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Moral Particularism

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Against Deriving Particularity

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Since the mid-1980s, the distance in substantive ethical views between impartialists or adherents of principle-based ethics (generally, Kantians and consequentialists) and partialists or particularists has greatly diminished. There is general agreement that compassion, friendship, generosity, and familial devotion are good things that should play a part in any morally adequate life. Both sides agree that virtue is a central moral idea, and that an adequate account of the moral life can not jettison it. At the same time, both sides seem to agree that concern for the welfare of strangers, commitment to some general principles, and a concern for the general good must play their part as well.

Disagreement between the two general camps (which I will refer to for the time being as 'impartialists' and 'particularists', bracketing for the moment differences within each rubric) has tended to shift to a theoretical level. Virtuists and adherents of care ethics represent two general approaches to ethics that require particularity and partiality to pose a

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¹ 'Care ethics' has an irreducibly particularist dimension, focused on response to the particularities of particular other persons' situations. (However, there can be both partialist and non-partialist forms of care ethics—i.e. those that accord distinct moral standing to particular personal relationships (the more common form) and those that do not.) 'Virtue ethics' is theoretically agnostic on the particularism issue—there could be a non-particularist form of virtue ethics—but in general virtue theorists recognize that some virtues (compassion and generosity, for example, as I will argue below) have an irreducibly particularist dimension. Similarly, most virtue theories wish to make room for partialist virtues such as familial devotion and friendship, but it would be possible to imagine one that did not.

significant challenge to the theoretical commitments of impartialism.¹ Impartialists, in contrast, wish to retain a primacy for impartiality and general principles.

Some particularists, such as Jonathan Dancy, accord full theoretical priority to particularism.² In this chapter I defend a more moderate position, one that is pluralistic in character. At the psychologically deepest level of the moral life, and of its philosophical expression, lie notions of virtue, particularistic moral response, and partialist moral concern. These notions provide irreducible constraints on the construction of any theories or accounts of the character of morality. Morally, the intuition that we have special moral ties to members of our families which we do not have to others is as secure a moral conviction as that every human being should be treated with dignity. The belief that generosity and compassion, which fall outside a purely principle-based approach and are irreducibly particularist (an argument for this is given on p. 212), are ethical virtues is as secure as the impartialist view that in moral thought everyone should count equally.

At the same time particularity is, on my view, no *more* fundamental than impartiality. There is no unitary ‘moral point of view’ that can be defined in terms of a single moral notion or procedure.

Three Impartialist Approaches to Deflating Particularity

I am concerned with ways various impartialist accounts of morality have, or could, respond to the challenge posed by particularity (which, from this point on, I will use to mean ‘particularity or partiality’, except when the context makes it clear that I mean one of them in particular), by muting the theoretical significance of particularity. They attempt to ‘deflate’ the claims of particularity to theoretical significance at the deepest level of a philosophy of morality.³

I distinguish three impartialist approaches (which I will sometimes call ‘projects’) to deflating the theoretical significance of particularity. Often

² Jonathan Dancy, *Moral Reasons* (Oxford, 1993).

³ Impartialism has also been criticized for failing to accord legitimacy to ‘the personal point of view’ and, relatedly, for undermining personal integrity or generating alienation, a concern initiated by Bernard Williams’ seminal articles ‘Person, Character, and Morality’, in *Moral Luck* (Cambridge: CUP, 1981); and ‘A Critique of Utilitarianism’, in Williams and Smart, *Utilitarianism: For and Against* (Cambridge: CUP, 1973). My concern is not to validate the personal point of view as such—for example, to defend personal relationships as a form of personal good—but to argue for the *moral* (or *ethical*, or *quasi-moral*) value of devotion to friends and family, compassion, and other particularistic phenomena.

particular impartialists adopt more than one of these approaches without drawing clear lines between them.⁴

The *dismissive* approach presupposes a sharp distinction between moral and non-moral value, and then denies moral value to particularist phenomena entirely, though perhaps according them some *other* kind of value. For example, acts of love, compassion, generosity, or familial loyalty may be seen as good, but not *morally* good. This approach reflects Kant's famous claim in the *Foundations of the Metaphysics of Morals* that actions from sympathy have no moral worth. Though it deserves 'praise and encouragement' it is a mere inclination and does not partake of the 'far higher worth' that comes from acting from duty.⁵

The *derivation* approach, by contrast, acknowledges the moral worth of particularistic phenomena, but sees them and their worth as directly *derivable from*, and thus ultimately reflective of, impartialist notions. While on the surface particularity may seem other than and inconsistent with impartiality, if we look deeper we will find that particularity is really a *form of* impartiality, rightly understood.

The *validation* approach agrees with the derivation approach in according moral or ethical worth to particularistic phenomena, but, in contrast to it, does not see these phenomena as *derivable from* impartialist notions. The psychological source of particularist phenomena does not lie in impartialist principle. More significant, the moral value of particularistic phenomena is not derived from—or not fully derived from—the moral value of impartiality. What makes the validation approach deflationary is that it claims that the moral or ethical worth of particularity requires *legitimizing, validating, or authorizing* by impartiality. According to validation, compassion and generosity may be virtues, and ones not of a principle-based or impartialist-based character; however, in order to be accorded ethical worth, they (or particular instances of them) must pass the test of permissibility, a test whose character is determined by universal principle or impartiality. Though their full moral character is not exhaustively accounted for by impartiality, still impartiality must give these virtues its

⁴ To one degree or another, many contemporary theorists partake of the deflationary project. The one most straightforwardly critical of my own work *Friendship, Altruism, and Morality* (London: Routledge & Kegan Paul, 1980) and 'Gilligan and Kohlberg: Implications for Moral Theory' (*Ethics*, 98 (1988), 472–91), on these particular grounds is Jonathan Adler, 'Particularity, Gilligan, and the Two-Levels View' (*Ethics*, 100, October 1989, 149–56). I am indebted to Adler for providing the impetus to write this chapter, as a defence of my views against his criticisms.

⁵ I. Kant, *Foundations of the Metaphysics of Morals* (1785), trs. L. W. Beck, (Indianapolis: 1959), 14–15.

imprimatur. Commitment to impartialist notions constitutes a necessary condition for the moral legitimacy of particularity.

What is Being Deflated?

Different deflationary projects aim at deflating distinct entities. Their targets may be non-universality, partiality, or particularity. My argument aspires to defend any of these against this attempted deflation. A 'universal' principle is one that is both general and also makes no reference to the agent's previously existing personal relationships. So the principle, 'Devote oneself to the welfare of one's child' is general but non-universal;⁶ while the principle, 'Promote the good of all (independent of their relationship to oneself)' is universal. Some anti-particularists regard a deflationary project as adequate if it retains the former (generality but non-universality) as its fundamental theoretical commitment in terms of which particularity or partiality is deflated. Others would regard this stance as insufficiently impartialist, and would press to eliminate the essential reference to the agent's relationships at the level of moral fundamentals. For example, Alan Gewirth argues that such partialist, generalist principles as 'Devote oneself to the welfare of one's child' are antithetical to impartialism, and tries to show that they can be derived from purely impartialist principles.⁷

'Partiality' is generally understood to mean that it is morally right to give a higher priority in one's actions to the good of those to whom we stand in certain sorts of relationship (friend, teacher, parent) than to those to whom we stand in no relationship, everything else being equal. 'Particularity' is sometimes used to mean partiality (as Gewirth does) but can be given other meanings as well. For example, some use it to mean that the agent's particular moral identity may permissibly be taken into account in deciding on right action, as a reason for departing from a purely universal, or perhaps even general, approach to a situation (i.e. what *anyone* should do).

⁶ This use of 'universal' is, I trust, sufficiently familiar. Yet in a sense it is arbitrary. One could regard the principle 'Devote oneself to the welfare of one's child' as universal *in the sense that* it applies to any agent. Yet it is *not* universal in an equally legitimate sense of privileging particular relationships over an equal concern for all independent of such pre-existing relationships. I am marking this distinction by calling the principle in question 'general' (applying to anyone who occupies the relevant situation) but 'non-universal' (making essential reference to pre-existing relationships of the agent).

⁷ In Alan Gewirth, 'Ethical Universalism and Particularity', in *Journal of Philosophy*, 85 (June 1988), 283–302.

I use it with a meaning it is often given in care and virtue ethics, and that is that the agent responds to the particulars of a situation without drawing (explicitly or implicitly) on any general (much less universal) principles of an act-determining nature. Thus a parent might in fact be devoted to the welfare of her child without acting from any *principle* to that effect. She may take no stand on whether others should be similarly devoted to *their* children, or whether they should perform some particular act of devotion that she performs. But her devotion to her child instantiates the virtue of 'devotion to the welfare of one's child'.

This meaning of 'particularity' will be further elaborated below, but it is in this sense that I aim to defend particularity, partiality, and non-universality against whichever of these the impartialist chooses to target. While this may seem to render my argument incomplete, since defences of particularity do not necessarily serve to defend partiality (and the reverse as well), by considering major forms of attempted deflation I hope to make the case that deflation is unlikely to be successful with regard to any of its usual targets.

The Dismissive Approach

The dismissive approach suffers from a fatal arbitrariness. Accepting for the sake of argument the sharp line it draws between the moral and the non-moral, it would be reasonable to inquire what sort of non-moral value acts of compassion, friendship, and generosity are to be assigned. Non-moral value may be articulated through the categories we possess under that rubric—aesthetic, prudential, intellectual, economic, and the like. The value of these actions is not *aesthetic*, or at least not primarily so, nor more so than actions reflective of impartiality (for example, just actions, or actions promoting maximal agent-neutral value). Nor is the value involved in these acts merely *prudential*, aiming at the agent's interest. Nor do the virtues in question fall into the category of *intellectual* virtues—such as cleverness, ingenuity, or intellectual depth.

As long as the line between moral and non-moral is claimed to be sharp, as the dismissive approach requires, it is difficult to see why action from virtues such as friendship, compassion, and generosity should be entirely excluded from the 'moral' category, absent a prior commitment to a conception of morality that requires impartialism (in some particular form, as in Kant's view cited above). Until an argument independent of the dismitter's prior conception of morality is provided to warrant consigning

acts of compassion, generosity, and family devotion to a category of non-moral value, to do so remains arbitrary.

Actions or motives informing friendship or familial devotion may not seem paradigmatically moral. Nevertheless, unselfish concern for the friend's or spouse's welfare seems pretheoretically more like a form of moral concern than a definitively non-moral concern.

My argument here is not meant positively to *affirm* the moral significance of the particularistic phenomena. The argument is rather that a view that is itself invested in a sharp and exhaustive moral/non-moral division fails to make a plausible case for putting the particularistic virtues on the non-moral rather than the moral side.⁸

In fact the 'dismissive' approach—entirely denying moral significance to particularistic phenomena—has *not* been much followed by contemporary adherents of the impartialist traditions. By and large their approach has been rather to *acknowledge* the moral worth and significance of particularity—of virtues of personal relationships, caring and compassion, and the like—but to claim that these phenomena fail to pose a significant challenge to the structure and commitments of impartialist theories. In addition, sometimes the particularistic phenomena are seen as having either *less*, or a derivative form of, moral value than impartiality and universal principle. That is, impartialists tend to engage in either the 'derivation' or the 'validation' approach, each of which acknowledges the moral or ethical value of particularity but rejects the claim of particularity to constitute a theoretically significant element in morality.

I will focus in this chapter on the derivation project, much the more robustly deflationary of the two. Because the validation project concedes that impartiality cannot account for the ethical value of at least some phenomena, it leaves open the possibility that a good deal of what is of moral

⁸ I myself would follow Bernard Williams' suggestion, in *Ethics and the Limits of Philosophy* (Cambridge, Mass.: Harvard U. Press, 1985), that in this context we employ a notion of 'ethical' that does *not* require a sharp separation between ethical and non-ethical, and that leaves room in 'the ethical' for a plurality of kinds of consideration. Such a broadly Aristotelian conception allows, for example, that honesty, compassion, generosity, and loyalty might fall clearly within the category of 'ethical' (bound up most centrally with important facets of the way we lead our lives in the context of other persons and their lives). It allows that virtues such as tactfulness and resourcefulness may or may not count as 'ethical'; yet even if they do not, they can still be acknowledged as bearing some relationship to the ethical. So the line between ethical and non-ethical is not a sharp one. Williams' conception does not require that each ethical virtue be directly concerned with others' interests, as do the altruistic or benevolent virtues. It leaves room, for example, for virtues that can be put entirely to self-regarding uses, such as courage or temperance. But we will not be able to understand these *as* virtues without reference to some regard for the lives of other persons.

significance in our lives stems from sources other than impartiality. This calls into question its claim that impartiality is in any overall sense more fundamental than the ethical notions underlying these other phenomena (whether virtue, particularity, partiality, or whatever), and leaves it with at best a tepid form of deflation.⁹

The Derivation Approach

The derivation approach aspires to show that particularity is in some way *derivable* from, and is thus in its inner character ultimately reflective of, impartiality. To count as a candidate for a derivation, a view must satisfy the following two conditions:

(1) Genuine particularity—not merely an appearance of it—must be acknowledged on the level of lived morality, that is, of moral agents' actual motivation, dispositions, and understandings of their own actions. This condition guarantees that the candidate for particularity-deflating acknowledges a genuine and not merely apparent or illusory particularity.

(2) The view must *attempt to explain* the lived particularity in terms of impartialist notion(s). The impartialist concept must be proffered as explaining the character and value of particularity. Failing this condition, the view will not have attempted a derivation of particularity from impartiality.

An instance of a view which fails to satisfy these two conditions is one that claims that agents who appear to be acting from particularistic motives and virtues are in fact, whether they consciously recognize this or not, operating from universal moral principles. If pressed to scrutinize their motives more deeply, these agents would be compelled to acknowledge that, indeed, they were drawing on some universal principle.

An example illustrating this claim is the following generous act: Sarah, upon discovering that a friend is particularly fond of a kind of shirt that she herself owns (but the friend does not know this), and of which she is fond but not deeply attached, gives the shirt to the friend simply because she wants her to have it. Sarah takes herself to be motivated simply by her friend's fondness for the shirt, and (rightly) does not regard herself as obliged to do so. This motivation coupled with various other conditions

⁹ The argument that the 'validation project' does not really deflate particularity, is made in my 'Gilligan and Kohlberg: Implications for Moral Theory', (see fn. 4). That article has been rewritten for my *Moral Perception and Particularity* (New York: CUP, 1994).

(e.g. that Sarah in fact has no obligation to provide the shirt, that the friend does not have a dire need for the shirt) renders her act a generous one.¹⁰

The purported deflationary view being considered here would claim that despite what Sarah takes her motivation to be (a desire to satisfy her friend's wish for the shirt) she is *actually* operating from some general and universal principle—perhaps to the effect that whenever one possesses something of a certain degree of value and learns of a friend's desire for that object (a desire indicating that the friend would get more pleasure out of it than one would oneself), then one should give the item to the friend. The view goes on to claim that *whenever* a moral agent apparently acts from a motive of an apparently particularistic nature, such as non-principle-based compassion for a particular person or concern for a family member, in fact that person is drawing on a universal principle which specifies and prescribes that very same act.

Even if we grant the implausible claim that a general principle could be located that prescribed (for example) every generous act, its existence would not be sufficient to show that the agent is actually *acting from* that principle when she engages in her generous act. While not all moral principles from which an agent operates need be explicitly consulted on each occasion—principles may be so deeply ingrained that their motivational force becomes habitual—there remains a difference between an agent's actually possessing the principle as part of her implicit and explicit motivational structure, and such a principle's being formulable but not playing any role in a given agent's psychology. (That psychology contains not only direct motives but conditions under which motives operate.)

Only a purely theoretically driven commitment to the ubiquity of moral principles provides grounds for asserting affirmatively that on *every* occasion on which an agent does *not* take herself to be acting from such principles (but simply to be acting from an inclination to give her friend pleasure in this particular situation), she is, nevertheless, doing so.¹¹

So the view in question is not an instance of a deflationary derivation project at all. It does not attempt to *deflate* particularity at the lived level by

¹⁰ I draw this account of generosity from James Wallace in *Virtues and Vices* (Ithaca, NY: Cornell U. Press, 1978), 131–36. Wallace calls this form of generosity, in which goods and services are given to the other 'economic generosity', to distinguish it from other forms, such as being generous in evaluating someone.

¹¹ The principles in question must be sufficiently contentful to count. For example, the injunction 'be generous' does not provide sufficient guidance to action to count as the sort of principle a principle-based account needs to constitute a genuine alternative to a virtue or particularity-based view. If it did, every virtue-based action would be automatically principle-based, since it would instantiate the principle 'be virtuous'.

deriving it from something else, but rather to *deny* it altogether. It says there are no genuinely particularistic motives; all apparent ones are really instances of general principles. Thus, this approach does not retain particularity at the lived level. It violates condition (1).¹²

If the purported deflator retreats to the mere *existence* of a universal principle prescribing the generous act (leaving aside the implausibility of that postulation), she violates condition (2). This view fails even to attempt to explain lived particularity by reference to an impartialist concept. It does not attempt to deflate particularity but only to show that alternative ethical approaches would generate the same actions.

Note that even if, as both these views postulate, the action prompted by the particularistic motive were in some meaningful behavioural sense the same as that prompted by a universal principle, it would not follow that the ethical description of the action—hence the value we attach to it—would be the same in the two cases. To take our earlier example, if Sarah gives her friend a shirt in the generous manner described earlier, this action is valued as a ‘generous act’. The same behaviour of giving the friend a shirt is not necessarily to be accounted a *generous act* if Sarah acts on the basis of a universal principle prescribing the act. The latter action could be valued, as, say, a conscientious act or a dutiful act; but neither of these is the same as generosity. That which explains the value and character of a dutiful or conscientious act would not thereby explain the value and character of a generous act.

Two-level Views

I want now to consider a family of views familiar in moral theory that (in contrast to those above) *do* satisfy conditions (1) and (2), hence are genuine candidates for derivation projects. These approaches involve a ‘two-level’ structure, perhaps most famously articulated by R. M. Hare but applicable to many other theories. While not all two-level views are of one type, nor do all serve the same purposes within moral theory, many of them are explicitly or implicitly deflationary of particularity. A feature

¹² The position taken by the purported deflation is actually a version of a position not catalogued in my original description of options for impartialist theories. It differs from the dismissive view in that the latter acknowledges particularity as a distinct psychic motivational phenomenon, denying only that it has moral value; the view being considered here denies particularity as a distinct psychic phenomenon itself. This move can be found in Jonathan Adler, ‘Particularity, Gilligan’.

common to most of them is a distinction between a level of lived, intuitive, or commonsense morality, and another, deeper, more normatively or philosophically substantial level taken as defining the moral point of view and expressed in terms of the concepts the theory takes as characterizing morality in its fundamental nature.¹³

Two-level deflationary theorists argue that moral notions at the commonsense or lived level need not *on their face* reflect the notions characterizing the normatively sounder level; in fact the point of the two-level theory is that the two levels have distinct psychological and apparent ethical characters. Nevertheless, the ethical legitimacy of the intuitive or lived notions stems ultimately from their being derived from, and thus reflecting, notions of a different character at the normatively sounder level.

Regarding particularity, such two-level views acknowledge that we sometimes appropriately act from motives of a particularist or partialist nature, such as (to take a frequently mentioned example) the preference accorded members of our own families when we are in a position to benefit them but are equally in a position to benefit others. A further elaboration of this example postulates a sentiment—such as love for one's family—that underlies that actional preference. The two-level theorist approves of the sentiment and the preference, yet sees both as apparently inconsistent with maximization of agent-neutral value or whatever impartialist notion the theorist takes as characterizing the normatively sounder level. For a direct impartialism would allow no special concern for the good of one's family over the good of strangers.

Thus, the two-level theorist in question acknowledges an apparent conflict between these two commitments (in this case, partialist and impar-

¹³ Some examples of forms of two-level-ness that do *not*, or cannot, coherently aspire to deflating particularity are the following (not all of these permit the two levels to be accurately characterized as 'lived' and 'deeper/normatively sounder'): (1) The lived level is spontaneous and unreflective action; the deeper level involves action based on reflection. (This is not deflationary because particularity can be either reflective or unreflective.) (2) The lower level comprises the kind of thinking required for decision-making when one must act fairly quickly; the other level comprises moral reflection that need not be tied to specific decisions, and that is not constrained by time. (Particularity is no more centrally tied to quick decision making than is impartiality.) (3) The lower level consists in simple, coarse-grained moral precepts; the higher level involves more refined and accurate principles, required for situations of conflict between lower-level principles. (Particularity is not generally principle-based, and so may fit into neither of these categories.) (4) The lived level consists in accurate principles; the deeper level is a fuller *account* of why principle-based action is right than that supplied merely by principle. (Again, particularity does not generally involve principles, nor need an account of the value of particularity deflate it.) (Options (3) and (4) are insightfully discussed in T. M. Scanlon, 'Levels of Moral Thinking', in D. Seanor and N. Fotion, *Hare and Critics: Essays on Moral Thinking* (OUP, 1990).)

tialist). She attempts a reconciliation between the two by claiming that the maximization of agent-neutral value would best be promoted precisely by dispositions of this partialist character. Although on some particular occasions acting from such dispositions involves acting contrary to the promotion of this end, in the long run these dispositions best realize the deeper-level impartialist commitments of the theory.

The deflationary character of these two-level theories may not be immediately apparent. They are often framed as attempts to *preserve* space and legitimacy for particularity and partiality that would be excluded by interpretations of impartialism requiring the agent to act *directly* from explicit impartialist principles on all occasions. Nevertheless, two-level theories regard the lived particularity as ethically acceptable and legitimate *only* in so far as it can be derived from the deeper level impartiality. Accommodation at the lived level is acquired at the price of deflation at the philosophical/theoretical level. This deflationary aspect is in fact part of the implicit *point* of most (though not all) of the most widely and currently influential forms of two-level theories. It is to ensure that particularity (in its various manifestations) *not* threaten the theoretical primacy reserved for the impartialist notions taken as defining morality.

There are several distinct types of two-level deflationary views. Perhaps the most familiar is consequentialism, in which the deeper level is characterized in terms of promoting good consequences overall and with indifference to particular persons, each of whom is regarded as equally worthy of having her good promoted. I will consider this view in detail in a moment, but want to mention, for the sake of contrast and to indicate the breadth of two-level particularity-deflating views, three other types.

One is T. M. Scanlon's *contractualism*, in which the deeper level is characterized in terms of the standpoint of principles that reasonable persons could not reasonably reject.¹⁴ A second is *dialogical*, as in Jurgen Habermas's view, in which the deeper level is characterized in terms of a discussion, subject to certain constraints, among persons seeking to resolve differences in interest and moral outlook.¹⁵ A third, represented by Alan Gewirth's 'Ethical Universalism and Particularism',¹⁶ casts the deeper level as a specific moral principle—the right to freedom and wellbeing—and

¹⁴ T. M. Scanlon, 'Contractualism and Utilitarianism', in A. Sen and B. Williams (eds.), *Utilitarianism and Beyond* (Cambridge: CUP, 1982), and *What We Owe to Each Other* (Cambridge: Harvard University Press, 1998).

¹⁵ See, e.g., J. Habermas, *Moral Consciousness and Communicative Action* (Cambridge, Mass.: Harvard University Press, 1991).

¹⁶ Gewirth, 'Ethical Universalism and Particularity'.

claims that particularistic principles can be derived from that non-particularist principle.

Conditions for a Successfully Deflationary Derivation Approach

To be *successfully* deflationary, a derivation approach must satisfy two further conditions beyond the two considerations earlier: (1) acknowledgment of genuine particularity on the lived level; and (2), attempting to account for the character and value of the particularity on the deeper or normatively/philosophically sounder level.

(3) The characterization of the normatively sounder level must be distinctly impartialist, expressed in terms of concepts genuinely incompatible with particularity at that same level. While the relevant two-level views aspire to meet this condition, not everything that conforms to the specifications for two-level views does so; for not every concept characterizing the deeper, basic level of moral concepts is non-particularist. Take the view that *virtue* (rather than impartiality, maximizing agent-neutral value, or universal principle) is the fundamental concept of ethics, and that ethical phenomena at the lived level—for example, specific virtuous acts—have ethical value precisely and only in so far as they instantiate virtue. Such a theory would not be deflationary of particularity, since virtue allows for particularity. Yet its theoretical scaffolding would still be in the form of a ‘two-level’ view. More generally, the mere fact that a view proffers an account, or theory, of morality, does not render that account necessarily impartialist or non-particularist.¹⁷

Furthermore, not every two-level view need characterize the deeper level in terms of a *unitary* conception of the moral point of view such as characterizes all the two-level views so far mentioned. Rather the deepest level could consist of a *plurality* of mutually irreducible ethical notions all taken to be basic, but none more basic than the others. There might, for exam-

¹⁷ By speaking of ‘account or theory’, I mean to avoid the current controversy about the place of theory in ethics. I am accepting the idea that philosophy needs to be able to provide an account of why the moral phenomenon in question on the lived level (compassion, honesty, justice, filial loyalty) possesses the kind of value it does. Sometimes this account is spoken of as ‘justifying’ the lived level phenomenon. I am trying to avoid using this term as I fear that it implicitly tilts toward impartialist conceptions of the philosophical account. What are taken as requiring justification are particularist or partialist phenomena rather than impartialist ones. If ‘justification’ can shed this connotation, I do not object to it. I do not want to rest content with purely particular intuitionist judgements of the moral worth of specific actions, but seek a more general level that accounts for this worth.

ple, be both impartialist and virtulist or particularist notions at the deeper level.

Views that, at the deeper level, contain concepts themselves reflecting particularity—either by themselves or as one of a set of mutually irreducible basic ethical notions—do not satisfy condition (3), and would not be successful as deflation projects. The deflating of particularity can be accomplished only if the impartialist (or other particularity-inconsistent) conceptions are the sole occupants of the philosophically sounder level, thus excluding particularistic notions from being fundamental to the philosophical account of morality. Only then will they have undercut the claims of particularity to characterize morality at the deepest and most fundamental level.

(4) The final condition is that the impartiality, universality, and the like, on the deeper level must succeed in fully accounting for the particularity on the lived level. That is, it must account for the *character* of the particularity; and it must account for the type of *value* that the particularistic phenomena is pretheoretically taken to possess. (Remember that the derivation approach does not challenge the pretheoretic moral worth of the particularistic phenomena as does the dismissive approach.) The impartiality must provide a form of explanation of the particularity that fully reveals its (form of) value.¹⁸ The deeper level explains why the lived level phenomenon is good. For example, if the derivation accounts for an act of generosity or familial love as morally permissible, but accords and accounts for no value beyond this, it will have failed condition (4); for generosity is pretheoretically valued (*ceteris paribus*) as a positive moral good, not merely morally permissible, such as is, say, drinking tea.

Condition (4) distinguishes the derivation project from the validation project, which does *not* aspire to give a full account of particularity's form of value but only to ensure the phenomenon's consistency with impartiality. For example, for validation to be successful on its own terms, it would be sufficient that an act of generosity be consistent with certain limiting conditions set by universalizable principles of permissibility, not that this consistency account for the (full) moral value of the generosity.

Hare's Indirect Consequentialism as a Derivation Approach

Let me now turn to the best-known version of a particularity-deflating two-level theory: consequentialism. Its deflationary aspect is more an

¹⁸ I am grateful to Bernard Williams for help in formulating this condition.

upshot than an explicit aim of consequentialists' discussions of particularity, which are set in a framework of defending consequentialism against certain objections that involve particularistic phenomena. For example, R. M. Hare responds to the charge that because of their non-impartialist nature the moral validity of loyalties to members of one's family constitutes an objection to utilitarianism.¹⁹ Hare counters that such loyalties are *not* contrary to utilitarianism, but the upshot of his argument is that family loyalties are morally valuable *only* in so far as they are derivable from utilitarianism. They have no moral standing independent of their serving an impartial concern for the welfare of all. So the legitimacy of partiality is acknowledged only on the lived level; its aspirations to a fundamental place in ethics are rebuffed.

Hare's version of consequentialism (in his case, utilitarianism) exemplifies a deflationary approach in its pure form. Some earlier utilitarians (such as William Morris) thought that acting from familial love or loyalty was contrary to the demands of utilitarianism, since doing so often requires promoting the good of a less needy person (the member of one's family) rather than a more needy stranger. This view also seems an implication of act-utilitarianism in its classic form—that a moral agent should, in her every action, aim at the maximal agent-neutral good (or happiness), that is, the good of persons independent of their relationship to the agent.

In *Moral Thinking*, Hare, joining the trend among contemporary utilitarians and consequentialists, decisively rejects this understanding of utilitarianism. He says it is a good thing that people (in general) have emotions that lead them to give preferential attention and aid to those closest to them emotionally, such as friends and family members. He crafts a version of consequentialism that validates these partialist phenomena.

At the same time, Hare equally decisively retains maximization of agent-neutral good as the ultimate moral criterion for assessing the moral worth of behaviour. In doing so, he puts forth a version of what has come to be called 'indirect consequentialism'. This is the view that individual actions are not the only, or even the primary, subject of consequentialist assessment; for example, general dispositions to action are to be assessed consequentialistically. It follows that moral agents ought not necessarily directly aim at maximizing agent-neutral value in each distinct action.

Using the example of a parent's preferential concern for her children, Hare reasons as follows: If a parent possessed a sentiment of caring for all children equally, this would have the effect of so diluting the sense of

¹⁹ R. M. Hare, *Moral Thinking: Its Levels, Method, and Point* (Oxford: OUP, 1981), 135f.

responsibility of parents toward children that all children would be cared for less well than if each parent possessed a preference for her own children.²⁰ Hence, Hare appears to reason, in the long run the currently familiar forms of agent-relative preference for one's own children serves maximal agent-neutral good better than aiming at that goal directly, even if in some particular case it would be consequentialistically better to attend to the needs of children other than one's own.²¹

Other indirect consequentialists see a problem in Hare's view that leads them to seek a different form of that doctrine. It is that for Hare familial preference, love, and loyalty do not possess value in their own right but only in so far as they serve the external, agent-neutral end of (for example) maximizing all children's welfare. Their value is purely instrumental. For Hare it is a deficiency of human nature that we require ourselves to be inculcated with familial preferences in order to stave off a weakening of responsibility toward children. Familial love plugs up this responsibility gap, as a means to overall consequentialist good. It is not a human good in its own right.

The form of indirect consequentialism I wish to consider retains our ordinary intuition that familial and philial relationships, and the sentiments and dispositions they require, have some worth in their own right independent of their instrumental value, and that Hare's view is deficient in denying this.

Railton's Indirect Consequentialism as a Derivation Project

In 'Alienation, Consequentialism, and the Demands of Morality' Peter Railton develops a form of indirect consequentialism (which he calls 'sophisticated consequentialism') that affirms the intrinsic worth of personal relationships yet aspires to deflate particularistic sentiments and motives.²² Railton says 'We must recognize that loving relationships, friendships, group loyalties, and spontaneous actions are among the most

²⁰ Hare, *Moral Thinking*, 137.

²¹ Consequentialists disagree whether to retain an element of act-consequentialism in the view that we should continue to call 'right' those actions which in fact promote the best consequences, as Sidgwick proposed; or whether to call 'right' those actions which would be performed by an agent whose set of dispositions was good-maximizing in the long run, even if in some particular case that act was not good-maximizing. This dispute does not bear on the aspects of consequentialism relevant to the deflation of particularity.

²² P. Railton, 'Alienation, Consequentialism, and the Demands of Morality', in Samuel Scheffler (ed.), *Consequentialism and Its Critics* (Oxford: 1988), 93–133.

important contributors to whatever it is that makes life worthwhile; any moral theory deserving serious consideration must itself give them serious attention.²³ While Hare sees the dispositions involved in personal relationships as validated by utilitarianism because their presence is instrumental to agent-neutral good, Railton sees these agent-relative goods as *themselves components* of the good that is to be maximized. That overall good is understood pluralistically, to include a range of intrinsic and mutually irreducible non-moral goods. (Knowledge, solidarity, autonomy are instances beyond those enumerated above.)

Railton takes his view to be deflationary in that the value of particularity—his dominant example is of personal love, especially for one's spouse—must be affirmed from some standpoint 'more general' than that of an individual agent simply conferring value on his loved one, or on his love for him or her. Railton sees Bernard Williams as having denied this point, and he may be correct about this (at least prior to Williams's *Ethics and the Limits of Philosophy*). 'She's my wife', Railton says, is not a sufficient warrant for conferring preferential benefit on her. Railton's view is only successfully deflationary, however, if the more general standpoint that confers value on particularistic phenomena is itself anti-particularistic in character. Railton appears to assume that this is necessarily the case—that *any* general standpoint must be impartialist (and, in particular, consequentialist). As noted earlier, however, not all general standpoints are either impartialist or exclusively impartialist. For example, a 'virtuist' standpoint is general yet non-impartialist. Of course, for Railton as a consequentialist, the more general point of view—the deeper level articulating the fundamental character of morality—is consequentialist, hence impartialist.

Examining consequentialism as a deflationary project involves looking at consequentialism in a different light than that familiar in current debates. The usual disputes focus on whether consequentialism is consistent with certain moral intuitions that at first glance seem inconsistent with it, regarding dispositions to engage in certain acts; or whether, if it cannot be made consistent with those intuitions, it provides sufficient reason for abandoning them. An oft-debated question, for example, is whether the disposition to show preference regarding beneficence toward family members or friends as opposed to perhaps needier strangers is consistent with consequentialism as an impartialist theory.

Showing that maximizing agent-neutral value prescribes certain partialist acts or dispositions does not, however, suffice for deflating particularity.

²³ Railton, 'Alienation', 98.

This is so for two reasons. First, particularistic phenomena such as generosity, compassion, unselfish love of one's friend, and familial devotion involve more than actions and dispositions. The specific sort of value they have depends on further emotional reactions, forms of attentiveness and personal vulnerability, as well as other conditions inherent in these virtues and sentiments; that value is not reducible to the value of the acts and dispositions that may also be a component of these phenomena. For example, consequentialism will not have accounted for *generosity* by showing that a disposition to benefit others in certain circumstances is generated by consequentialism. For generosity is more than such a disposition; it requires that the item that is being given to the other person be of value to the agent (and that she recognize this), and that the action lies outside what is morally prescribed (and that the agent recognize this).²⁴ It requires that the agent be motivated purely or dominantly by a direct concern for the other, or a desire to give her pleasure.

All these features contribute to the specific value that we pretheoretically confer on generosity, a value not reducible to the mere disposition to benefit. We value generosity the way we do because it lies outside (and often beyond) the structure of generally accepted obligation; and also because (e.g. in contrast to a kind of thoughtfulness that sees that an acquaintance would like to have an item one possesses that is no longer of any value to oneself) it involves giving up something valuable to oneself.

Unless these other morally significant features are built into what it is that consequentialism is taken to prescribe, it will not have prescribed generosity.

An entirely different point—which would survive finding some way for consequentialism to prescribe actual generosity (and other particularist virtues in their complex psychic and moral structure)—is that showing that consequentialism can generate, prescribe, or approve of certain virtues does not yet offer—at least not explicitly—a view of the *source of value* of those dispositions. To meet condition (4), a deflationary project must aspire to, and succeed in, *accounting* for the source of value of the particularistic phenomena being explained. If the view merely says, 'These particularistic phenomena are valuable, and consequentialism approves of them' then it remains in the domain of a *validation* rather than a *derivation* project. Later I will consider the significance of this possibility.

First, however, I want to explore the resources Railton's view provides in the way of a deflationary project—that is, that it proffer an account of the pretheoretic value of goods of a particularistic character. I will focus

²⁴ See my earlier argument about generosity, p. 211f.

particularly on two examples. One is generosity, as discussed above. The other is familial devotion, as portrayed in the following example: Manuel is an exceptionally devoted parent, one manifestation of this being that he is acutely attentive to his children. He makes exceptional efforts to understand them and their needs. He gives his children's welfare an important place in his life priorities, and is frequently willing to jettison his own personal plans of the moment to attend to their needs. In addition, let us assume, Manuel gives no more, though no less, than average attention to the ways in which he might be able to help other people's children.

What does Railton's view provide as an account of why generosity and familial devotion are good? One candidate might be that these are simply among the non-morally good things in life, and are thus to be maximized in action. Railton implies this in the quote earlier where he lists some of the things (including 'loving relationships') that make life worthwhile.

This interpretation is clearly unsatisfactory as a *derivation* of particularity, hence inadequate as a deflationary project. For it gives no *account* of the character or value of these goods in impartialist terms; it simply says that they are goods, leaving the question of why entirely open. This option therefore violates condition (2)—that it proffer an explanation of particularity in terms of impartiality—hence (4) as well—that the explanation be satisfactory. That these goods are intrinsic is perfectly consistent with their having an irreducibly particularistic character, rather than being ultimately, or at a deeper level, impartialist. (Indeed, this is what Railton sometimes implies that he believes.)

Beyond this difficulty, the interpretation in question requires Railton to construe family love, friendship, and group loyalty as *non-moral* goods, in contrast with the good of right action, or of the production of maximal agent-neutral value, which is a moral good. Consequentialism requires this particular structure—what is moral maximally generates non-moral good. Morality, then, is a value applicable to *agency*; while other non-moral values attach to states of affairs and other non-agentic phenomena.

However, given this particular division between moral and non-moral goods, the goods of generosity and familial devotion cannot be consigned to the category of the non-moral. This is particularly obvious in the case of generosity, which is generally pretheoretically regarded as a moral virtue. It may seem less so for familial devotion. The good of family relationships could be seen as a personal good to the parties to it, but not a moral good in one of those parties.

I think it is both. The good of family relationships can be realized only as the good Railton intends in his placing it on the list of one of most

worthwhile things in life if the family members possess certain virtues that are partially, but essentially, constitutive of those goods. One of those virtues is, as Manuel exemplifies, (parental) familial devotion (which, in any case, is the particularist phenomenon in question, rather than familial relationships). Without Manuel's attentiveness, understanding of his children, and willingness to give their welfare a high priority in his life plan, the full good of familial relationships will not be realized by the members of his family (including, at least to some extent, himself). So familial devotion is a moral or moral-like virtue. In any case it can not be consigned to the category of purely non-moral good.²⁵

It is also true that, as a personal good, the good of family relationships can be treated as a state of affairs to be sought in action. However, part of what it will take to accomplish this goal will be the realization of moral or moral-like virtues on the family member's part. Unless the family member comes to love the members of his family for their own sake, and not for the sake of securing a good for himself, he will not secure that good for himself. (Railton is perfectly aware of this complexity.)²⁶ So the personal good to be sought requires a moral good, contrary to the supposition of this interpretation of Railton's view as deflationary.

A second interpretation of a Railtonian account of the value of particularistic acts and virtues shifts the locus of value from the to-be-realized non-moral good to the agentic process of realizing that value. On this account, what makes Manuel's actions admirable is that they help to *realize* the good of personal or familial relationships. Here the form of value is a value of *agency*, and that value is construed as lying in the production of the personal goods discussed a moment ago.

But this account does not in fact capture the kind of value we actually attach to Manuel's devotion to his family, or to generosity. We value generosity not because the agent strives to bring about the good of generosity in the world but because generosity reflects a certain kind of moral relatedness to and concern for other persons. It is not even clear that an act motivated by a desire to bring generosity into existence would *be* a generous act.

²⁵ One reason family relationships may be thought not to be ethical goods is that they are conceived of solely as goods of good fortune. One is *fortunate* if one has the goods of family love in one's life, but this is a matter of luck rather than ethical effort or attention. This view is only a partial truth. It may be a matter of some degree of luck whether one ends up forming a family with people one is able to love and be loved by in ways necessary for the good of familial love to be fully realized. However, actually *loving* members of one's family in the way exemplified by Manuel is a matter of ethical attention and effort.

²⁶ Railton, 'Alienation', 110.

The type of value in the familial case differs from that of a person striving to bring about the good of familial relationships, in her own life or the life of others. For we admire Manuel, not because he seeks the goal of realizing the good of familial relationships, but because he seeks the welfare of his particular children in a way that instantiates various virtues (even though possessing those virtues is in fact one of the best ways to realize those goods). If Manuel's dominant motivation in attending to his children were the desire to bring about a family life that is deeply satisfying to himself, we would probably admire him at least somewhat—and perhaps a good deal—less than if he seeks to realize his children's welfare simply out of a concern for them for their own sake.

It might be replied that the value of the promotion of the good of familial relationships should not be seen as lying in something the agent engages in. It should rather be taken as providing a reason for a consequentialist to promote in others, and perhaps in herself as well, the psychological structures constitutive of familial devotion. This interpretation, however, compromises the sense of agency attributable to Manuel. Railton may not think this troubling, if his consequentialism is of the type that severs the production of maximal good from the individual human agent. However, independent of this concern, this move prescind from even proffering an account of the source and character of the value of Manuel's parental devotion. It would thus preclude Railton's view (on this interpretation) from being a candidate for a deflationary project.

There is a third possible interpretation of Railton's view of the good of particularity. That is that what makes Manuel's action good—like what makes anything connected with agency good or worthy of approval—is that it aims to realize, or contributes to realizing, the *overall* good that reflects the consequentialist commitment to impartial concern for everyone's interests. This contrasts with the account immediately prior in which the good the production of which is held to be the value in question is the *specific category* of good (in our case, loving family relationships) that is most intimately tied to the particularistic virtue in question (family devotion). In this third interpretation, the agent's goal must be *overall* good, not merely one specific type of good. Here the agent must in some way be aware of the role of the specific good in the panoply of all goods constituting overall good, and must be promoting this specific good because and in so far as it occupies the place it does in that overall good.

This view does no better in accounting for the form of valuing we actually see in Manuel's actions, and in generosity. The argument for this could equally well be given against Hare, despite Railton's deliberate departure

from Hare in according intrinsic value to friendship and familial relationships, while Hare accords them only instrumental value. Manuel's actions are good *not* because they contribute to overall good. They are, rather, good because they manifest certain virtues involved in familial devotion. In a sense this third interpretation of Railton takes the inadequacy of the second one step even further in the wrong direction—away from the focus on the particular persons whose welfare is served by the virtue of family devotion, toward an even greater level of abstraction and distance from those persons. Similarly with generosity. Generosity is not the specific moral virtue that it is, with its particular kind of value, because it involves striving to maximize agent-neutral value. It does *not* typically have such an aim, and would often be inconsistent with it.

At the same time this third interpretation of Railton at least retains the virtue of bringing the consequentialist character of the theory into closer contact with a conception of moral agency.

Does Consequentialism Aspire to Derive and Deflate Particularity?

Thus, in sum, Railton's theory fails to provide the resources for a satisfactory account of the form of value involved in particularistic virtues and actions. Hence it violates condition (4)—providing an adequate account of the value of the particularity—and so fails as a derivation project.

As suggested earlier (p. 218), my argument is perhaps not appropriately construed as a criticism of Railton. Perhaps he should be taken not as attempting to account for the value of moral phenomena on the lived level, but simply as showing how the consequentialist moral notions at the deeper level can prescribe these phenomena (e.g. generosity, or family devotion), or at least prescribe the conative dispositions involved in them. Impartialist consequentialism would, then, be declaring these phenomena good in *some* way, if not in the way that aspires to capture their pretheoretic value.

On this interpretation, Railton's consequentialism would have backed away from a goal it often appears to aspire to—to give an overall philosophical account of the character of the moral or ethical life. It would instead be aspiring to an account of only one part of that life, leaving other sources of ethical value uncommented upon.

Such a view would perhaps usefully be seen as a validation project, rather than a derivation one. Like the neo-Kantian version of the latter it would have provided a moral standard for the approval and disapproval of purportedly moral phenomena. In at least one version of the Kantian case,

the standard is a limiting condition grounded in the idea of universalizable principle. In the consequentialist case it would be compatibility with the production of maximum agent-neutral value. In neither case would the view aspire to account for the full ethical value of the phenomena approved of. There would be an important distinction between the two cases, however, which lends a greater credibility to the neo-Kantian validation project. The neo-Kantian project presents itself as supplying limiting conditions on phenomena (or maxims) whose source lies entirely outside neo-Kantianism itself. We get the proposed maxims from our inclinations, desires, and other ethical and non-ethical sources. But before carrying them out, we check them against the limiting condition. If they do not pass, we refrain from acting on them.

Consequentialism has much greater difficulty in allowing sources of ethically acceptable disposition that lie entirely outside of its own edifice. For if a disposition is to be consistent with promoting maximal agent-neutral value, then it must *actually* promote agent-neutral value. In this sense, consequentialism raises the bar quite a good distance beyond where the neo-Kantian puts it. It is, ultimately, difficult to see how consequentialism can stop short of saying that the approved of dispositions are in an important sense actually generated by the fundamental principle of consequentialism itself. This will be the only way of ensuring that a disposition actually meets that standard.

In conclusion, then, I have argued that some influential consequentialist forms of deflation of particularity fail. I hope to have suggested that particularity and partiality, as manifested in various virtues, are no less fundamental features of the moral life than are impartiality and universal principle—and that whatever theory or philosophical account of morality we finally rest with must reflect this truth. I have suggested that this account will be pluralistic, with several irreducible ethical notions playing fundamental roles. The philosophical account thus provides for recognizing multiple moral concerns, including those of a non-particularist and non-partialist nature. It therefore bids a moral agent reflect on her aims and dispositions. It does not promote the conception of particularity as mindlessly following one's emotions and inclinations and intuitions of the moment. At the same time it recognizes, as none of the impartialist projects discussed here do, that various sorts of particularistic and partialist motives, sentiments, and perceptions are a source of moral or ethical value distinct from that provided by impartialist theories, and are no less fundamental to the moral life and to theories thereof.