is for this reason that Daniel Dennett writes:

> We now understand that the mind is not, as Descartes confusedly supposed, in *communication with* the brain in some miraculous way; it *is* the brain, or, more specifically, a system or organization within the brain that has evolved in much the way that our immune system or respiratory system or digestive system has evolved. Like many other natural wonders, the human mind is something of a bag of tricks, cobbled together over the eons by the foresightless process of evolution by natural selection. (Dennett 2006, p. 107; emphasis in the original)

Unless the conscious is explained without remainder by reference to the nonconscious, the personal by way of the nonpersonal, or the first person in third-person terms, the task of explanation has not been accomplished. A final physical theory will be exhaustive and it will give no quarter to persons.

> You've got to leave the first person out of your final theory. You won't have a theory of consciousness if you still have the first person in there, because that was what it was your job to explain. All the paraphernalia that doesn't make any sense unless you've got a first person in there, has to be turned into something else. You've got to figure out some way to break it up and distribute its powers and opportunities into the system in some other way. (Dennett quoted in Blackmore 2006, p. 87)

For her part, Susan Blackmore seems to have followed Dennett's advice. "I long ago concluded that there is no substantial or persistent self to be found in experience, let alone in the brain. I have become quite uncertain as to whether there really is anything it is like to be me" (Blackmore 2006, p. 9). Thus, as Jaegwon Kim notes, consciousness has been "oddly absent" from both philosophy and scientific psychology in much of the work of the past century (Kim 2005, p. 8). For that matter, consciousness has been "oddly absent" even in twentieth-century works bearing such promising titles as *Consciousness Explained*. It is rather like picking up a title such as *Europe Explored* and finding that the author has serious doubts of the existence of that continent and devotes himself to explaining how putative Europeans might mistakenly think themselves to live there.[19]

The strict naturalist's inability to discover the self in either the laboratory or the field is, as Yogi Berra might have put it, like déjà vu all over again. David Hume similarly and famously failed to find himself despite careful search. His introspective attempts at perceiving himself as the subject of his various perceptions uniformly turned up only the

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19. Of Dennett's efforts, Mary Midgley has written, "Suggestions that Dennett should be prosecuted for his title under the Trades Description Act are attractive, but might call for action over too many other books to be practicable" (Midgley 1994, p. 186). Thanks to Dave Werther for alerting me to this note from Midgley.

perceptions themselves, say, the appearance of the room about him, the feeling of the air against his skin, the pressure of chair to buttocks or floor to feet. The conclusion that he drew from his enquiry was that the only concept of a "self" that we have is that of a kind of aggregate of perceptions but not of any subject of those perceptions (Hume 1978, p. 259). At this, Thomas Reid expressed surprise over learning that the *Treatise of Human Nature* was without an author! (Reid 1983, p. 21). Similarly, Goetz and Taliaferro observe, "[*T*]*here would be no knowledge of mass, electric charge, or space-time unless we are enduring selves which have experiences.* The very practice of science itself is unintelligible unless persons exist and have observations and thoughts, and presumably *observing* and *thinking* are experiences" (Goetz & Taliaferro 2008, p. 50; emphasis in the original).

Owen Flanagan (2002) has said recently that we must "demythologize persons," and by this, he means that the Cartesian beliefs of the soul and of libertarian free will must be abandoned. But the project seems to have resulted instead in the *mythologizing* of persons so that they have come to be regarded in just the way that Flanagan and Dennett regard the Trinity. G. K. Chesterton once quipped of the secularization of society and the consequent erosion of confidence in the reliability of human reason, "With a long and sustained tug we have attempted to pull the mitre off pontifical man; and his head has come off with it" (Chesterton 1986, p. 237). A similar procedure seems to have taken place here. Flanagan's "de-souling" operation was a success; the patient vanished.

C. S. Lewis seems to have had such a view in mind as he worked through his grief over the loss of his wife. He pondered the question of whether she continued on as a person, and observed that if she "is not," "then she never was. I mistook a cloud of atoms for a person. There aren't, and never were, any people. Death only reveals the vacuity that was already there" (Lewis 2001a, p. 28). Elsewhere, he notes that we would then have mistaken "boxes of fireworks" for persons. In this, Lewis was not far from Dennett's own suggestion that human minds are "bags of tricks." In fact, Dennett might have attempted to console the grieving widower, as he has recently ventured his own observations on grief. Evolution has wired us to assume the "intentional stance," which amounts to a predisposition to view certain other things in the world as *intentional systems* – agents with beliefs and desires. The death of a loved one confronts one with "a major task of cognitive updating: revising all our habits of thought to fit a world with one less familiar intentional system in it" (Dennett 2006, p. 112). Lewis confessed that his grief felt like fear and that he refused to be consoled by religion because, even on the most optimistic account, he longed for something that was now irretrievably lost. Dennett would have advised that such are symptoms of this cognitive updating, and it is all to be expected due to the difficulty of simply "deleting the file" (2006, p. 122) in our memory banks. This prompted Leon Wieseltier, in his review of *Breaking the Spell*, to comment, "So steer clear of 'we materialists' in your dark hours. They cannot fortify you, say, after the funeral of a familiar intentional system" (Wieseltier 2006).

Insofar as the intentional stance is a propensity to ascribe irreducibly conscious states and teleological purposes to "intentional systems," it is, as we have learned earlier, misleading – much as our programmed propensity to ascribe rights to such systems is misleading according to Dennett (1995, p. 507). And a revised Kantian ethic – call it a "respect-for-intentional-systems" ethic – would be equally misleading: *Always treat intentional systems, whether in your own nonsubstantial self or that of another, as ends-in-themselves and never merely as means to ends.* Such would be misleading, I say, because given the eliminability of teleological purposes on strict naturalism, it is strictly false to say that intentional systems

are autonomous and thus have ends of their own. On strict naturalism, Kant's famous distinction between things that are governed by law and those that *act* in accordance with their *idea* of law breaks down, as the latter category collapses into the former. And, presumably, there is nothing that it is *like* to represent a moral law to oneself.

But neither is it clear that moral agency or autonomy may be preserved on a more relaxed version of naturalism. The past few decades of work in philosophy of mind have included efforts on the part of physicalists to reconcile mental causation to an otherwise unyielding physicalism. "Broad naturalism" (Goetz & Taliaferro 2008) or "minimal physicalism" (Kim 2005) describe varieties of physicalism that appeal to some form of supervenience of the mental upon the physical. The aim is to allow room for the irreducibly mental within an exclusively physical world – property dualism. Here, one significant difference between a human brain and a slab of granite – both strictly physical objects – is that, while the latter is possessed only of physical properties, the former is qualified by both the physical and the mental. Kim suggests that as "seductive" as the possibility is, allowing physicalists to remain true to their name but also to declare amnesty for all of those valuable and obvious mental concepts that have lived in exile throughout much of the previous century, it is also a "piece of wishful thinking" (Kim 2005, p. 15).

Kim urges a compelling argument – "the supervenience/exclusion argument" – for thinking that the *irreducibility* of the mental is at odds with the *causal efficacy* of the mental. Physicalists – and naturalists in general – are committed to the *Causal Closure Principle*, which insists that all causes are physical in nature. And a Principle of *Causal Exclusion* has it that where any event has a sufficient cause c, then (barring causal overdetermination) no event distinct from c can be a cause of the event. Clearly then, if all physical events have physical causes, and mental events are irreducibly mental, then no mental event can be a cause of any physical event (Kim 2005, p. 19). The result is epiphenomenalism. If the *idea of law* is irreducibly mental in nature, it is difficult to see how it may result in moral behavior, despite observed correlations between *Jones thinks the maxim of act A cannot be willed to become a universal law* and *Jones refrains from A*.

> These observed correlations give us an impression of causation; however, that is only an appearance, and there is no more causation here than between two successive shadows cast by a moving car. (Kim 2005, p. 21)

In one fell swoop, we seem to have eliminated – or at least seriously compromised – both the Kantian grounds and the means of treating persons as ends-in-themselves. The latter suffers because the attitude of respect – whether for a person or the law itself – presupposes the sort of mental causation that is precluded by the supervenience/exclusion argument. The former is eclipsed by the fact that intentional systems, just like digestive and immune systems, are mechanistic. Autonomy presupposes teleology, and the latter has no purchase in the world described by naturalism, strict or broad.

The jam is created by attempting to affirm causal closure, the exclusion principle, mental–physical supervenience, and mental–physical property dualism. The first three are nonnegotiable, and so it appears that mental causation and consciousness can be salvaged only by denying property dualism, that is, reducing the mental to the physical. But, Kim warns, "reductionism may not be true" (2005, p. 22). Some might suppose that Kim, like Dickens or Twain, is a master of understatement. Consider Michael Lockwood's disparaging assessment of such reductionist programs:

> It seems to me evident that no description of brain activity of the relevant kind, couched in the currently available languages of physics, physiology, or functional or computational roles, is remotely capable of capturing what is distinctive about consciousness. So glaring, indeed, are the shortcomings of all the reductive programmes currently on offer, that I cannot believe that anyone with a philosophical training, looking dispassionately at these programmes, would take any of them seriously for a moment, were it not for a deep-seated conviction that current physical science has essentially got reality taped, and accordingly, *something* along the lines of what the reductionists are offering *must* be correct. To that extent, the very existence of consciousness seems to me to be a standing demonstration of the explanatory limitations of contemporary physical science. (Lockwood 2002, p. 447)

As Kim notes, the prospects for a successful reduction either by way of so-called "bridge laws" that would establish a lawlike connection – necessary correlations – between mental and physical properties, or through strict identity are bleak. No amount of information regarding the physical goings-on of the brain would seem to give us a glimpse of the intrinsic features of a conscious experience. And we appear to have two irreducibly different kinds of things with different sets of properties. Conscious states, for example, defy description in terms of the spatial and compositional properties that are essential to accounts of physical states and processes.

Indeed, despite his own efforts at a *functional* identity of a limited class of cognitive properties (e.g. "To be in pain, by definition, is to be in a state which is caused by tissue damage and which in turn causes winces and groans" (Kim 2005, p. 28)), Kim suggests that *qualia* resist such a functional reduction. And, echoing Lockwood, we might wonder what, other than an attempt to salvage physicalism, would motivate anyone to offer such a functional reduction. Is there not more to pain – something that it is *like* to be in pain – than a system of inputs and outputs?

It is not the aim of this chapter to settle these complex issues in the philosophy of mind.[20] But we have seen a glimpse of the difficulty that confronts the naturalist in attempting to account for conscious moral agents. Consciousness is either eliminated altogether, reduced to the physical, or held to be emergent and irreducible. But eliminativism is altogether implausible and of dubious coherence, reductionist programs seem doomed to failure, and property dualism cannot account for mental causation and consciousness. And regarding the latter, we might observe with Goetz and Taliaferro that the assertion that there are irreducibly mental properties introduces a pluralist ontology and signals a departure from the spirit and letter of the scientific naturalism that is assumed by such philosophers. It begins to appear that supernaturalism must be avoided at all costs – even the cost of an unparsimonious and possibly *ad hoc* metaphysic. Bertrand Russell observed:

> A strange mystery it is that Nature, omnipotent but blind, in the revolutions of her secular hurryings through the abysses of space, has brought forth at last a child, subject still to her power, but gifted with sight, with knowledge of good and evil, with the capacity of judging all the works of his unthinking Mother. (Russell 1957, p. 107)

It is indeed a "strange mystery," and the mystery remains. Just a few years before Russell penned these lines, William James confessed that, of the relation between thought and the

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20. See THE ARGUMENT FROM CONSCIOUSNESS and THE ARGUMENT FROM REASON in this volume for a more detailed discussion.

workings of the brain, "no glimmer of explanation is yet in sight" (Kim 2005, p. 12). Kim has recently updated that confession, noting that qualia resist reduction so that "there is still no glimmer of explanation" (Kim 2005, p. 28). Colin McGinn is also less than impressed by the success of any attempts at naturalizing the mind. But, he says, the choices are "either eliminativism or miracles or hidden structure." Eliminativism denies the undeniable. An appeal to "miracles" amounts to "wallowing in the supernatural." But, of course, "we cannot allow a Divine Foot in the door," as Richard Lewontin once warned. And so McGinn opts for naturalism plus "hidden structure," or "noumenalism," where the latter involves a monkish appeal to mystery and the assertion, without explanation, that consciousness is a natural phenomenon (Goetz & Taliaferro 2008, p. 83). It is a shame that Descartes did not think to avail himself of this "hidden structure" option in his correspondence with Princess Elizabeth.

Generally speaking, it is difficult to see how conscious and autonomous persons could be engineered from Big Bang debris – particularly when the would-be engineer is truant. The insistence that such a feat has been accomplished appears merely to be a function of an entrenched antisupernaturalism combined with the commonsense recognition that there is consciousness and that it sometimes plays a causal role. We know that the world includes persons. What we do not know is how this could be the case if naturalism were true.

But if the naturalist is confronted with a *Weltknoten* when attempting to derive the personal from the nonpersonal, a similar knot is involved in attempts to derive the intrinsically valuable from the valueless. In a world that fits Russell's description earlier in "A Free Man's Worship," a world in which the human species is the product of blind forces "that had no prevision of the ends they were achieving," in which our noblest sentiments and passions are "but the outcome of accidental collocations of atoms," and in which those collocations – those "bags of tricks" – that have come to be called "persons" are aberrant and fleeting exceptions to the rule of otherwise insentient arrangements of matter, it is hard to see why any special and intrinsic value should be assigned to the species as a whole, much less to each and every individual specimen. Russell asks, "How, in such an alien and inhuman world, can so powerless a creature as Man preserve his aspirations untarnished?" (1957, p. 107). How, indeed?

Moral agency and personal dignity

Russell thought that our dignity is found in the human ability, during our "brief years," to "examine, to criticize, to know, and, in imagination, to create. To him alone, in the world with which he is acquainted, this freedom belongs; and in this lies his superiority to the resistless forces that control his outward life" (Russell 1957, p. 107). But, as we have seen, Russell later abandoned the moral realism that is implied in the "knowledge of good and evil," which would allow us to criticize our unthinking Mother. And now, as we have further seen, we have good reason to suppose that, on Russell's naturalism, those forces that reign over our outward life are just as "resistless" on the interior as well.

Immanuel Kant was similarly confronted by a universe without that threatened to tarnish his aspirations, but he also similarly claimed to find the ground of personal dignity within himself. Contemplation of the "starry heavens above" – the immensity of a universe in which he is "a mere speck" – seems to "annihilate" his significance as a creature who, after a brief tenure here, "must give back the matter of which it was formed." But reflection

upon "the moral law within" has the opposite effect, as it "infinitely elevates my worth" (Kant 1956, p. 166). That infinite worth is thus secured by our autonomy as moral agents capable of understanding and acting upon moral principle. Moral agency is thus what we might call a *dignity-conferring* property.

If such an argument is to succeed at all, one requirement is that morality itself must be of intrinsic rather than instrumental value.[21] It is no mere coincidence that Kant identified *two* sorts of things that have dignity rather than a mere price: human persons and the moral law itself. Kant saw that genuine respect for persons requires respect for the law. My respecting you calls for my acting for the sake of certain direct duties *to you*. I should respect you because it is the right thing to do; and it is the right thing to do because you are deserving of respect. If, however, my fair treatment of you is only a happy by-product of my concern for some further end, then I am merely acting in accordance with those duties owed you. This is to behave as though I have, at best, certain indirect duties *regarding* you, and such behavior hardly qualifies as respect. But, further, suppose that morality itself is only valuable as a means to some nonmoral end. Then it is hard to see why anyone should conclude that moral agency, which would then also be of instrumental value, is a ground for attributing dignity to moral agents. The whole thing unravels unless Kant is correct in affording dignity to the moral law. Has the naturalist, then, sufficient reason for supposing that morality itself enjoys the sort of dignity that Kant ascribes to it? Given all that we have considered, it is hard to see why one should think so. Here is where the argument of the previous essay may be brought to bear. There, we saw reasons for thinking that, on evolutionary naturalism, human morality has emerged as an evolutionary device; a strategy aimed at reproductive fitness. One might as well argue for human dignity by appeal to the opposable thumb or to featherless bipedalism.

Personal dignity: some dead ends

Michael Martin has recently suggested a novel foundation for personal dignity. Martin defends an ideal observer theory, which analyzes moral judgments in terms of the feelings of approval or disapproval of a perfectly impartial and informed observer. Thus, "Rape is wrong" is analyzed as "An ideal observer would contemplate rape with a feeling of disapproval," and so forth. In an exchange with Martin, Paul Copan has charged that Martin's ideal observer theory, combined with his commitment to naturalism, has an inadequate ontology for grounding the notion of the intrinsic value of persons. Martin replies:

> It is not clear why Copan thinks that the Ideal Observer Theory cannot substantiate "the requisite metaphysics of personhood and its intrinsic dignity or value." After all, such values would be analyzed in terms of the feeling of approval or disapproval of an Ideal Observer. Moreover, the properties of an Ideal Observer are natural properties. So, metaphysically speaking, the attribute of intrinsic dignity would be a natural property. To be sure, such an analysis may be unsuccessful, but nothing Copan has said shows this. (Martin 2002, p. 92)

Perhaps we may say a few things here to show why such an analysis *must* be unsuccessful.

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21. I attempt a defense of such an argument in Linville (2000).

Recall that a property is *intrinsic* only if, among other things, it is *nonrelational* and *mind-independent*. On the face of it, it is difficult to see why Martin supposes that sense can be made of *Kim has the property of intrinsic value* by analyzing it in terms of the *feelings* of anyone nonidentical to, or, for that matter, identical to Kim. If the property is intrinsic, then it is identical to or supervenient upon something true of Kim's intrinsic nature, and thus to analyze language describing that property in the way that Martin suggests is hardly more plausible than an analysis of *Kim is a person* or *Kim is trapezoidal* in terms of either the cognitive or noncognitive propositional attitudes of an ideally situated Someone. If this is intrinsic value, then it is of the extrinsic variety.

And it is a bit puzzling just how the analysis of *Kim has the property of intrinsic value* would go. I think I understand how the analysis of *X is wrong* comes out. Our ideal observer – call him Ivan – given his exhaustive knowledge of all of the relevant nonmoral facts, as well as his impartiality, has a feeling of disapproval upon contemplating the action. But *about what* does Ivan have feelings of approval in the case of intrinsic value? Kim herself? *I* have feelings of approval when I contemplate, say, Kim Basinger, but these are not necessarily an analysis of her intrinsic value as a person. Is it particular *actions* that either are or are not consonant with Kim's dignity? But this either (a) analyzes dignity in terms of some disjunction of things that it would be right or wrong to do to Kim, or (b) it *presupposes* dignity and thus leaves it unanalyzed. If (a), then we find that we have reversed the roles of dignity and direct duties: *Kim has dignity because she ought to be treated in certain ways* instead of *Kim ought to be treated in certain ways because she has dignity*. If (b), then Martin's proposal is simply unsuccessful. Is it the *proposition* itself, *Kim has the property of intrinsic value* that engenders the positive feelings? But in this case, either it is the cognitive content of the proposition that does the work, or it is some non-cognitive feature of the proposition that delights our observer. If the former, then is this not simply to say that Ivan takes the proposition to be *true*, and thus approves of it? But then moral facts obtain logically prior to Ivan's approval so that they may not be analyzed in terms of that approval. If the latter, then what, exactly, could it be? Is it in the rhythm or rhyme or the shapes of the letters on a page? *Kim carried carrots to Cambridge* might elicit noncognitive approval in some, but it seems an unlikely candidate for a moral foundation. Perhaps *Kim has the property of intrinsic value* is to be analyzed as *An ideal observer would value Kim intrinsically*. But then we have come to the heart of the matter.

The ideal observer theory faces a Euthyphro problem that has lurked in the preceding paragraphs. Does Ivan value Kim intrinsically because Kim is intrinsically valuable, or is she intrinsically valuable because Ivan values her intrinsically? Clearly, the first option is precluded as it would signal the abandonment of the ideal observer theory for a straightforward respect-for-persons ethic. Of course, if persons possess intrinsic value, and Ivan is an ideal observer, then he would, I suppose, value persons intrinsically. And that would be a good thing too because to do less than that would be less than ideal, which is unbecoming of an ideal observer. So is Kim intrinsically valuable *because* Ivan values her intrinsically? Presumably, this is what is called for. But why suppose that Ivan, impartial as he is and possessed of all of the relevant nonmoral facts *would* value Kim intrinsically unless she actually *is* intrinsically valuable? Russ Shafer-Landau has argued that such ideal observer theories face this dilemma: either they smuggle in moral facts that play a role in determining the ideal observer's feelings of approval or disapproval, or they admit only a knowledge of nonmoral facts, in which case there is no reason to suppose that the outcome is the morally desired one (Shafer-Landau 2003, p. 43). I think Copan is correct. Martin's ideal

observer theory is doomed to failure because there is no room for a robust account of the intrinsic value of persons. If such an account of dignity is to be had at all, it must be rooted in the metaphysics of personhood.

Kai Nielsen thinks that no special account of persons is required in order to make sense of the requirements of justice. Much less is a *religious* account required. Anticipating the sort of argument being developed in this chapter, he observes that the "religious apologist" will argue that the principle of respect-for-persons is rooted in "the ancient religious principle that men are creatures of God, each with an infinite worth" (Nielsen 1990, p. 123). Indeed, the apologist may go on to urge that even the naturalist subscribes to the core idea of respect-for-persons, but he is "surreptitiously drawing on Christian inspiration" in so doing. Interestingly, Nielsen allows that, as a matter of historical fact, the idea of personal dignity may have a religious genesis, but, he observes, the validity of an idea is independent of the circumstances of its first occurrence. The religious apologist would need to show – but "has not shown" – that respect-for-persons can *only* be supported on religious grounds. But, he insists, "there is a purely secular rationale for treating people fairly, for regarding them as persons" (Nielsen 1990, p. 124). Essentially, Nielsen proposes that Kantian respect may be drawn out of Hobbesian egoism.

> Each Hobbesian egoist would want others to treat him with respect, for his very happiness is contingent upon that; and he would recognize that he could attain the fullest cooperation of others only if other rational egoists knew or had good grounds for believing that their interests and their persons would be respected. Such cooperation is essential for each egoist if all are to have the same type of community life that would give them the best chance of satisfying their interests to the fullest degree. Thus, even if men were thorough egoists, we would still have rational grounds for subscribing to a principle of respect for persons. (Nielsen 1990, p. 125)

Now, Nielsen considers the problem of the "powerfully placed egoist" – that egoist who, for whatever reason, need not worry about retaliation or consequences to himself for riding roughshod over the "rights" of others. Here, he acknowledges that, in the final analysis, there may just be no egoist rationale for respecting others. Here, reasoning reaches the end of its tether and "we must simply decide what sort of person we shall strive to become" (Nielsen 1990, p. 125).

The latter is an odd thing to say in a book promising to secure a place for ethics without God. First, plenty of egoists have decided to be nasty. Plato's Glaucon left no doubt that, were he to be so "powerfully placed" – in this case, by possession of a ring that renders its wearer invisible – he would rape, pillage, and plunder by day and then sleep like a baby by night. Indeed, Glaucon thought that anyone granted such a power who continued to work for justice would be universally regarded as an idiot. But, further, if moral values are embraced by "subscription," then the values themselves are a facade. The structure of one's system of values rests upon the arbitrary choice itself. Where preferences clash with chosen values, there is a built-in opt-out clause. Any imperatives that Nielsen's agent agrees to obey will thus be conditional, hypothetical, and not categorical, as their force is always contingent upon whatever ends the agent has selected. Nielsen makes the decision to live the Good Life sound like a career choice. "And what do you wish to be when you grow up?" "I want to be either a terrorist or a torturer."

As it happens, Nielsen's earlier suggestion that certain moral beliefs are "bedrock" is misleading, as it is suggestive of a variety of foundationalism lending itself to moral realism.

But in a later book, Nielsen rejects foundationalism and suggests that moral realism is a "myth" (Martin 2002, p. 82). And so, Nielsen's project assures us that we may have ethics without God, but there is fine print. The "torturing of innocents" is not *really* evil, nor is "wife beating or child molesting" *actually* vile (Nielsen 1990, p. 10), but, rest assured, "God or no God," one is free to subscribe to a set of values that allows one to suppose that such things are evil or vile. Well, indeed. God or no God, one is free to suppose all sorts of things that are not true. One might even suppose that Kai Nielsen has written a book that accomplishes the purpose implied by its title.

What of Nielsen's proposal to pull a Kantian rabbit from a Hobbesian hat? We have the makings of the criticism behind us in our critique of "nice egoism." On Hobbesian egoism, one has direct duties only to oneself. Thus, any duties involving others are indirect and never direct. But, then, there is no room for affording moral standing to other people. If "torturing innocents" is "evil" on egoism, it can only be because of some evil that is incurred by the torturer. Hobbesian "respectful behavior" is a far cry from Kantian respect.

Personal dignity and the imago dei

Perhaps there are other potential bases for dignity to which the naturalist may appeal. Darwin quotes Kant on precisely our topic: "I will not in my own person violate the dignity of humanity" (Darwin 1909, p. 86). And he does suggest that this noblest of sentiments is most likely found in the civilized person rather than the barbarian or "uncultivated man." And this is because reason has a role to play in arriving at such a maxim. But the admission of a role for reason to play does not nullify the main point of Darwin's discussion: the initial social impulse is very much the product of natural selection. And it is in this immediate context that Darwin offers his hive bee example – what I have earlier called "Darwinian counterfactuals." At bottom, Dennett (1995) is likely correct in his observation that, given the Darwinian account, the belief in rights, and, here, dignity, is actually a "conversation stopper." "Rule worship" – even where those rules are, strictly speaking, "nonsense on stilts" – is adaptive in that it permits us to get on with the business of social intercourse.

Stephen Gould (1989) found a basis for something such as dignity in the radical contingency of the existence of *Homo sapiens*. It is wildly improbable that we should be here at all, and so there is wonder in this fact. Were natural history somehow rewound to play over again it is astonishingly improbable that anything like ourselves would form any of the branches on the evolutionary tree. Given Gould's naturalism, this is almost certainly true. And reflection upon the radical contingency of our existence is, I think, a spiritual discipline that results in a kind of astonishment which, in turn, may yield gratitude. Chesterton compared the world to the few items that Crusoe managed to salvage from the wreck, which are all the more precious for the fact that they might not have been. It was said of Chesterton that he never quite got over the fact of his own existence, and this is surely correct, as his essays everywhere evince wonder and even astonishment over the fact that there is a creation and he *happens to be in on it*. But if *Homo sapiens* is astonishingly improbable, so are *Ursus horribilis* and *Rhododendron arboretum*. So are the Himalayas, the Isle of Crete, and, for that matter, each and every Mississippi towhead as well as the Milky Way itself. Improbability alone is not sufficient for singling out persons as having any special significance. And the difference between the worldviews of Chesterton

and Gould is that the former has Someone to thank for purposely gifting him with wonderful life.

The naturalist's obstacles in accounting for the dignity of persons are at least threefold, and they are interlocked: how to derive the personal from the impersonal, how to derive values from a previously valueless universe, and how to unite the personal and the valuable with the result of a coherent and plausible notion of personal dignity. But suppose that the personal and the valuable are not emergent features of reality at all, but, rather, are basic. Indeed, suppose that personhood is the most basic feature of reality and, that, in fact the impersonal ultimately derives from the personal. Suppose that the one thing that is both metaphysically and axiologically ultimate is a person, so that personhood and value are necessarily united in that Being. Theists, of course, maintain precisely this and believe that Being to be God. Thus, "At the heart of 'the natural order of things' is a divine consciousness" (Goetz & Taliaferro 2008, p. 84).

Recall that Dennett and others have insisted that any explanation of consciousness that is not in terms of the nonconscious is question-begging. But one might suggest that this very assertion begs the question. Consider two kinds of explanations for some given event: *teleological*, which "explains a phenomenon by reference to the intentional actions of an intelligent agent" (Yandell 1984, p. 62), and *mechanistic*, which "explains a phenomenon by reference to physical events and a theory that relates physical events to one another by means of lawlike statements" (Yandell 1984, p. 63). Dennett assumes that all *ultimate* explanations must be mechanistic, so that the teleological, where it occurs, must be explained in mechanistic terms. But this is just to take naturalism as a kind of axiom, and it is far from clear that such an assumption is warranted. And it is precisely here that the theist reverses Dennett's order of explanation. The most ultimate explanations – including an explanation of why we observe lawlike relations that obtain among physical things – are teleological in nature because the world exists due to the creative activity of God. On theism, teleological explanations are irreducible and more basic than mechanistic explanations. And the justification for taking them as irreducible in this way is found precisely in the resulting implausibility and possible incoherence of attempting such reductions. We simply cannot explain all that calls for explanation unless there is a place for irreducible teleology in the scheme of things. For the theist, teleology factors in principally at the level of divine purpose and activity, but theism also offers an account of human persons that permits the irreducibility of human consciousness and purposes. Note, by the way, that the theist can afford to be a pluralist when it comes to explanation. Whereas Dennett's brand of naturalist must banish all teleology from the universe, the theist finds a place for mechanistic explanations within the world, and the latter seems a better fit with what we know.

According to the theist, then, God is personal and is the source of all value so that the value of personhood is found in the fact that the metaphysically, axiologically, and explanatorily ultimate Being is a person.

Kant compared the Christian command to love one's neighbor and even one's enemy to central features of his view, including the idea of respect, whether this is respect for a person or a reverence for the law. His immediate aim is to distinguish between actions that are done from duty and those that are merely from inclination. He writes:

> It is doubtless in this sense that we should understand too the passages from Scripture in which we are commanded to love our neighbor and even our enemy. For love out of inclination

cannot be commanded; but kindness done from duty – although no inclination impels us, and even although natural and unconquerable disposition stands in our way – is *practical*, and not *pathological* love, residing in the will and not in the propensions of feeling, in principles of action and not of melting compassion; and it is this practical love alone which can be an object of a command. (Kant 1964, p. 67)

Kant's distinction between duty and inclination is widely thought to be problematic. After all, the promptings of inclination in Aristotle's virtuous person who is "pleased by the right things" would seem to result in actions of supreme moral worth. And it is not strictly true that one cannot be held morally responsible for one's inclinations. Aristotle spoke of "rational emotions," and the idea is that inclinations may themselves be either rationally or morally appropriate or inappropriate. C. S. Lewis confessed to not being fond of small children, but also acknowledged this as a defect. If I am responsible for cultivating a certain sort of character, and if my inclinations proceed from my underlying character, then I might be thought to be responsible for my inclinations. Actually, Kant was clearly aware of such possibilities, as he suggested that we have a duty to cultivate a "moral feeling" (Kant 1956, p. 40).

But though there seem to be no extant copies of any commentaries on the gospels with Kant as their author, he appears to have this bit of exegesis right. Christ's command to love even one's enemies is clearly not the demand that we conjure feelings of affection for, say, terrorists and tyrants. Rather, Christian charity (αγαπη) is, I believe, favorably comparable to the Kantian idea of respect in that it is an attitude of unconditional regard for the worth of its object. As such, it "does not seek its own," or, is not contingent upon reciprocation. It is called for regardless of the behavior of the person who is its object. As I see it, the rationale for Christ's command to love persons unconditionally is found in the unconditional *value* of such persons. Because each person enjoys a worth that is categorical in nature – independent of any extrinsic considerations – the morally appropriate attitude to take toward them is one of a categorical regard for that worth. In this we seem to have a parallel between the Christian concept of charity and the Kantian notion of respect – and the Confucian idea of *jen*, for that matter. In each case, there is the affirmation of an unconditional personal worth paired with an injunction to value persons accordingly. And, in each case, the value and the valuing are together at the very heart of the ethical system. The centrality of Christian charity is seen in an exchange between Jesus and a lawyer as recorded by Luke (10:25–7, NIV).

> On one occasion an expert in the law stood up to test Jesus. "Teacher," he asked, "what must I do to inherit eternal life?" "What is written in the Law?" he replied. "How do you read it?" He answered: "'Love the Lord your God with all your heart and with all your soul and with all your strength and with all your mind'; and, 'Love your neighbor as yourself.'" "You have answered correctly," Jesus replied. "Do this and you will live."

The conjunction of a love for God and neighbor is no coincidence, as the rationale for loving one's neighbor – humanity in general – is grounded in the very reasons for loving God with the entirety of one's being. And this is because the *value* of persons is, in turn, grounded in the personhood of God. Persons *qua* persons are created in the image of God in that God himself is a person. On a Judeo-Christian worldview, *human* personal dignity, though intrinsic, is derivative. The value of human persons is found in the fact that, as bearers of the *imago dei*, they bear a significant resemblance to God in their very

personhood.[22] God and human persons share an overlap of kind membership in person-hood itself, and human dignity is found precisely in membership in that kind.

Consider the theist's answer to a modified version of the dilemma that we urged against Martin's ideal observer theory. Are (human) persons valuable because God values them, or does God value them because they are valuable? I argued that Martin cannot say that his ideal observer values persons because they are valuable, as this would signal the abandonment of the ideal observer theory for something more like a respect-for-persons approach. But this is precisely the option that the theist embraces: God values human persons because they are intrinsically valuable. Further, they have such value because God has created them after his own image as a Person with a rational and moral nature.

On theism, human persons have been fashioned, in one morally relevant respect, after the most ultimate and sacred feature of reality and thus participate in that sacredness. Further, the personal is at home in such a universe. Nietzsche remarked that, contrary to a popular conception of Darwinism, "man" is actually "the most unsuccessful animal, the sickliest, the one most dangerously strayed from its instincts" (Nietzsche 1982, p. 580). I take it that the straying that he has in mind involves those very human aspirations that Russell sought to preserve untarnished. These involve a straying – and a dangerous one at that – because they have no place in a Nietzschean or Rusellian universe. Albert Camus had these same aspirations in mind when he wrote of the absurd. The absurd is born of a tension between two incongruent things. When a man armed only with a sword charges a well-armed machine gun nest, the absurdity is found not simply in the swordsman and his intentions, or in the arsenal that awaits him, but in the tension that is created by his intentions set against the reality that he is sure to face. Similarly, Camus thought, human existence is absurd because of a confrontation between "the human need" on the one hand, and "the unreasonable silence of the world" on the other" (Camus 1955, p. 21). The universe is simply silent and indifferent to our concerns.

The absurd serves in Camus' writings as the springboard for asking what he regards as the most fundamental philosophical question, the question of suicide. Of course, the whole point of existentialism is to attempt to conjure meaning where none otherwise exists. The theist, on the other hand, finds no such "confrontation" or "tension" at all, and this is because human persons find themselves in a world that is, at bottom, personal in nature. If Camus thought that suicide was a serious option, the theist G. K. Chesterton described suicide – particularly the *philosophical* suicide that results from a despair of human existence – not simply as *a* sin but as *the* sin. And he saw it as such precisely because it implies a profound ingratitude for and disdain of a wondrous creation. "There is not a tiny creature in the cosmos at whom his death is not a sneer. When a man hangs himself on a tree, the leaves might fall off in anger and the birds fly away in fury: for each has received a personal affront" (Chesterton 1986, p. 276). Where Camus found only an unreasonable silence, Chesterton discovered, and rejoiced over, an "eternal gaiety in the nature of things"

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22. Resemblance is, of course, a relation between two or more things. And so an initial puzzle may seem to arise. Have we not said that if a property is intrinsic it is not also relational? How, then, can the intrinsic value of persons be found in their resemblance to God? But a moment's reflection will clear this up. Consider Plato's scheme in which a horse is what it is in virtue of its participation in, or exemplification of, the Form of equinity or "horsey-ness." Horses are intrinsically what they are even if being such involves such a relation to the Form. Indeed, twins bear a mutual resemblance *in virtue of* their respective intrinsic properties.

(Chesterton 1986, p. 96) for he had the belief that, when people dance a *pas de quatre*, "the stars are dancing to the same tune" (p. 96).[23]

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