

**Is Justice Holistic And Particular?
A study of particularism**

By

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Declaration

I declare that the research presented in this thesis is my own work unless otherwise acknowledged

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Abstract

This thesis explores the relative strengths of particularism and generalism in the area of meta-ethics in philosophy, utilising justice as a case study. More specifically, this thesis examines the claims of Jonathan Dancy in his book on moral particularism, *Ethics Without Principles* (2004), that one can construct a moral philosophy without reference to any general principles, or invariant reasons. His book is primarily a study of reasons, and this thesis also presents a study of reasons through the eyes of both the particularists and the generalists. At its core, the particularism holds holism to be true in the theory of reasons, whereas generalism, at its core, holds atomism to be true in the theory of reasons. In my thesis I find that the strongest form of atomism and the strongest form of generalism is Rossean generalism. I conclude that these two pictures combined provide a superior account of what reasons are and how they work than Dancy's particularism.

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Chapter I: Introduction

In contemporary meta-ethics there are various ways in which the moral is explained and criticized. That is, what is central to ethics is widely contentious. It is argued by some that what is central to ethics is the concept of moral reasons. This argument stems from the point that all actions stem from reasons of some form. Or, at least for some, what is fundamental to a correct understanding of all moral terrain is what constitutes that which we ought to do.

It is widely held that moral reasons determine what we ought to do. Moral reasons can be picked out as central in moral terrain because they can be part of any explanation of an ethical theory. That is if we want to understand what is right, or good, or just, etc., we need to understand what it means to have a reason to do something that is in line with these concepts.

What constitutes a reason is even more contentious than what is central to ethics. That is, there is a vast array of theories and theorists who try to capture and explain exactly what reasons are. Very few of these theories agree to the extent that we can say that there is only one way to view reasons. More importantly very few of them agree about what moral reasons are at all.

One of these theories is particularism. Particularism is a theory about how reasons work; it explains reasons as “case-specific” and “variant”. Case specific means that from case to case reasons do not necessarily hold the same valence, rather, what is a reason in one case is not necessarily a reason in all cases, thus reasons vary from case to case. From

particularism we are urged to see that we have no need for principles as central parts of moral reasoning.

Particularism is at one end of the philosophical spectrum, and generalism is at the other. Generalism, at its most trenchant, is a theory which relies on a reasonable supply of moral principles to govern and explain moral judgement and reasoning. That is, for the generalist what is a reason in one case must be a reason, on the same side, as in others.

Particularism and generalism are in stern conflict because of the central view of reasons which each of them respectively holds. At the core of particularism is holism in theory of reasons. At the core of generalism is atomism in the theory of reasons. Holism in the theory of reasons, at its most basic form, holds that reasons change their valence case to case, they are variant. Atomism in the theory of reasons, at its most basic, holds that reasons do not change their valence, they are invariant.

This paper heads straight into the conflict between generalism and particularism and between atomism and holism. That is, I want to explore the limitations of each of these theories and see what it is exactly that makes the two so completely incompatible.

I find that at the helm of each are: Jonathan Dancy for particularism and David Ross for generalism. These are the two most influential yet conflicting theories in the area of practical reasons. Both defend their relative positions and I evaluate and make reference to each of these throughout this paper.

Along the way, I will refer to justice, as this is, along with reasons, the other central theme of this paper. This is because I think that it is one the most important principles that is generally held. Because of the importance we give justice; I think that we need to be able to account for justice from a theory of moral reasons in order to make sense of moral terrain. Sadly, justice only plays a direct role right at the end of this paper.

The time before this final chapter is spent evaluating generalist and atomistic pictures of the moral terrain and moral reasons and particularist and holistic pictures of moral terrain and moral reasons. Where I put the two head to head, at the end of the particularism chapter, I find that we can accept and defend an atomistic picture of reasons with the help of cluster atomism (the theory that holds reasons as clusters of all the relevant features of the case combined).

I then use the cluster atomistic picture to strengthen the theory of prima facie duties set out by David Ross. This provides me with a view that can arguably refute the claims made against generalism and atomism by Jonathan Dancy.

I aim to conclude that with the help of a cluster atomistic picture of reasons, we can defend a generalist position which holds Ross' prima facie duties, from the arguments of particularists like Dancy. I also aim to conclude that by reducing reasons to features that count in favour of action, Dancy's particularism goes too far. It leaves out all the other, important, relevant features of the case which play a huge role inside the reason. Dancy's particularism leaves us with a relatively thin understanding of how reasons work.

Chapter II: Generalism

In order to get to grips with what is going on in the debate between generalism and particularism, I will aim first at defining the theory of generalism as it stands in regard to meta-ethics. The best way of explicating this theory of generalism is to create something resembling an overview. This will start with an explanation of how we generally view moral judgement pre-philosophically, followed by a brief description of philosophical generalism.

In order to build generalism up to its most plausible and defensible position, I will move between two extremes, these being Kantianism and the position exemplified by David Ross. Here I do not intend on taking each of these on, unless necessary, or arguing for or against each. I am merely discussing the options that lie before us in such a way that we can see which are the most plausible and thus which ones we need to take seriously. This disclaimer aside, I think that this path should be intuitively clear. I will move from Kantian generalism to the generalism of Hare (the subsumptive option) and finally, to the generalism of Sir David Ross.

It is uncontroversial to claim that much of our pre-philosophical judgement of moral terrain is held in regards to a relatively primitive understanding and constitution of, moral principles. That is, we hold general principles which are verdictive¹ towards certain practices, ideas and, amongst other things practical reasons². For example: 'Stealing is wrong', 'lying is wrong', 'pre-marital sex is wrong'. These basic principles (obviously varying from person to person), influence and effectively govern the way in which we

¹ To pass judgment on certain practices or actions.

² Reasons for actions.

make decisions, whether these are moral decisions or other trivial day to day sorts of decisions.

This is uncontentious, because we have various social institutions which are set up to protect and enforce these principles, depending on what each individual holds central. For example, there is a distinct variety of separate religions each with its own moral code³. These religions generally teach and explain, universally⁴, what is right and what is wrong. The thought is, when agents are faced with decisions, they can apply various principles to these decisions and deliberate their way to a final decision. Thus much of our pre-philosophical intuitions must generally align with this method when answering questions about what reasons are and what it is right to do. These intuitions are the basis for philosophical generalism.

Generalism

Generalism (philosophically speaking) is a blanket term, which covers many philosophical positions. That is there is one underlying thought behind many positions. I am not going to delve into each of these, only the ones which are important for my purposes. The main task here is to explicate the general underlying concepts that unify these positions under this blanket term of generalism.

³ By moral code I mean 'hierarchy of principles'.

⁴ At a very basic level a principle is held to be true, and it is held as a universally truth, and therefore what is right and wrong must similarly be held as universally true, I will get back to this concept later.

Before I start to talk about reasons (this is the main topic which we are reviewing), it is important to realise that generalists do not specifically talk in terms of reasons. The most important and central feature of the view is that it hinges on the having and acceptance of principles. Thus generalism does not look at reasons unless they have to, due to criticism as we shall see. So under normal circumstances, for the generalist, where an agent ought to do something or is obligated to do something, it is because she has a moral principle that directs her towards this action.

A moral principle is usually a statement or proposition of the form: 'Promises ought to be kept' or 'One ought never to steal', that is they are completely verdictive. Moral principles are held as what the agent should do or is most obligated to do. A principle mandates some respective action in every case it occurs, due to its invariance (not acting by a present principle is to do something morally wrong).

Generalism holds that principles are invariant. For generalism, a principle will always stand in the same relation to action. If a principle is present in a case, it will always demand the same action. This means that, for generalism where they are forced to look at reasons due to criticism of the lack of specific talk of reasons, reasons do not change their valence. Where a feature of a case is concurrent with an invariant principle that demands a specific action, that same feature will always work with that same principle and demand that same action. Thus, for the generalist reasons, in the same manner as principles, must be invariant and univalent towards obligating some action.

The invariance and univalence of principles that generalism holds is thus held with a concurrent view of reasons: Atomism. Atomism holds reasons as invariant, that is “*A feature which is a reason in one case must remain a reason, and retain the same polarity, in any other*”⁵. Generalists hold atomism in the theory of reasons to be true, or at least, they are atomists with regards to the role that reasons play in moral decision making and judgement. In fact, generalists must be atomists, they cannot hold that reasons behave differently from case to case because this would mean that principles do not hold case to case. This is due to the strict invariance that generalism holds in regards to principles. The leading thought here is, if principles are invariant and univalent, then reasons too must follow this pattern.

We can follow generalism and its counterpart atomism to the view held by Immanuel Kant.

Kant's Generalism

Immanuel Kant is a good example of this basic form of generalism, for him, there were various activities which were always without exception wrong, such as lying, promise-breaking and suicide. For Kant these acts could never be justified, meaning no moral principle could justify these actions in such a way that they could be seen as right. Kant's generalism is epitomised in the form of the Categorical Imperative: “*Act only on that maxim through which you can at the same time will that it should become a universal law*”. This is, for Kant, the absolute moral principle.

⁵ Dancy, J *Ethics Without Principles* pg 7.

So what is important in Kant's absolute moral principle that provides us insight into generalist theories? First off, there is one overarching principle by which we must make all of our moral decisions, this being that we may only act, to act rightly, in accordance with a principle which states: *Act only on that maxim through which you can at the same time will that it should become a universal law.* Where we find a principle through this, maybe "Breaking a promise is wrong". It is wrong because we could not accept that promise breaking could become a universal law. More noticeably if we find that promise breaking is always wrong, it will be wrong in all circumstances and therefore invariant and univalent. This shows us that Kantian generalism is too a subscriber to atomism.

It is not hard to establish that Kant's generalism can lead us to a variety of invariant principles, or activities which are always wrong. Each of these will demand in every case, that certain activities will never be promoted or right. Wherever you act in a way that could not be accepted as a universal law you are doing something wrong. Once this method shows something to be right or wrong, it will always be right or wrong.

For example: "I should not purposefully vomit after every meal". If vomiting after every meal became a universal law then everyone in the world would die of malnutrition, or other bulimic related illnesses. As per the above paragraph: once the categorical imperative has shown something to be wrong (vomiting after every meal), it must always hold as wrong. Thus vomiting after every meal can never be justified or right, under any circumstances.

Kant's work shows one extreme of generalism, it is very strict in its application to ethics and in its application to the study of reasons. The problem with the strictness of this form of generalism is that the principles it utilises are decisive "Which means that even if more than one principle could apply to a given case, they must all recommend the same thing"⁶. Meaning that if there are a variety of principles in the same case for this kind of general approach to work, all of these principles must mandate the same action. This is because if these principles are equal in strength⁷, they will lead to a conflict of commitments or a moral dilemma. Both of these are something that Kant cannot account for. The lack of this account provides a variety of problems for Kantian generalism.

This translates into a powerful attack on Kant's extreme generalism. It would be foolish to accept a theory that only works in cases where there is only one principle, or where there is more than one principle they must all recommend the same action. On the first count, it is only in very menial cases where there is only one principle directing us towards the right option. These cases are few and far between. What we are looking for is a theory that can explain all cases and can give us an explanation and an account of why certain actions are right and wrong, and not merely express an overall verdict. A theory which works best under circumstances where there is only one principle in a case will not do.

⁶ Dancy, J *Ethics without Principles*, pg 5.

⁷ weight or normative force.

The reason I say that Kantian generalism works best where there is only one principle directing the agent, is because where there are two or more principles in the case they must all recommend the same thing. I can hardly deny that on some occasions this is possible. At least, each of these principles might not directly recommend the same thing, however each might be upheld or not undermined by the same thing. This leads me to my second count against Kant. Without too much effort, we can think of examples where principles demand separate, conflicting options in the same case. We cannot say that this agent has muddled her commitments and we cannot say that possibly, one or more of these principles do not apply to the case. I turn to the well-known example of Sophie's choice.

In a Jewish concentration camp in the second world war, a mother (Sophie) is forced by a guard to choose between the lives of her children. One can live, the other must go to the gas chamber. Sophie must choose one or they both die.

In this example, Sophie has two separate principles which are guiding her. The principle to protect the life of her son and the principle to protect the life of her daughter. Clearly, these principles cannot promote the same thing and clearly both apply to the case. To claim that the principles of the case must recommend the same thing must end up in one of the principles recommending the death of the child whose life it demands protection. Clearly something must be amiss.

The possibility that this type of approach can lead us to these situations is enough to reject its use. Kant's generalism demands some very strict commitments Thankfully for

generalism, we do not need to go so far. There is no room for conflict of principles of any sort within this theory. That is, it is not hard to envisage principles which might conflict even under the categorical imperative and thus which obligate different actions. An agent could be in a case where, by the categorical imperative, they ought to x and they ought to y however they cannot x and y at the same time.

Hare's Generalism

The underlying thought behind Hare's generalism is that to account for concepts like ought, we need to subscribe to some form of subsumptive rationality⁸. To do this we must, to be consistent, subsume particular cases under general principles in the same way. This is done with the aim of making the concepts of what is right and what is wrong consistent with previous verdicts in similar cases.

So, where I hold a principle⁹ which obligates me not to lie, I will subsume all cases in which I might lie under this principle. I will thus not lie, because of the overarching invariant principle: "Lying is wrong". If this view is held it is supposed to make reasons and principles consistent. That is, if we subsume all similar cases under principles which suit the case, our judgements and decisions (be they moral or otherwise) will be consistent.

⁸ That what holds in one place will hold in all places.

⁹ "Lying is wrong."

Thus, subsuming cases under general principles is a view that is held to explain and sufficiently account for normativity¹⁰ such that we can be sure that we are doing the right thing as we did before, by appeal to a principle. If we ought always to act by our strongest principle, then acting by our strongest principle is always the right thing to do.

This method is somewhat similar Kant's method of justification of principles by means of the categorical imperative. However, subsumption suggests that there must be more to understanding moral terrain than one over-arching absolute principle. The work done by Hare suggests that there must be a variety of principles under which cases are subsumed. Thus agents can therefore deliberate as to which principle(s) apply to the case¹¹.

Another point we can sketch out about subsumption is that "*our moral judgement (is) constrained by general principles each of which needs only one decision to set it up*"¹². All that is needed for one to create a moral principle is what is right. So if I decide that getting to university five minutes before a lecture is right, in one case, then all future cases (where I have a lecture, or am making plans for some time before a lecture) must be subsumed under the new principle "getting to university five minutes before my lecture is right". So subsumption holds that where one moral decision is made by subsumption under a general moral principle it will hold in future cases as equally right.

To explain this at best is by use of a moral example. George is a railway worker; he is committed to making sure that all trains arrive on time. One morning he has learned that

¹⁰ The normative features of reasons.

¹¹ i.e. which principles to subsume the case under.

¹² Dancy, *J Moral Reasons* pg 82.

there is a strike, the other railway workers are demanding higher wages. George subsumes the case under a general principle “getting trains to arrive on time is right”. He does not strike because he is committed to the principle and is committed to his job despite the lousy wage. This moral judgement has further ramifications. In future cases, George ought not to strike because this case has led to a principle: “striking when you should be working is wrong”. This principle is one under which future cases will be subsumed.

It follows then that generalism of this form leans on the assumption that subsumed principles must depend on some assumed moral truth, like “getting trains to arrive on time is right”. If we look at this principle, it will only be true to someone who accepts and subsumes it as an important principle, or at least that acting in accordance with this principle is always the right thing to do. The view leans on the assumption that: “*If a principle is true now, it must always be true.*”¹³ This clause is held by the subsumption so that subsumed principles account for the normativity.

My point is that if a principle was not held as true, or assumed to be true by the agent, then the principle could never account for an ought. This is because a principle can only account for an ought or mandate an action if it has some normative force. Normative force (in this explanation) is that quality of a reason or principle that necessitates something. The normative force can only be present if the principle is true or assumed to be so by the agent. It is a key aspect of this explanation to see that as these principles are assumed to be true, or as long as they are held to be true, they will always hold the same

¹³ McCloskey, H. J. *Meta-Ethics and Normative Ethics* pg 97.

valence and normative force. That is, where “striking when you should be working is wrong” is held as a subsumed moral truth, rightness must always stand in the same relation to the principle: “striking when you should be working is wrong”.

Hare’s view and method of explaining moral principles has its merits; even in this very basic form it makes some intuitive sense to hold principles as central to our moral decision making. If we subscribe to principles, then principles can easily say that x has reason to y, y is always obligatory, x ought to y. Of course, this gets more complicated. Up until now we have assumed that there will always be at least one principle in a given situation. But what happens where an agent faces two separate principles in the same situation: x ought to y and x ought to z? I am here speaking again about conflicting reasons.

The answer is, in some cases, that an agent might be able to subsume a case under a variety of principles without much trouble. I might be able to subsume a case under various principles at the same time, such as the following: A principle not to break promises, a principle to tell the truth and a principle not to eat my friend’s jelly donut when he is not looking. We can easily see how these principles could work for the same case, again, they would recommend the same thing. However, neither of these principles are in conflict. Therefore, we might think that subsumption stops conflict. But surely this cannot be the case. I must ask the question: does subsumption really get around or account for, conflicting principles?

The normal response from this basic form of generalism, as we have seen from Kant, is to say that there is no conflict of reasons, only faulty reasoning. Hare does not move far away from this response. For him, the conflict must be internal to the agent who has muddled her principles and as to which of them to subsume the case under. Again, we need to ask the question: is this enough?

So let us test this theory with the same example from the previous section Sophie's choice. This time Sophie is faced with a conflict of commitments and must decide under which principle to subsume the case. We can hardly imagine that Hare, or any proponent of subsumption, can say that the agent has muddled which principles apply to the case. Which ever choice Sophie makes, she will be ignoring the other principle under which she is mandated to subsume the case. Clearly, subsumption cannot escape this example or other similar examples. Although it makes sense where there is only one principle, or where a case can be subsumed under two or more principles without conflict, subsumption will not do.

Luckily, if we still want to be generalists, we do not need to go as far subsumption. There is a more accommodating option which can, or can at least attempt to, account for conflicting principles. This is highlighted in the work done by W.D. Ross where he formulates the theory of *prima facie* duties. This in my opinion is the superior form of generalism, as we shall see. It moves from verdictive absolute moral principles to principles of a contributory nature. These principles directly explain what we consider to be right and wrong.

Ross's Generalism

This account allows for more than one principle to apply to each separate case. These principles are no longer absolute, because more than one may apply to a case. The idea is that each of these principles contributes towards some action or against some action. That is, these principles provide many reasons for action but in the end, contribute to an overall reason for action. These principles are called: "Contributory principles"¹⁴.

At a very uncomplicated level these contributory principles¹⁵ are still moral principles in themselves. They still function as principle-like statements. What is different here is that each one directly counts in favour, or disfavours, a specific action. Each of these contributory principles thus has their own normative strength, allowing that some can be more important than others in a situation. So an agent may be faced with a variety of options in a specific case yet be able to evaluate which action is more important. Each of the contributory principles will have its own normative strength or importance which may vary from to case; however, the valence of these principles never changes: lying will always be wrong.

For Ross, the terms *prima facie duties*¹⁶ and *duties proper* refer to contributory principles and absolute principles respectively. Likewise, these terms function in replacement of

¹⁴ Dancy, J *Ethics without Principles*, pg 5.

¹⁵ This is not a representation of Ross per se, it is rather an explanation of how these principles are not absolute, they are contributory.

¹⁶ Ross, D *The Right and the Good*, chapter 2.

that which you have reason to do: *prima facie* duties and, that which you have overall reason to do: *duties proper*. Overall reasons are where the normativity comes down; more simply, where the balance of reasons lies.

Prima facie duties are similar to the above mentioned contributory principles. However, these operate in the form that there is always some reason to follow a principle like “promises must be kept”, but they can be, in a way, overridden by other prima facie principles. This is because *prima facie* duties count in favour of action in different ways: “There is a principle that says ‘be just’, but that does not mean that all just actions are in fact right, it only means that the justness of an action counts in its favour”¹⁷. That does not necessarily mean that the principle ‘be just’ will always be the over all right thing to do or be the most important action in a specific case.

In some cases there may be some other *prima facie* duty which is of higher strength; the balance of reasons then falls with that duty. Nevertheless, Ross promotes a view of *prima facie* duties which states that if a feature (of the case) counts in favour of action in one case, it will count in favour of action in all other similar cases. It is just that in some cases a feature may be less important than others. It will however contribute towards the overall reason in that case.

This works where there are features of a case that promote *prima facie* duties with higher valence than others in the case. “For each morally relevant feature, there is a principle of

¹⁷ Dancy, J, “Moral particularism”, *the Stanford Encyclopedia (Summer 2005 Edition)*, Edward N Zalta (ed), URL = <<http://plato.stanford.edu/archives/sum2005/entries/moral-particularism/>>.

prima facie duty”¹⁸. Take the example “lives ought be saved where possible” as opposed to “promises ought to be kept”. Both are cases of *prima facie* duties. Features of the case provide us with each of these *prima facie* duties. As Ross would allow: if you can save a life by breaking a promise, then you ought to break the promise. “Lives must be saved” functions as the overall reason for action. This is because the balance of reasons lies in the action that promotes the saving of lives. This is important because it allows for cases where there may be an array of features which promote different reasons for actions. If we revise the previous case, it may be possible that the breaking of a promise would wound millions, yet still save a life. The balance of reasons then falls to keeping the promise.

McCloskey views this relation between *prima facie* duties as follows:

“Statements about what is always obligatory are in the form of principles of *prima facie* obligations. Thus principles which assert ‘Elimination of pain is obligatory’... are asserting that all actions of this kind are obligatory ‘unless relevantly different conditions prevail’”¹⁹

This gives us a clue as to how *prima facie* duties function. Combined with Dancy’s definition, certain features of a case relate to a relevant *prima facie* duty, each *prima facie* duty counts in favour of a specific action. However, each of these *prima facie* duties comes with a silent clause attached: “Unless relevantly different conditions prevail”. That

¹⁸ Dancy, J *Ethics Without Principles* pg 6.

¹⁹ McCloskey, H.J. *Meta-Ethics and Normative Ethics* pg 96.

is to say that, unless there are other *prima facie* duties with a higher valence which count in favour of a different action, this action is obligatory.

From the previous example, we are now able to establish how this works: “promises must be kept” (unless relevantly different conditions prevail). Cue the relevantly different condition: a feature of the situation demands saving a life, but would mean breaking the promise. The principle of saving lives is more obligatory, it counts in favour of action more than keeping the promise. Thus it is the right thing to do. We now know that for future cases, where breaking a promise will save a life, breaking the promise is the right thing to do (unless there are further reasons to do something else).

There are various important aspects of Ross’s account of *prima facie* duties which we need to extract and discuss. First of all, as opposed to the previous forms of generalism, it appears that there has been a shift in the way that we should view principles. This view allows principles to be weaker or stronger in different cases. Although the valence doesn’t change, the principles may be overridden yet still contribute to the overall practical reason of the case. Ross’s generalism takes reasons seriously; reasons play a pivotal role in *prima facie* duties. However, valence and variance remain the same in line with atomism and thin moral terms²⁰. These thin moral terms are evident where he sets out seven *prima facie* duties. (These will be evaluated in respect to the next step: particularism; this happens throughout the next two sections)

²⁰ Terms which do not add to the overall rightness of the case over and above themselves.

For the moment, Ross sets out seven *prima facie* duties in “The Right And The Good”. In actuality he only sets out six, however, the first is split into two clauses a and b. I will count these as two separate *prima facie* duties in my adaptation of Ross’s work.

- (1) Duties of Fidelity
- (2) Duties of Reparation
- (3) Duties of Gratitude
- (4) Duties of Justice
- (5) Duties of Beneficence
- (6) Duties of Self Improvement
- (7) Duties of Non Malevolence²¹

We can say that these *prima facie* duties that Ross produces are thin moral terms. That is they do not specify anything more than that which they are, or they do not specify anything over and above what they claim. If I say that such and such is good, it does not specify anything over and above this point. Thus terms such as: good, right, wrong and Ross’s seven *prima facie* duties: beneficence, malevolence, fidelity, reparation, justice, self-improvement and gratitude can be placed in this category. At this point however this does not pose a problem for Ross’s generalism. The fact that Ross’s *prima facie* duties are centred on thin moral terms, does not separate these duties from rightness.

The view is far superior to the previous forms of generalism that we have seen. It has a variety of advantages above the generalism stemming from Hare and Kant. We can see,

²¹ Ross, D. *The Right and The Good* pg 21.

firstly, that *prima facie* duties allow us to handle situations as they arrive. A case that we face that does not mirror any previous cases can be looked at through the seven *prima facie* duties. Ross implies that these will show us what is right to do in almost every moral decision. Ultimately they should lead us to rightness. Indeed, it is hard to imagine a situation where one of these seven *prima facie* duties will not play a role. Intuitively then, we must go with Ross.

Secondly, the view escapes moral conflict without undermining one of the other principles in the case. This is because, in any case, one duty will appear intuitively more clear than another and we can thus, albeit unhappily, make a decision. The idea is that one principle will be of higher *prima facie* importance than others in that same case. This will not undermine the other principle because it is simply just not as important as the other in that particular case. As we can imagine, if one principle is of higher importance, then the conflict is resolvable.

So, in Sophie's choice, one of her options would be re-enforced by some features, or reasons in the case. These reasons will contribute to the rightness of the case by showing one principle to be of higher importance and thus leaving the other out and leading Sophie to the right choice. This will be further enforced by the silent clause: unless relevantly different conditions prevail. This is because, for the principles in this case, relevantly different conditions do prevail. So, one of them will be more important than the other.

I think that Ross is the closest to the truth that we have seen so far. In this section we have seen how generalism varies between different extremes; each of these seem to capture some intuitions revolving what it is to act rightly with respect to reasons. At least the view gets stronger as we move from one option to the next. However, the main underlying thought behind generalism remains “ *The very possibility of moral thought and judgement depends on the provision of a suitable supply of moral principles* ”²². This applies to each of the forms we have seen; the necessity of moral principles, in whichever form, is central to the way in which each theory functions. We now move on to a view that completely rejects any principle: particularism.

²² Dancy, *J Ethics without Principles*, pg 7.

Section II: Particularism

In the previous section, we saw generalism move between two extremes, complete atomistic generalism in the form of Kantian principles and the categorical imperative to Ross's more accommodating *prima facie* duties. The difference between these two forms of generalism implicitly indicates that there are different levels of commitment between the two extremes. That is, where Kantian generalism relies heavily on a single invariant atomistic fundamental principle. Ross attempts to capture what reasons are by thinking of them in terms of their being principles of a sort: *prima facie* ones, at least reasons are allowed to behave somewhat differently case to case. We now move to a further extreme, particularism.

The main thought behind particularism is that we do not need moral principles in order to judge what it is right to do, or to think about what is right. The move to particularism from any sort of generalism thus initially involves a complete rejection of the view that we can understand reasons as being like principles at all. This is because particularism is supposed to be the study of how moral reasons work: that is, how moral reasons work from case to case.

This section is directly aimed at explicating the steps that are followed to get from generalism to particularism. To do this I will look closely at the way that particularism directly views reasons, because this view of reasons is supposed to lead us to a theory which accepts holism. I will look at this move to holism and how holism works because holism is supposed to lead us to full particularism. I will evaluate each of these steps and see if we can accept each of them.

As the leading contemporary proponent of particularism, Jonathan Dancy has provided an insightful look into particularism with his book “Ethics Without Principles”. This section works closely with the explanations offered by the work done by Dancy. This is because his work highlights the most important aspects of particularism focusing mainly moral reasons. Reasons on the particularist view are contributory reasons, that is, they contribute towards the case for an action. Differently expressed, they count in favour of action.

Contributory Reasons

There can be a variety of reasons²³ in any case, reasons promoting different actions or the same action. Each reason contributes towards the case by the way in which it counts in favour of a specific action, or counts against a specific action. Thus, by each reason contributing towards the case; they make something of the case for action.

I do not want to contend this. I agree, reasons can work differently from each other in the same case. I agree that each will count in favour of, or against a specific action because, this must be what reasons do: to count in favour of an action or to promote an action. I also agree that each feature that is a reason in a case must play a role in deciding what is the right thing to do in that case. For me, all reasons must be contributory. But do we need to be particularists to accept this view of reasons? The answer to this must clearly be no.

²³ Reasons, on this view, are features of the case which make something of the case for action.

If particularism is the truth, there must somewhere be a point where contributory reasons become a purely particularist concept rather than one which aligns with generalism. That is, at some point in the discussion we will hopefully see that contributory reasons can no longer be applied generally. We need to know whether we have to go as far as this point in order to fully accept contributory reasons. We need to know whether this point is one which is fundamental to contributory reasons. I hope that this point will be clear. For the moment, We need to see the fundamental concepts that surround this theory before we worry about whether we need to accept it or not. Again, the central theme on which all the steps to particularism hang is contributory reasons, so the concept of a contributory reason must be fleshed out.

On the view promoted by Dancy, reasons²⁴ combine in irregular ways, they are like rats, they can work on their own or together towards the same thing but also turn and fight each other. This analogy is purposeful; it shows that in any given case there is a range of actions, which we have some reason to do. However, before the interaction and combination of reasons is examined it must be noted that contributory reasons can have enough normative strength²⁵ to make the case for action on their own. That is, a contributory reason does not need other contributory reasons to be present in the same case in order for it to both function and count in favour of action such that it is enough for an agent to act on.

²⁴ From this point on; when referring to reasons I mean contributory reasons unless specified otherwise.

²⁵ Count strongly enough in favour of an action.

This is an important distinction to make about contributory reasons because if it is thought that they only work in combination with each other they seem weak. That is, they seem like they cannot be enough to count in favour of an action on their own such that they can get us to act. This weakness would make a possible view which holds contributory reasons vulnerable to objections by means of peculiar examples where only one reason does get us to act.

A contributory reason, then, on its own, can be strong enough to get us to act. However this is not the usual case. In fact it is only in rather peculiar, trivial, circumstances in which one would only have one reason for doing something. So, in a normal case, reasons work together as a combination. Now that we have seen that contributory reasons work on their own we can move on to look at the way in which they work together.

As Dancy explains: "Contributory reasons are reasons officially capable of doing what they do (favour or disfavour an action) either alone or in combination with others."²⁶ When reasons work in combination with others they do so because they are in the same case. Because each reason must play a role of some description in the case none are ignored, they must work together.

It might be easier to think of each reason as being like a magnetized iron filings. Each side of the filing has a different polarity (valence) either positive (counting in favour of an action) or negative (opposing an action). Now each filing (reason) will attract or repel one object (action). Where it attracts one object it might repel or attract other objects at

²⁶ Dancy, J, *Ethics Without Principles* pg 15.

the same time. In each instance that a filing attracts or repels an object, it adds or subtracts to or from the polarity of that object.

If we translate this into talk about reasons, we can see that each reason plays a role. Each reason adds normative force to the case, reasons push and pull us in different directions, if we are responsive to reasons. Contributory reasons combine in such a way that they produce overall reason²⁷ to do something.

We do not need to be particularists yet. We could still use these reasons in conjunction with a set of principles. We might say that we are still able to subsume cases from previous a case. We might try to show that these reasons combine in the same way in every instance they occur because the valence of each reason never changes. Or, lastly, we might say that where these reasons combine they lead to overall reasons²⁸. Particularists deny this because overall reasons are principle-like. That is, overall reasons are reasons that appear on the same side or always demand the same action, they are thus principle-like but not necessarily principles. For example, today is payday I should be smiling. This could be seen as an overall reason if I am a generalist, because that it is payday is always going to stand on the same side towards smiling, it is an overall reason.

Particularists want something beyond principles; they want an approach that is devoid of principle-talk of any form. The particularist view of the way contributory reasons

²⁷ where the contributory comes down.

²⁸ Principles or duties, note this is distinct from overall reason foot note 7.

combine must thus be distinct from generalism and therefore key to understanding the way in which reasons are particular to each case.

For the particularist, where contributory reasons combine they do so in peculiar ways. The peculiarity of the combination of reasons owes itself to the particular features of each separate case. The reasoning behind this is that if we look at each case it will only be in very, very trivial cases where two (or more) cases have exactly the same features which count in favour of acting. However, even if there are the same features in similar cases, Dancy urges us to see that the reasons might combine irregularly such that they promote a different action to the previous case. We have no reliable way of predicting that a future or present case will end in the same way that a previous one did. So, then, there is no reliable way to say that because I am in a situation similar to the one last week I will thus have reason to perform the same action, because we can identify very few case-to-case regularities in the way these reasons combine.

Further explanation reveals that each contributory reason holds its own normative power (like the magnetic analogy). Each specific feature has a variable valence case to case²⁹, the variability of which depends on other aspects surrounding each reason, or, in fact, other features of the case itself. However, the normative power or force that each reason possesses directly accounts for the rightness of the action in each case. For the particularist contributory reasons are normatively basic³⁰. Thus, for the particularist there

²⁹ This is where particularism differs; before the valence of each reason was invariable.

³⁰ I do not want to go too deeply into this issue, I just want to point out that contributory reasons, for the particularist, are basic to all moral thinking. They are normatively basic because they cannot be explained in a way that is devoid of normative talk.

is no need to use principles or overall reasons to establish whether an action is right or wrong. Contributory reasons can account for this perfectly well.

It is here that we need to decide where we stand. The prompt for this claim is that here the valence of reasons can vary from case to case. If this is necessary to carry on then those who accept generalism must proceed with caution. My point here is, maybe we can accept that with a view of contributory reasons we do not need principles (as we will see shortly) but maybe we can accept that even without principles, the valence of reasons do not vary. For the moment we need to see why particularism views reasons as features whose valence varies.

The rationale behind this move by particularism is that overall reasons, principles etc... are purely verdictive, that is, they only specify approval or express that some general truth applies to the reason or the action. They do not explain why something is right and they cannot account for the rightness of the reasons because they come only after the reasons themselves. Overall reasons, thus, do not contribute to the rightness of the reason or to the rightness of an action. So the particularist urges us to see that we do not need overall reasons or principles. Contributory reasons do enough and they explain enough so that once we know them and how they work, we can do away with principles of any sort.

Consider: when asked why should you do X? you can refer to a principle and say: because X is always right. As already established, principles do not account for the rightness they only pass verdict on an action. Claiming that a principle applies to a case

does not explain why X is right nor does it tell us that in fact, in this exact case, X is the right thing to do. To attack principles we need to go beyond accepting a universal truth, or a general truth. The point is, for the particularist, that rightness goodness etc, are particular to cases. A general principle will not do.

If principles only pass judgment on what should be done, they are not the reason for the rightness or wrongness. Contributory reasons on the other hand have an advantage; they can directly explain the rightness or wrongness of what should be done, because they are the basic features of the case that make something right or wrong.

The fundamental concept of contributory reasons is compounded by the idea that they can solely account for the rightness and wrongness of what you should do. Contributory reasons are thus not to be confused with overall reasons and principles. They are enough to provide sufficient reason for action. They do not need any form of general reasons to function in such a way that we know that we will be doing the right thing. However there is still not enough evidence to show that we have to be moral particularists. We might say that we can hold a view of contributory reasons that looks at each contributory reason as a contributory principle, like that of Ross's prima facie duties. Just because contributory reasons account for the rightness of what you should do is not enough for us to say that each case must have an unpredictable ending. Maybe we will find evidence to the contrary in Dancy's distinction between favourers and enablers.

Favourers and Enablers

Favourers are features of the case that play the reason role: that it is raining outside favours me taking an umbrella when I leave the house. Enablers are features of the case that enable the favouring feature to favour something: That my promise was not made under duress enables my promise to count in favour of keeping it.

This is an important distinction; these concepts play separate roles in Dancy's particularism. I think that the main reason for this is because it would be wrong to call something a reason that does not directly count in favour of action. If this distinction is ignored then features of the case that do not play the reason role will be placed in the same category as those that do.

Dancy urges us that there are favourers and disfavourers, enablers and disablers. The role that each of these plays is as significant as it is complex. For a feature to be a reason it must make something of the case for action or count against making something of the case for action. An enabler is a something that allows other features to play the reason role, a disabler is something that disallows other features to play the reason role. Basically, favourers and disfavourers are features which play the reason role. This is either allowed by, or disallowed by enablers or disablers respectively. I will proceed with caution as it might be easy to confuse or agglomerate enablers and favourers. That is, their distinction must be clear.

This is not a foreign concept, we can easily imagine that, in order for feature S to favour an action there must be feature D which enables it to do so. That is to say, S will not count in favour unless D enables it to do so. This may seem a somewhat confused sort of example but it is not a hard task to put this into a case.

“That my car is dirty” is a clear favourer for my washing it. In some places however, having a dirty car is fashionable, we will call this “fashion”³¹. So “that my car is dirty” is disabled by another feature of the case “fashion” such that: “that my car is dirty” no longer favours my washing it. Rather; “that my car is dirty” now favours something else maybe going to show of its extreme filthiness to all of my friends.

We can imagine a converse of this example; “my car is dirty” and I want to sell it. Now we have an enabler, I want to sell it. I know that washing my car will make it seem more appealing to a would be buyer. So, “I want to sell it” enables my dirty car to favour washing it.

Dancy explains that enablers and disablers apply to the favouring relation as well as the right-making relation. This is because we can easily imagine two conclusions to the initial example: “So I wash it” and “So I ought to wash it”, for the converse: “So I don’t wash it” and “So I ought not to wash it”. The conclusions for each case suggest that enablers and favourers apply to both the favouring relation which will end in: “So I wash it” and “So I don’t wash it” and the right-making relation which will end: “So I ought to

³¹ Interestingly enough in Johannesburg one can buy “spray on dirt” and “stick on mud” for a city dwelling off-road vehicle.

wash it” and “So I ought not wash it”. We need to look deeper into the right-making relation and as to why it is important to make a distinction between the right-making relation and the favouring relation.

Right-Making

The right-making relation is an important concept to understand because it is an attempt to explain a moral relation. That is, it is at bare minimum the way in which particularists view a relation that explains how features stand in relation to rightness or wrongness. This as opposed to one which explains that which gives us an explanation of an ordinary relation of features which get us to do something. Dancy explains this as: “*The relation in which features of the situation stand to an action when they make it right or wrong*”³².

The favouring relation is of a different sort; it stipulates: “*the relation in which features of the situation stand to action or to belief when they are reasons for doing one thing rather than another*”³³. Although these definitions are not specifically candid, they lead us along the right path. We would be mistaken to acknowledge that because a feature plays the favouring role it then must play the right-making role as well.

The right making-relation, for the particularist, stands out from the favouring relation because, although both the favouring and the right-making relation work in a similar fashion, in some cases there are features which have no standing in relation to rightness,

³² Dancy, J *Ethics without principles*, pg 79.

³³ Dancy, J *Ethics Without Principles* pg 79

only to favouring. For example: that my leg is itchy favours my scratching it. This has no relation to rightness, only to favouring.

The two relations must then signify the different kinds of roles that features can play. Sometimes a feature does stand in relation to action such that is a reason for action whilst at the same time stand in a relation to rightness such that it makes something right or wrong. However, this cannot always be the case because, wherever there is a feature that plays the favouring role, it does not mean that doing that action will be right, like scratching my itchy leg. However, the favouring role must be implicit in the right-making relation. That is, there must be a favouring relation in the right-making relation, because if there were not then we would have no reason to do the right thing.

We can quite easily put both of the distinctions into two particularist friendly examples: John hears a song he likes, he has reason to sing along (the song he likes and hears counts in favour of his singing along). That John's song is playing does not stand in relation to rightness.

John is in church, the congregation begins to sing a hymn, he does not know the hymn nor does he like it. The congregation singing a hymn bares the right-making relation to singing, however it does not bare the favouring role because it has been disabled by his lack of enthusiasm for the song and his lack of knowledge of the song.

It is then not only features that play the favouring role that can change their valence, but right-making features too. For particularism these are two separate relations in moral judgement and moral thought, even though the right-making relation embodies the favouring relation.

Generalism agglomerates these two relations into principles or reasons which are incarcerated into principle-type rules. For particularism, the difference in valence that each feature holds case to case is held together by the view of contributory reasons. This is supposed to lead us to a holistic view of reasons. Holism in the theory of reasons holds: *“a feature that is a reason in one case may be no reason, or an opposite reason, in another”*³⁴.

Again, we must flag this point in the form of a question: If I want to hold contributory reasons, do I need to hold a concurrent view of particularism and holism? Dancy suggests that we do, his view demands that we need both. Not only because the view sees contributory reasons as normatively basic, but because contributory reasons account for the variance of valence and that reasons themselves are largely variant.

I do not believe that we need to go this far, I am sure that we can quite comfortably hold contributory reasons or at least a variance towards reasons which captures the normativity in such a way that reasons are normatively basic, from a Rossean or a cluster atomistic view (this will be explained properly later). My point is, I am sure that we will see that

³⁴ Dancy, J *Ethics Without Principles*, 74.

there is a way to hold contributory reasons and variance of reasons without claiming that reasons are completely particular from case to case.

I think that this comes largely from cluster atomism, as we shall see: that where there are the same, or at least similar, features in separate cases they must combine and thus contribute in the same way. They will thus be on the same side of the favouring role and the overall reason will not change its valence. I think that this will be expressly clear in the need for an account of justice, as we shall see.

For the moment however, we must see how holism is supposed to capture our intuitions surrounding contributory reasons. If it does this then we can set aside my intuitive complaints that have cropped up so far. For this reason, the following section on holism is structured in such a way that we can see holism for what it is, and then see how it is supposed to be superior to the available forms of atomism. All the way through this section we need to keep in mind that particularism is to holism as generalism is to atomism.

Holism In The Theory Of Reasons

Holism in the theory of reasons states: *a feature that is a reason in one case may be no reason at all, or an opposite reason, in another.* It is the central view which particularism holds. It is held by particularists in order to account for the variance of reasons. It is also important to our discussion in light of the claim that Dancy makes: because atomism is

false of reasons, as this is the central theory of reasons that generalism holds, then generalism too is false.

Dancy's first move is to set out how the different sorts of reasons work. That is, he looks at whether holism is true of each of them. Basically Dancy hopes to find that all of these reasons function holistically. To do this he looks to find which of them are variant, i.e. whether their valence can change from case to case, and then, if we need holism to understand all reasons including moral reasons. So the following part of the paper is broken up into subsections in which the following reasons are viewed: Theoretical reasons, Ordinary practical reasons and, lastly, moral reasons.

Theoretical reasons

Theoretical reasons are reasons for belief, that is, reasons for believing something. That my car will not start is reason for me to believe that my car is broken and needs a service. If theoretical reasons function generally or atomistically then, that my car will not start, must always be a reason for believing that it is broken and needs a service. However, this cannot be true, I could just be out of petrol, or somebody could have stolen my engine or I might be using the wrong key. So, that my car will not start might be a reason for a variety of other beliefs other than that it is broken and needs a service, it is thus a variant reason.

Dancy claims that it is thus uncontentious to claim that theoretical reasons function holistically. He claims that if generalism held that theoretical reasons functioned atomistically it would be undeniably false. However, this is not so, no one actually defends a view of theoretical reasons which mirrors the one above. In almost all views theoretical reasons function holistically.

Ordinary Practical Reasons

Practical reasons, as already established, are reasons for action. Ordinary practical reasons are non-moral reasons for action. Dancy claims, again, that it is uncontentious to say that holism is true of ordinary practical reasons. He claims that no one denies this point, or at least no one that he is aware of. We can easily give examples to show this. That it is cold outside is sometimes a reason to go outside, and sometimes a reason to stay indoors. Dancy demands that, because there are no other accounts of whether or not ordinary practical reasons function holistically, then even mere examples should be enough to secure that they are.

However, there is one objection to this move, or one that could be made; one by Humean talk of desires. This view grounds all reasons in desires, thus ordinary practical reasons for the Humean are based on desires. This approach would allow ordinary practical reasons to function atomistically. It works in the following way: one only has reason to perform a specific act when one has the corresponding specific desire to do so. This will

mean that, where ever one has that specific desire, one has a specific atomistic reason to perform a specific act.

As Dancy rightly charges, even if practical reasons are grounded in desires, “the same desire might not function as the same reason”³⁵. A desire in one case may be a reason for doing a specific thing, however in another the same desire could be a reason for something else. Here we can follow Dancy and view an example which shows this. That I have a really strong desire to drink beer can function as a reason for me to drink beer. However, my really strong desire to drink beer can also be a reason for me not to drink beer, because I have already had too much beer and my desire for more tells me this.

Dancy seems reassured that putting enough examples of this sort out there proves that this view does not hold. Clearly, we can think of a variety of examples that oppose this view. The possibility of these examples, for Dancy, clearly shows that atomism in the theory of ordinary practical reasons is false even if a desire based view is adopted.

Moral (practical) Reasons

Most people, philosophers and non-philosophers alike, believe that moral reasons are just plainly different from other reasons. They must therefore be treated differently. The main thought is that these reasons follow principle-type rules or are in fact moral principles. This demands that moral reasons must be invariant. That is, they do not change their

³⁵ Dancy, J, Ethics Without Principles pg 75.

valence case to case. Where something is wrong or right or good or bad, it must be this way in every case in which it occurs.

Moral practical reasons are generally held to follow this behaviour because they are the basis of moral judgement and thought. I think, people would like to be able simply to make judgmental verdicts and condone certain actions on the basis of their being, or not being, in line with their own certain presupposed principles (think of every one as a moral critic). If something or some action does not fit with their own moral standards then they feel comfortable to pass judgement because of their pre-existing moral standards.

With regards to the agent actually making decisions as to what to do in a moral case; principles make the agent more certain and comfortable with the choices that they can make, because it seems justified in terms of their pre-existing moral framework. The agent hopes that by referring to moral principles they can then say that what they did was right, just, good, bad etc. regardless of the actual outcome.

In effect, making moral reasons invariant and thus atomistic or at least claiming that they are, makes it easier for people to make decisions, judge other peoples decisions and understand what they figure to be morality as a whole.

Dancy, however, thinks it to be a far-fetched idea that moral reasons must work completely differently to all other reasons. That all the other reasons behave irregularly and holistically should be reason to think that moral reasons are the same. He claims that

there is very little to persuade one, intuitively, to believe that moral reasons are rule-bound and atomistic. He points to “the sad fact that nobody knows how to distinguish moral reasons from other reasons; every attempt has failed”³⁶.

This is a huge disadvantage for somebody who wishes to defend a general, atomistic view of moral reasons. Because, if all other reasons are holistic and all moral reasons are atomistic and there is no way to distinguish between the two, it will be very hard to know which reasons to treat differently. It also makes it hard to say that there is a difference between the two category of reasons if no one has made a comfortable distinction.

Dancy urges us to view, and thus treat, moral reasons the same as all other reasons. For Dancy they must be holistic and thus contributory. This implies that to make sense of contributory reasons we must be holists. To be holists, we must accept that reasons can vary their valence from case to case. If any reasons can vary their polarity case to case then we must reject all principles and be particularists.

With this in mind the questions must be asked: if I want to hold all reasons as contributory, must I accept that moral reasons function holistically? If so, must I be a particularist? To answer these questions we need to evaluate the path that we have followed up until now. If we do this we should be able to find the point at which we had to reject an atomistic picture of contributory reasons. We will hopefully see that at that point, we can comfortably hold the generalist view of cluster atomism as a better option.

³⁶ Dancy, J, *Ethics Without Principles*, pg 76.

I take it that all reasons are contributory. That is, although a single feature of a case can work on its own to count in favour of action such that it provides enough normative force for me to act, features of a case will usually count in favour of action, and combined together, contribute towards the final overall reason of the case. What I should do is determined by a combination of what the features of the case count in favour of doing. This is clearly, in my opinion, the right approach, but does it mean that these reasons have to be variant?

Here is where the move becomes important. The contested point is whether the features playing the reason role can change their valence. If they are variant then we must hold holism to be true of reasons. One might think that we are at a dead end, particularism gives examples of moral reasons behaving holistically and generalism gives examples of moral reasons behaving atomistically.

Dancy claims that although there are some moral reasons which function atomistically, or at least some invariant reasons, these are peculiar reasons which work only on their own. He does not divulge these reasons and he claims he does not really need to because the idea is if we accept that all reasons are variant then where some reasons are the same case to case, we don't need to treat them differently to all other invariant reasons.

I think that this is true of all other reasons, that is, I think that all reasons are essentially contributory reasons. But the variant ones are ones of a different type; they are non moral reasons like theoretical or ordinary practical reasons. The initial thing that strikes me

about needing a distinction between moral reasons and other non-moral reasons is that in the case of other reasons, we seem to vest less importance. Our moral reputation hangs on the line of every moral case which we encounter. For this reasons, we seek out similarities to make our moral behavior, judgement and thought consistent with previous cases where we knew we were doing or did the right thing.

This is not sufficient evidence that moral reasons are consistent or invariant or univalent. Rather it is evidence to say that they are on occasions. So at this point we can say that moral reasons are both invariant and variant. That is, at times they are variant and at others they are invariant. Basically, we cannot choose sides yet as we do not know enough about how moral reasons work. Before we take an atomistic or a holistic picture of moral reasons we need to see how different forms of atomism fare against holism. The one which succeeds should show us how moral reasons should be viewed.

Holism V Atomism

Dancy has set this conflict out in his chapter entitled “Can Holism Be True?”³⁷. In this chapter he looks at various forms of atomism which oppose his view of holism. Though not much is said about each of the following forms I explore, the section helps us because it gives us a starting point for discussion. Ultimately, we can see which fares better.

³⁷ Dancy J, *Ethics Without Principles*, pg 94-117.

Full atomism

At its most trenchant, atomism is the view that a feature that plays the reason role in one case, will play the reason role in all other cases it occurs in the same way. Dancy claims this form of atomism looks at only one feature at a time. It is false because of the distinction between enablers and favourers.

First off, although I do not wish to defend full atomism, I do not see how this charge works against them. There is nothing that shows full atomism to fudge the distinction between favouring and enabling. If it does look at one feature at a time then, each feature will be looked at on its own, an enabler will thus not be seen as a reason. It could, thus, not be the case that full atomism fudges the distinction between favourers and enablers.

Consider a non moral case, the dirty toilet example: from the perspective of full atomism, that I have cleaning fluid and a toilet brush, would not count in favour of my cleaning the toilet. It would be the only feature of the case that is actually playing the reason role that counts in favour of cleaning the toilet, that it is dirty. So does that mean that looking at only one feature which plays the reason is the right way to view reasons?

Well, at a very basic level, it probably would be justifiable to say: that my toilet is dirty will always be a reason to clean it. That is, on its own, that my car is dirty will always be on the same side with regard to action. That it is dirty will probably always be some

reasons to wash it. Disablers and enablers are not included in this account, but it does not mean that they cannot be. The full atomist might say, in the case of the disabler, it doesn't stop the dirty car from playing the reason role. Rather, the full atomist might say that the reason remains but it is out-weighted by something else.

This does not get around the problem. The problem remains: where there is a disabler; that my toilet is dirty simply cannot favour washing it. This makes sense, even if we agree that there is still some reason to do it after there is a disabler, it is outweighed by something else. The reason is disabled and thus is not able to count in favour of action.

So, by attempting to resist the distinction between favourers and enablers, full atomism loses the very explanation needed to account for why reasons that are supposed to always count in favour of action, can in some cases, lose their favouring power.

Before we continue with the conflict between holism and atomism, we need to look the now even more interesting concept of enablers and disablers one more time. That is we have seen how each of these are held to be a particularist concept. We have just seen full atomism fail because it resists this distinction. The following section looks at how enablers and disablers work in cases and looks at how they directly affect what is held to play the favouring role. The question is: do we need to hold these as separate parts of the case? Or do they work intricately together such that wherever they occur they will do the same thing? The answers to these questions lead us straight to the appealing view of cluster atomism.

Enablers and Disablers

We need to establish whether an account of enablers and disablers is essential in discerning how features of the case come to favour an action. The main force behind this point is that it seems that enablers and disablers are now the cause of the variance in reasons. That is, it seems that reasons hold their valence case to case if there are no enablers or disablers. We can hardly imagine that where a feature that is held to always be in favour of action has nothing stopping it from doing so it can still change valence. Clearly, it will count in favour of action in the same way it did before.

The reason (or favouring feature) only ceases to do what it normally does where it is in combination with another feature of the case which causes the reason to do something else. I must ask: does this mean that the reason changes valence? or does it change what it is completely? If we follow Dancy then we must say that the reason changes its valence. I'm not so sure this is the case. My point is, it is not that when you have something disabling your reason to x, you do not now have a different valence of the initial reason. Rather, what you have is something different, a new reason.

Consider, that it is Sunday is a reason for me to go to church (let us imagine that I believe in God at this point which enables Sunday to count in favour of church going). Every week, on Sunday for the past 29 years, I have gone to church. So, that it is Sunday counts in favour of my church going. If I no longer believe in God then that it is Sunday will be disabled from favouring my church going habits.

Nobody would say that I am to blame for not going to church on Sunday because I no longer believe in god. Nobody would claim that I still have a reason to go to church because it is Sunday. The disabler in combination with the favourer now provides me with something else. It now counts in favour of not going to church. But this only makes sense when we put the two together. Before the disabler it made sense to say “that it is Sunday is a reason for me to go to church”. Now I must say “that it is Sunday, and I have lost my belief in God, is reason for me not to go to church”.

This is interesting, it shows that a favourer must actually be viewed with the disabler for the reason to change valence. Reasons then only change their valence where some other feature of the case forces the favourer to do so. We can easily accept this from an atomistic picture, of this I am sure. We can see disablers and enablers as a functional part of the reason as a whole, as much as favourers. We must include the enabling and disabling features as part of the whole reason because they directly affect the way the reason works and overall what we have reason to do. Basically what I expect to see is that it is the favourer and not the reason as a whole which changes valence. What it will mean is that we can take more from an atomistic view than has been granted by its opponents like Dancy.

Chapter IV: Cluster Atomism

Consider cluster atomism, the view that holds that we take all the relevant features of the case in clusters and the whole cluster is the reason. We can then find, through the combination of all the relevant features, what we have overall reason to do in the case. By overall reason, I mean where the normativity comes down. The relevant features of the case can be viewed as contributory reasons (favourers), enablers, disablers etc. Each of these, combined together, play a pivotal role in producing what you have overall reason to do.

The cluster atomist does not look at each feature separately, only in combination with the other features of the case. This is important; for the cluster atomist, you can only learn what reason you have by looking at all that is relevant to the case together and not separately. The point is, where a feature that is a disabler combines with feature that is a contributory reason you have a set reason, not the same feature with a different valence.

The crucial point is that if we reproduce all the relevant features of the case into another, we will have exactly the same overall reason as the initial case. This is intuitively clear, there is very little or no reason to believe that if the relevant features of one case are mirrored in a future case the reason will not be the same.

Cluster atomism is strengthened by the idea that enablers and disablers, where they appear, must be viewed at the same time as and in contrast to the favourer. As we have seen, enablers and disablers directly affect the favourer. They are then directly

responsible for the valence of the reason as a whole. Thus they are relevant features of the case and are thus part of the cluster of features that make the overall reason.

The point is: we make sense of how a feature favours only with the enabler or disabler in mind. They are thus necessary in making sense of the role the favourer plays in the case and thus the reason as a whole. They must then be part of the reason and not a feature outside of reason.

It is clear then that we can follow this view to see reasons as atomistic. If what a reason is must include all the relevant features of the case combined, we will only have this same reason where the relevant features of the case mirror a previous case. Then all other clusters with the same feature that do not have the other same relevant features are not the reason with a different valence, but, a different reason all together.

So for the cluster atomist, reasons follow as atomistic. They do not change their valence. Where the same feature recommends a different action, it is because of its combination with other relevant features of the case. The other features of the case force us to treat the feature differently and thus provide us with a new, or different, reason altogether.

Dancy initially attacks this un-fleshed out and conceptual level of cluster atomism on two counts. The first sees Dancy claim that in rejecting full atomism, as the cluster atomist does, “we have to allow that the polarity of each separate feature in the cluster could be

affected by changes elsewhere”³⁸. On the second count: even if we do have a case which mirrors all the relevant features, we cannot be certain that what was relevant there will be relevant here.

Both of these criticisms are aimed at directly affecting what the cluster atomist takes to be true. On the first count, Dancy demands that changes outside of the cluster must affect the features inside the cluster resulting in changes in valence of these features. More importantly for Dancy, what he takes to be the favorers in the cluster of relevant features can be affected by changes elsewhere. This means that the valence of the reason can change even though the relevant features are the same as in the previous case. This is held by Dancy to dramatically affect what cluster atomists take to be true: Where the relevant features of the case are the same as a previous case the reason must be the same.

On the second count, for Dancy, even if we do have a case that has all the relevant features of a previous case, we have no guarantee that what was relevant in the previous case will be relevant in the present case. This is to say that, the particulars of the case may not be in line with the relevant features of a previous case even though it possesses them. Some features may be more important in the present case than they were in the previous case.

I think that although Dancy has an insightful view of reasons, he has missed the point of cluster atomism. Although the first count can be read two ways, neither affects cluster atomism. The first way suggests that changes outside the cluster must affect at least some

³⁸ Dancy, J, *Ethics Without Principles*, pg 94.

of the relevant features of the case (which are in the cluster). Straight off the bat this is false, because if some changing thing affects the relevant features of a case then this changing thing must too be a relevant feature of the case. We cannot see that features outside the cluster are relevant. All the relevant features of the case must be part of the cluster. If these features are outside the cluster because they are new to the case then they are simply included in the cluster and will then be included in the overall reason that the cluster provides. If this is different to the previous reason, then it is a different reason not the same reason with a different valence.

We can read the first count a second way: that features within the cluster can change valence and thus affect the valence of other features in the cluster. However, this does nothing to weaken cluster atomism, the features within the cluster can change in a new case. As we have seen, this can only happen where there are new relevant features in the form of disablers and enablers. Features don't just change polarity unless they are caused to do so by something else. So, this just makes a new reason, the relevant features are no longer the same as the previous case. What is a reason there is not the same as the reason here, the cluster of relevant features is different.

On the second count; according to Dancy even if we do have a case which mirrors all the relevant features as a previous case, we cannot be certain that what was relevant there will be relevant there. This too is false, as we have already seen that where we have exactly the same relevant features in a case: we will have the same reason. It goes against our intuitions to claim otherwise. Think of it in terms of weights, maths, or anything that

can be clustered, For example; $2+55+23=80$. The relevant features of this case are 2,55 and 23, where they are clustered they will always equal the same number: 80.

Joseph Raz is a cluster atomist who follows this view to what he calls the complete reason. I do not think we need to go as far as Raz but for the sake of seeing this view at work, I will discuss it and how Dancy attempts to refute it.

A complete reason for Raz is: “all the facts that stated by the non-redundant premises of a sound, deductive argument entailing as its conclusion a proposition of the form “there is a reason for P to Φ ”³⁹. This is clearly a form of cluster atomism, not quite what we have been discussing up until this point but still one which utilizes the concept of all the relevant features of a case resulting in an overall reason.

Raz looks at the features of the case as premises, we have been looking at them as relevant features of the case. We can easily see how this will result in clusters. Dancy objects to Raz by use of two examples. The first an absurd charge which is supposed to show that the definition of a complete reason is fallacious:

1. Someone in the room has reason to Φ
2. There are only three people in the room P, Q and S.
3. Neither Q nor S has a reason to Φ
4. So P has reason to Φ

³⁹ Dancy, J, *Ethics Without Principles*, pg 97.

He claims that there is no reason in these premises and the conclusion of the argument is “P has reason to Φ ”. He claims that this is enough to make Raz’s complete reason false. This is, however, incorrect. The argument does not utilise the type of premises that Raz is looking for. What Raz means by “all the facts that stated by the non-redundant premises of a sound, deductive argument” is something that includes the reason(s) for P to Φ . Surely, the feature that favours the act must be included in the argument that ends there is a reason for P to Φ .

As we have seen, cluster atomism demands that each relevant feature of the case must be included in the reason. In Dancy’s next example which he uses to attack Raz’s cluster atomism, he seems to leave this out. He states that the enablers are not held separately and are thus obliterated by their agglomeration with contributory reasons. In this case:

1. He promised to do this
2. He is capable of doing it
3. His promise was not extracted by duress or subterfuge.
4. What he promised was not immoral
5. So: he has some reason to do this

For Raz, the complete reason is the cluster of the four premises. Dancy charges, as per the previous paragraph, that this is to ignore the distinction between favourers, enablers and disablers. Complete reasons do this because enablers and disablers are part of the reason as a whole. Dancy demands that contributory reasons are forced to seem

incomplete on this view. That is, on this view they only make sense in conjunction with the disablers and enablers.

I am of the opinion that this is false. The advantage of contributory reasons is that they can combine with other features of the case to produce an overall reason which captures where the normativity comes down. So, in conjoining them with disablers and enablers you are not losing any of the power of holding all reasons as contributory. On the contrary, you are utilising the strength of the view.

Contributory reasons are reasons which contribute along with others to the overall reason in the case. We have seen how this works. There is no reason to say that disablers and enablers must be separate from reasons. They are part of the explanation of what the reason to Φ is and why we have reason to Φ . If we do not include them as part of the reason then we have lost an important key to understanding why the reason is behaving in such and such a way.

It is, further, my opinion that it is not the favourer that is the reason as Dancy seems to imply. The favourer is what provides the normativity or normative force to the overall reason, of this I have no doubt. However, the favourer in conjunction with all the other relevant features of the case make the overall reason. At least, where all the relevant features combine this is where the normativity comes down, this is the overall reason. This reason can contribute to the case along with clusters of other relevant features (other contributory reasons), if there are any, to provide for a further overall reason.

The terminology that I am using may be quite confusing at this point. I hope to provide clarity here where I explain all of the terms which refer to reasons. First off, as I have already admitted: All reasons are contributory. Even if a cluster of relevant features has an overall reason where the normativity comes down, it does not have to end here. These overall reasons can contribute towards a further overall reason with the overall of other clusters in the case. In a sense, the overall reasons from each cluster can create a further cluster where they contribute in combination with others.

The main point which I have attempted to establish with the enlightenment of cluster atomism is: where the relevant features of a case, viewed in a cluster and as an overall reason where the normativity comes down, mirror a previous case then what was a reason there will be the same reason here. We can thus accept that there are, and must, be case to case regularities such that we can look at atomistic reasons for guidelines to thinking about what we should do.

The discussion can now move to look at the issue of valence with regards to the concept of justice. In my opinion, justice is a consideration that will always stand in the same relation to action. That an act will be just will always favour some action if not demand it. At least it is hard to conceive of the idea that an act's justness could count against doing it. This is where cluster atomism, and the account invariant overall reasons it allows, come together to show why fully-fledged particularism cannot stand.

Chapter V: Is Justice Holistic and Particular?

The particularist thinks that the valence of any given feature is holistically determined. In this chapter I seek to establish whether this is indeed so. I do this by considering whether the fact that an act is obligated by justice is a consideration that will always count in its favour. Basically, I want to establish whether considerations of justice are holistic or atomistic.

It is generally held that if something is just, it will always count in its favour. That is, we can hardly imagine a case where that something is just does not count in its favour. Particularists will resist this move, they want to say that all features, bar maybe a few, are holistic. Dancy attempts to refute this type of thinking in the beginning of Chapter Seven of "Ethics Without Principles". As a response to the adaptation of Ross' work by McNaughton and Rawling, Dancy moves to look at the possibility that justice could be variant.

McNaughton and Rawling are particularists who aim at showing why we need to, and can, accept certain weak principles. According to them, if we see "principles as taking us from the non-ethical to the ethical, then particularism is the truth. There neither are, nor need to be, principles of this sort".⁴⁰ What there are, however, are 'intra-ethical' principles, like justice, which take us from one normative concept to another. These are normatively thick terms like the six prima facie duties that are set out by Ross.

McNaughton and Rawling suggest that these intra-ethical principles are essential to moral thought and judgement. We need to be able to move from one concept to another, and

⁴⁰ Dancy, *J Ethics Without Principles* pg 121.

these “intra-ethical”, or weak, principles do this. For example “just deeds are right”, this principle takes us from the concept of justice to the concept of right.

McNaughton and Rawling also suggest that “a moral principle may draw attention to a feature that is always relevant, and relevant in the same way, under certain implicit conditions”⁴¹. This might suggest that they occupy a generalist position, however they maintain that there are no principles which take us from the non-ethical to the ethical. However, it would seem that they are allowing for a fair amount of invariance in the theory of reasons; this amounts to atomism. This is understandable as much of their work is based on the work by Ross. Their particularism is thus in direct opposition to Dancy’s particularism which has at its core: holism.

Dancy moves to refute this account by setting out Ross’ six *Prima facie* duties and then setting them aside. He says that the only one that could possibly be invariant, the *prima facie* duty of justice. That is, he finds that none of the others will always stand in the same relation to action every time they occur because there are many examples that can prove each of their variance. *Prima facie* duties, other than those of justice, are not invariant reasons, they are merely duties. On his picture then, Dancy feels that he does not have to take them seriously. The only *prima facie* duty he feels he needs to take seriously is justice.

Dancy admits that it is possible that justice always counts in favour of acting. Nevertheless, he puts two charges against justice. The first sees Dancy claim that there

⁴¹ McNaughton, D, and Rawling, P, *Unprincipled Ethics in Moral Particularism* pg 269

are many just acts that we could do, but we have no reason to do these acts. This would be a good line to take could it be got to work. If there were many just things to do and we had no reason to do them, then indeed it would cripple an atomistic picture of justice.

The above argument would, however, at the same time, cripple any picture of justice. Justice would then no longer be what anybody thinks it is. Instead, Dancy formulates his own reply in which he says that it might be that it is really injustice that is invariant and not justice. That is where there is a possible act that would be unjust, we ought not to do it, in every instance and in every case.

This leads Dancy to his second charge: “In certain contexts such as ordinary family life the question whether what one proposes to do would be just or unjust ‘does not arise’, as it were, the wrong question to ask”⁴². He explicates that it is not that “the domain of the just/unjust distinction”⁴³ does not include family life rather it just doesn’t work the same way. This implies that this would be a very strange environment in which to organize a family. This is true. It would be strange if one approached family life with justice like a court or something of the like. His point is that justice varies according to context. Thus justice must be variant if it is not the same in every instance it occurs.

Dancy claims that even if he is wrong here (that justice is contextually variant), all that would be left is “a concept that plays an invariant normative role as a reason giver”⁴⁴. This is not evidence that there must be more of these concepts, as McNaughton and

⁴² Dancy, *J Ethics Without Principles* pg 121.

⁴³ *ibid.*

⁴⁴ *ibid.*

Rawling suggest. So Dancy rests happy that he has shown that justice does not prove to be a problem for his particularism, even if it is invariant (though he thinks it otherwise). It just means that there is at least one, strange invariant, reason.

What can be said about these attacks on the invariance of justice? I think that Dancy is right when he says that it might be that it is in fact injustice that is the invariant reason. Our primary concern of what the just thing to do is. However, this can only make sense where there are possible injustices. That is, where there are possibilities of injustices; we have a *prima facie duty* of justice to prevent his prom happening.

This aside, we need to look at and flesh out exactly what Ross sets out to be *prima facie* duties of justice before we can mitigate the damaging effect of Dancy's argument.

“(3) Some (prima facie duties) rest on the fact or possibility of a distribution of pleasure or happiness (or of the means thereto) which is not in accordance with the merit of the person concerned; in such cases there arises a duty to upset or prevent such a distribution. These are duties of justice.”⁴⁵

If we read the above quote we can see that the duties of justice of which Ross is speaking are deeper than those of which Dancy speaks. Firstly, Ross talks about preventing injustices as duties of justice. This implies that justice must be dependant on an the invariant concept of injustice to obtain its reason giving-power. These duties which Ross is spelling out are duties to prevent injustices from occurring.

⁴⁵ Ross, D *The Right and The Good* pg 21.

So, for Ross, *prima facie* duties of justice are aimed at securing justice, because of the features of the case that could lead to injustice. So, what Ross means by this quote is that where certain relevant features require a just action in order to maintain or prevent an injustice in a distribution of happiness and or pleasure, these are just acts.

Does this mean that justice can still be contextually variant? If we read this quote closely, it is very hard to find any evidence to say that it must be. That is, justice must be the same in the home as it is elsewhere, on this account. It is not, however, explicit on this matter.

So what could we expect were justice to be contextually variant? It would be a strange sort of conclusions in a theory of justice to say, justice is..... but not the same in the home, parking lot, dentist room or parent teacher conference. In these areas justice is this...which is different to that...

Even so, let us imagine that Dancy is right. Justice does not apply to the home because of its contextual variance. Let us also hold that it is really injustice that is the invariant reason here. This means that, on Dancy's picture, justice must be based on injustice, or be required by injustice to repair or stop the injustice. Thus on Dancy's picture, injustice too must not apply to the home and ordinary family life.

On Dancy's concept of duties of justice then, where there are injustices, they might not apply. Justice is contextually variant, and because it is based on injustices, then so too

must injustices be contextually variant. We thus have no reason to act on or even consider them, on every occurrence.

Surely, we cannot accept that injustices are acceptable in the home, or in ordinary family life or in any context for that matter. Injustice must always be a reason for duties of justice. Dancy's account falls apart, the argument that justice is contextually variant doesn't stick because of the distinction between justice and injustices. Duties of justice must be required in every occurrence of features of injustice. This means that both of these duties, reasons or what ever one might call them are not contextually variant.

So what now if we follow Dancy? On his terms we must be left with a concept that plays the invariant normative role as a "reason-giver".

This implies that justice is a feature of the case, one that gives us a reason. On Dancy's account of reasons this must mean that justice is a favourer. I disagree; I don't think that justice is itself a feature of the case. I think that it applies to features of the case, like injustices or the possibility there of, but it is not itself a feature of the case. Concepts cannot be reasons and reasons cannot be concepts.

I return now to my previous endorsement of cluster atomism. Here, it is held that it is not simply the favouring feature that is the reason, as Dancy would have us believe. It is all of the relevant features of the case combined into one cluster. The cluster is the reason where the normativity comes down. I suggest that if we follow cluster atomism we will understand reasons far better than the particularist.

First off, seeing as we have just established that justice must be atomistically determined. We can account for this far better than the particularist who has to make special conditions so that they can hold an invariant reason. Rather, the cluster atomistic view sees justice the same way as those who write about and apply it to real cases and to real institutions. We can also easily accept theories like that of Rawls without worrying that the concepts of justice are absolute or universal. We can see that justice works in the following manner.

All of the relevant features of the case combined in a cluster can promote a just act. In fact, it would be strange if it was only one feature of the case, the favourer, that ends up in requiring a just act. The fact that justice demands the same action in all cases that have the same relevant features provides for a better account of justice than claiming that it is merely one feature that will always demand the same action: the feature of justice as a concept.

It seems then that there is a strong case that Ross' *prima facie* duties of justice are atomistic. Justice is not holistic and particular, it is invariant, atomistic and general. Therefore, at this point, the theory of *prima facie* duties stands on only one leg, justice. Obviously, this is not enough to say we can now hold the whole theory. So the Question must be asked: is justice the only leg to stand on that is atomistic and invariant?

If we accept the cluster atomistic view, then I am sure that we can resurrect other *prima facie* duties that Ross puts forward⁴⁶. This can be resurrected as a response to the arguments put forward by Dancy.

Firstly, with regards to invariance of *prima facie* duties other than justice, Dancy does not put forward much in the way of argument. His primary attack is the assertion that Ross must surely be wrong; Duties 1,2,4,5 and 6 are just not examples of invariant reasons. Dancy specifically sets each one out starting with duties grounded in previous acts of my own (fidelity and reparation) and previous acts of others (gratitude). Dancy explains that no act can be right simply because it rests on previous acts of others or my own. He writes off beneficence and non-malevolence as variant reasons because they do not always provide us with a reason to do them just because they are there. In his words:

There are many acts that would benefit others that I have no particular duty or reason to do, and in any such case the act would not even be for the better. If someone does not deserve a benefit, giving her that benefit is not something we have a *prima facie* duty to do, the same *mutates mutandis* applies to those who have lost a certain immunity to harm.⁴⁷

This is to say that these duties are just implausible as invariant reasons. That does not mean that they are never reasons. For Dancy, they can be features which play the

⁴⁶ I have set these out in the previous chapter

⁴⁷ Dancy, J *Ethics Without Principles* pg120

favouring role, but they cannot always be duties, or considerations which are always for the better.

With regards to *prima facie* duties of self-improvement Dancy simply concludes: “an act that is a duty to oneself is not a duty for that reason”⁴⁸. Which shows that it is pointless as an invariant reason. Again, it may be a reason in some cases, but not a duty in all.

I do not think that Dancy has looked at *prima facie duties* as they should be viewed. Firstly he is looking at each one as a reason on its own, in his terms: the favourer. This favourer then is in line with one of the *prima facie* duties or is mandated by the *prima facie* duty. Dancy then places onto this “reason” a disabler or an enabler that changes the valence of one the single feature that is supposed to be playing the reason role (the one that is normatively basic). The valence changes and Dancy is thus sure that each one of these *prima facie* duties is defeated as a variant reason.

It doesn't work this way at all. If we turn again to cluster atomism, we will have a strong response to these arguments. Let us start from the beginning: with previous acts of my own and previous acts of others. Now, assuming that I have made a promise, I would have a *prima facie* duty of fidelity to keep this promise. This is because the *prima facie* principle of fidelity applies to promise keeping. Now Dancy's favorite counter example to this is that my promise was made under duress disables my promise from playing the reason role. It does not stop my duty to keep the promise. What I now have is a duty to keep the promise but no reason to.

⁴⁸ Dancy, *J Ethics Without Principles* pg120

This falls apart if we take the view of cluster atomism, because the reason is not the promise; the reason is the cluster of relevant features in the case. That my promise was made under duress is a relevant feature of the case so it must be part of the reason. In conjunction with the promise the duty and the reason to keep the promise falls away. In terms of my generalism chapter: *prima facie* duties hold unless relevantly different conditions apply. Here, with my forced promise, relevantly different conditions do apply. Thus the duty and the reason fall away.

The reason does not change valence because the “favourer” is not the reason. The reason is the cluster of all the relevant features of the case. The *prima facie* duty of fidelity does not apply. What we now have is the knowledge that, in future cases. Where I make a promise under duress, I have no reason to keep the promise and I have no duty to keep the promise.

What about acts of reparation? On Dancy’s account, something cannot be right simply because it is an act of reparation. I don’t think that this is the case. Again, cluster atomism can sort this out. The relevant feature of a case that the principle applies to is not the favourer; say “that I smashed his car”. It is all the relevant features of the case combined together in a cluster.

For Dancy, if I smashed his car but it was his fault, then I have no reason to repair his car but I have the *prima facie* duty to. This too is false. The reason is the cluster of all the relevant features. Again, the disabler (it was his fault) is a relevant feature of the case an

is thus part of the cluster and then part of the reason. The disabler, then, in conjunction with the feature “I smashed his car” is not a reason, nor a duty to repair it.

In light of the above counter arguments, Dancy’s criticism of duties of beneficence and non-maleficence no longer hold. It is true, however, that if someone does not deserve a benefit, giving her that benefit is not something that we have a *prima facie* duty to do. Clearly, if we hold the cluster atomistic picture, this is not a problem. Here not only do I have no duty to give her the benefit, but no reason either. This is supposed to be a criticism from Dancy, but in fact it does nothing. That she does not deserve the benefit will be part of the cluster of relevant features of the case. Where these combine, this feature will stop any possible overall reason to give her the benefit. It will also stop the duty of beneficence from applying to the case. There really is no problem here.

Take the next *prima facie* duty: Non-maleficence. Dancy briefly bumps it out of the picture of invariant reasons. He says that someone through their own acts has lost their immunity from harm. This means that there is reason for them to receive harm, but a duty to protect them from it. Again, if we pair their actions with all the other relevant features of the case, then it can be that there is no reason to protect her from the harm and no duty either.

Lastly, Dancy tackles the *prima facie* duty of self-improvement in respect of virtue or intelligence. He says “an act that is of a duty to oneself is not a duty for that reason.”⁴⁹.

⁴⁹ Dancy, J *Ethics Without Principles* pg120

This is true, we could not say that because a I have duty to myself, does not mean I have reason for it to be a duty. This is a puzzling conclusion from Dancy. He would not say that a duty is a reason, neither would the cluster atomist. Nevertheless, let us try to flesh this out to see if an example clears this puzzle piece.

To improve my own intelligence, I ought to read more. Improving my own intelligence is a duty I have to myself, here, it is also the reason for reading more. Admittedly then, there must be a confusion here between reason and duty. Improving my own intelligence is always for the better. I cannot think of a counter example to this. That “by reading more I can improve my own intelligence” is the whole reason for reading more. It is the combination of the relevant features of the case. The *prima facie* duty of self-improvement applies to this reason. The duty is not the reason; they just seem to coincide here. That does not provide evidence that I can't have a duty to my-self, nor does it prove that duties to myself are variant.

Chapter VI: Conclusion

In the last chapter, we saw Jonathan Dancy attempt to explain justice from a particularist view. His attempt failed for a variety of reasons. The first was that, on his picture, for the generalist it must be injustice that is really the invariant reason, not justice. Then also on his picture, justice must also be contextually variant because in places like ordinary family life justice does not always apply.

On my picture this is false. The two claims are incompatible. We cannot hold them both. If we did, then we would have to accept that injustice in ordinary family life does not always apply either. Surely injustice is not something that we can accept in family life, or in any context for that matter.

This is because features of injustice, or the possibility there of, demand prima facie duties of justice every time they occur. If some other feature of the case disables this feature from obligating acts of justice, this must then be part of the reason. It must be part of the reason because it is a relevant feature. Then all it does is cancel that feature of injustice from being unjust, and effectively preventing the need for acts of justice.

So, the reason doesn't change valence because there was no reason before the combination of the relevant features. Only where the normativity comes down, once the whole cluster of relevant features is viewed, do we have a reason. I suggest that it is here that we need to examine if reasons can change their valence. I don't see this as even a remote possibility. Any feature of the case that might change the valence is already part of the cluster because of its relevance.

I think that here, by giving a false account of justice, Dancy's picture is at a grave disadvantage. What can we expect a theory of moral reasons to tell us if it cannot adequately explain how justice works? I think what we have is an unreliable view of moral terrain, because the way we view justice signifies that it must be an important feature of the moral terrain

Where I applied this type of thinking to the other *prima facie* duties which Ross promotes, I found that if we hold this view of reasons, the cluster atomistic view, we can similarly resurrect the other *prima facie* duties held by Ross' from the opposing arguments that Dancy provides.

I think that cluster atomism jumps straight to the heart of the conflict between particularism and generalism. That is, the distinction between favourers and enablers/disablers. The particularist endorses this distinction because it allows for variance of reasons. On this view the favourer is the reason. The enabler/disabler either allows that favourer to hold its valence or it changes its valence. This means that favouring features can change valence, thus reasons can change valence.

This is not the truth, features that play the enabling/disabling role directly affect the case, they cannot thus be separate from the reason. They must be part of what ever overall reason we have in that case. Thus, in leaving enablers and disablers out of an explanation of a reason, we cannot make sense of what that reason is.

The next step is to pick out that, where these relevant features of the case mirror the relevant features of a previous case, we will have the same reason that we had there. It is then possible and useful to pick out case to case similarities, useful in that we can find out what to do by appeal to what has happened before. At the same time we can appeal to a principle of *prima facie* duty which incorporates these features as features which demand duties of this type.

Where we are faced with new features, or a new combination of features, we can judge what to do by what the combination of all of the relevant features in this new case, not by only by what the favouring features recommend we do, for this would not give the whole reason. We can thus make principles on this, or judge future cases with the same relevant features in the same way.

By reducing reasons to the basic features that count in favour of action, Dancy's particularism goes too far. It leaves out all the other, important, relevant features of the case which play a huge role inside the reason, as we have seen. If we see reasons properly, through cluster atomism, we see the reason as a whole. In comparison, Dancy's particularism leaves us with a thin understanding of how reasons work.

Bibliography

- Dancy, J. (1981 'On Moral Properties', *Mind*, 90: 367-85
(1992) 'Caring about Justice', *Philosophy*, 67:447-66.
(1993) *Moral reasons*, (Oxford: Blackwell)
(1999a) 'Can the Particularist learn the difference between right and wrong?',
in K. Brinkmann (ed.), *The Proceedings of the Twentieth World Congress of
Philosophy*, vol 1: *Ethics* (Bowling Green, OH: Philosophy Documentation
Center, 1999a), 59-72.
(1999b) 'Defending Particularism' *Metaphilosophy*, 30:25-31.
(2001) 'Moral Particularism', published online in the Stanford Encyclopaedia
of Philosophy.
(2004) *Ethics Without Principles*. (Oxford: Oxford University Press)
- Hare, R. M. (1963) *Freedom and Reason* (Oxford: Clarendon Press)
- Hooker. B and Little M (2000). *Moral Particularism* (Oxford: Oxford University Press)
- McCloskey, H. J.(1969) *Meta Ethics and Normative Ethics* (The Hague: Nijhof.)
- McNaughton, D and Rawlings, P "Unprincipled Ethics". Pages 256-276 in *Moral
Particularism* edited by Hooker. B and Little M (Oxford: Oxford University Press)
- Moore, G.E. (1903) *Principia Ethica* (Cambridge: Cambridge University Press)
- Parfit, D (1984), *Reasons and Persons*(Oxford: Oxford University Press)
- Rawls, J. (1971) *A Theory of Justice* (Cambridge, Mass: Harvard University Press)
(2001) *Justice as Fairness, a restatement* edited by Kelly, E (Cambridge, Mass:
Harvard University Press)
- Raz, J. (1999) "The truth in Particularism". Pages 48-79 in *Moral Particularism* edited by
Hooker. B and Little M (Oxford: Oxford University Press)
(2000b)'The Central Conflict: Morality and Self Interest', in Raz (2000a: 303-
32); printed in R.Crisp and B. Hooker (eds.)*Well being and Morality: Essays in
Honour of James Griffin*(Oxford: Clarendon Press)(2000), 209-38
- Ross, W.D. 1930 *The Right and The Good* (Oxford: Clarendon Press)
- Sinnott-Armstrong, W. (1999) 'Some Varieties of Particularism' *Metaphilosophy*, 30: 1-
12.