

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)

## 1

*Ignorance and obligation*

“Ought” is ambiguous. Few deny this fact.<sup>1</sup> It straddles several distinctions. One such distinction is that between what is counseled by morality and that which is counseled, not by morality, but by reason, or prudence, or aesthetics, or the law, and so on. Within the broad category of morality, there is another distinction between that which is required or obligatory and that which is merely recommended. Within the category of moral obligation, there is still another distinction between that which is overall obligatory and that which is merely *prima facie* obligatory. “Ought” may be properly used in all such contexts.

So much I presume. In this chapter I will focus on the concept of overall moral obligation, and I will address yet another alleged distinction: that between what are often called objective and subjective obligation. It is frequently claimed that “ought” (together with associated terms, such as “right” and “wrong”) may be, and is, used to express both forms of obligation, and that as a result people sometimes find themselves talking at cross-purposes. Consider what W.D. Ross has to say on the matter:

[W]hen people express different opinions about the rightness or wrongness of an act, the difference is often due to the fact that one of them is thinking of objective and the other of subjective rightness. The recognition of the difference between the two is therefore in itself important as tending to reconcile what might otherwise seem irreconcilable differences of opinion.<sup>2</sup>

This may seem sensible, but I think it is mistaken.

<sup>1</sup> One of the few: Judith Jarvis Thomson, who in Thomson 2001, pp. 44 ff., insists that there is only one “advice” sense of “ought.” (She does, however, acknowledge another, “expectation” sense of “ought,” as in: “The train ought to arrive by 3:00.”)

<sup>2</sup> Ross 1939, p. 147.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Living with Uncertainty*

## I.1 THREE VIEWS OF MORAL OBLIGATION

It is with overall moral obligation that the *morally conscientious* person is primarily concerned. When one wonders what to do in a particular situation and asks, out of conscientiousness, “What ought I to do?,” the “ought” expresses overall moral obligation. “Ought” here is a contrary of “wrong.” Conscientiousness precludes deliberately doing what one believes to be overall morally wrong.<sup>3</sup>

There is disagreement about the general conditions of overall moral obligation. Here is one view (where “ought” is of course intended to express overall moral obligation):

*The Objective View (first formulation):*

An agent ought to perform an act if and only if it is the best option that he (or she) has.

This formulation is extremely rough, but it will do for present purposes. Let me just note a few points.

First, by an “option” I mean something that the agent can do, where “can” expresses some form of personal control. Thus the Objective View presupposes that the “ought” of moral obligation implies the “can” of personal control – an issue that I will discuss further in chapter 3.

Second, this account of overall moral obligation may be straightforwardly extended to cover overall moral rightness and wrongness. Thus: it is overall morally right for an agent to perform an act if and only if he has no better option; and it is overall morally wrong for an agent to perform an act if and only if he has a better option. In what follows, I will assume that the Objective View includes this extension.

Finally, I intend “best” to be very elastic. In this way, I believe, the Objective View can be applied to any substantive theory of moral obligation. Since it may not be obvious that the Objective View is generally applicable in this way, let me explain.

It is clear that the Objective View can be applied to the theory of obligation advocated by G.E. Moore.<sup>4</sup> According to this theory, which is a version of what has come to be called consequentialism, what we *ought* to do is a function of the *value* of what we can do, which is itself a function

<sup>3</sup> This is not to say that conscientiousness requires deliberately doing, or trying to do, only what one believes to be overall morally right, since on occasion one may find oneself forced to act while lacking any belief about the overall moral status of one’s act.

<sup>4</sup> Moore 1912, chs. 1–2.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Ignorance and obligation*

of some non-evaluative “*stuff*.” The kind of value in question is instrumental value, the value that an act has in virtue of the intrinsic value of its consequences. Consequentialists differ among themselves as to what the stuff of intrinsic value is. For some the list is very short: pleasure is the only intrinsic good, and pain is the only intrinsic evil. For others (including Moore) the list is longer: also among the intrinsic goods are love, knowledge, and various virtues such as compassion and conscientiousness; and among the intrinsic evils are hatred, ignorance, and various vices such as cruelty and callousness. Despite these differences, consequentialists of this stripe are united in saying that, whatever the stuff of intrinsic value – that is, whatever in the end should be said to have intrinsic value – what we ought to do is that act which, among our alternatives, is to be ranked first in terms of the promotion of this stuff. When coupled with the Objective View, this yields the claim that what we ought to do is that act which is *actually* instrumentally best, that is, *actually* best in terms of the promotion of this stuff, relative to the other acts that we are in a position to perform.

What is perhaps not so clear is that this “ought”-value-stuff framework can be applied to other substantive theories of obligation, too, and hence that the Objective View can likewise be applied to them. The type of value at issue may vary, as may the stuff that is ultimately at stake or the relation between value and stuff. Nonetheless, the framework fits. Consider, for example, not Moore’s type of consequentialism – act-consequentialism, as it is often called – but instead a version of rule-consequentialism, according to which what we ought to do is that act which, among our alternatives, is to be ranked first in terms, not of its own promotion of the stuff of intrinsic value, but rather in terms of conforming to a rule, the general adherence to which promotes the stuff of intrinsic value. Here the stuff that is ultimately at stake is the same as with act-consequentialism: pleasure, pain, or whatever else should be said to be of intrinsic (dis)value. However, the relevant value to be ascribed to acts has changed. Now one act is to be deemed better than another, not if the former is itself instrumentally better than the latter, but rather if the rule that covers the former is such that general adherence to it is instrumentally better than general adherence to the rule that covers the latter. (Of course, there may be differences among rule-consequentialists concerning just what general adherence to a rule consists in.) Let us call the former act “rule-better,” for short. When coupled with the Objective View, rule-consequentialism thus issues in the claim that we ought to do that act which is *actually* rule-best, relative to the other acts that we are in a position to perform.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Living with Uncertainty*

Or consider the sort of virtue-theoretical, non-consequentialist theory according to which what we ought to do is a matter, not of promoting virtue or vice, but of displaying virtue or vice. Virtue-theorists differ among themselves as to what the stuff of virtue and vice should be said to be. For some, the list will be short: compassion, cruelty, conscientiousness, and callousness, for example. For others the list will be longer. But again, despite these differences, such theorists are united in saying that acts may be assigned a kind of value – that is, they may be ranked relative to one another – in terms of how they succeed or fail in displaying the various virtues and vices; and they agree that what we ought to do is that act which, among our alternatives, is to be ranked first in terms of such a display. (Of course, there may be differences between virtue-theorists concerning just what the display of a virtue or vice consists in and just what determines whether one display is to be ranked higher than another with respect to the determination of obligation.) When coupled with the Objective View, this yields the claim that what we ought to do is that act which is *actually* best in terms of the display of compassion, cruelty, and the like.

Or consider the theory that our obligations have essentially to do with respecting people's rights. Rights-theorists differ among themselves as to what it is that people's rights concern: life, liberty, privacy, medical care, rest and leisure, periodic holidays with pay...<sup>5</sup> But, again, they are united in saying that, whatever the stuff of rights, what we ought to do is that act which, among our alternatives, is to be ranked first in terms of according people the stuff of rights. (Again, though, differences may remain concerning just what "according" someone the stuff of rights consists in.) When coupled with the Objective View, this issues in the claim that what we ought to do is that which is *actually* best in these terms.

Or consider, as a final example, the view that our obligations turn on whether our actions are rationally defensible. Proponents of this view differ among themselves as to the stuff of rational defensibility. Some cash this idea out in terms of the universalizability of the maxim of one's action; others in terms of whether one's action complies with the terms of some contract; and so on. But such theorists are united in saying that what we ought to do is that act which, among our alternatives, is to be ranked first in terms of the relevant stuff. When coupled with the Objective View, this yields the claim that what we ought to do is that act which is *actually* best in terms of universalizability, or compliance with some contract, and so on.

<sup>5</sup> See the 1948 *Universal Declaration of Human Rights*, cited in Feinberg 1973, pp. 94–5.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Ignorance and obligation*

The foregoing remarks are sketchy, but they should suffice to show the general applicability of the “ought”–value–stuff framework. The underlying idea is straightforward. Any substantive theory of obligation can be cast as one according to which what one ought to do is ranked higher than any alternative.<sup>6</sup> These theories will differ as to the principle of ranking. According to some, that which is to be ranked first is that which is instrumentally best; according to others, it is that which is rule-best; according to others, it is that which is best in terms of the display of compassion, cruelty, and so on; or best in terms of protecting people’s lives, property, and so on; or best in terms of universalizability; and so on and so forth. When coupled with the Objective View, these theories declare that what we ought to do is that which is *actually* instrumentally best, rule-best, and so on. But when coupled with something other than the Objective View, they will have a different implication.

As an alternative to the Objective View, consider this view about the general conditions of overall moral obligation:

*The Subjective View (first and only formulation):*

An agent ought to perform an act if and only if he believes that it is the best option that he has.

This view, too, can be supplemented with clauses pertaining to overall moral rightness and wrongness. Thus: it is overall morally right for an agent to perform an act if and only if he believes that he has no better option; and similarly for wrongness. And this view, too, is applicable to any substantive theory of moral obligation. For example, an act-consequentialist who subscribes to the Subjective View would say that what we ought to do is that act which we *believe* to be instrumentally best; the rule-consequentialist would say that what we ought to do is that act which we *believe* to be rule-best; a virtue-theorist would say that what we ought to do is that act which we *believe* to be best in terms of the display of the various virtues and vices; and so on.

It is obvious that the Objective View and the Subjective View do not exhaust the views that one might hold about the conditions of overall moral obligation. Here is yet another view:

<sup>6</sup> This is true even of so-called “satisficing,” rather than “maximizing,” theories. (Cf. Slote 1989.) And it is true, by default, of those theories that rank obligatory actions first and all non-obligatory alternatives equally last.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Living with Uncertainty**The Prospective View (first formulation):*

An agent ought to perform an act if and only if it is probably the best option that he has.

Like the Objective and Subjective Views, the Prospective View can be supplemented with clauses pertaining to overall moral rightness and wrongness and can be applied to any substantive theory of moral obligation.

Let me stress again that these formulations of the Objective, Subjective, and Prospective Views are all extremely rough. I will make adjustments if and when the need arises.

The three views just mentioned clearly conflict. By this I mean, not that their verdicts must diverge in every case, but that their verdicts do diverge in some cases. Here is one such case, inspired by a case given by Frank Jackson:<sup>7</sup>

*Case 1:*

Jill, a physician, has a patient, John, who is suffering from a minor but not trivial skin complaint. In order to treat him, she has three drugs from which to choose: A, B, and C. Drug A would in fact be best for John. However, Jill believes that B would be best for him, whereas the available evidence indicates that C would be best for him.

In this case, the Objective View implies that, all else being equal, Jill ought to give John drug A, the Subjective View that she ought to give him drug B, and the Prospective View (given that “probably” expresses epistemic probability) that she ought to give him drug C.<sup>8</sup>

I have said that the three views conflict, but of course this is true only if “ought” is used univocally in the statement of these views. One could reconcile the views by claiming that, in the Objective View, “ought” expresses objective obligation, whereas, in the Subjective View, it expresses subjective obligation, and, in the Prospective View, it expresses prospective obligation. This would be in keeping with the suggestion, recorded at the outset of this chapter, that “ought” is ambiguous even when restricted to the context of overall moral obligation. I said that this may seem a sensible suggestion, but is it really plausible? I think not. First, it is clear that still

<sup>7</sup> This is the first of several cases modeled on a case provided in Jackson 1991, pp. 462–3.

<sup>8</sup> Note: *all else being equal*. This simplifying assumption is intended to allow us to bracket concerns with such matters as patient autonomy, financial costs, and the like. We may assume that John has consented to Jill’s treating him however she chooses, that each drug costs the same as the others, and so on.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Ignorance and obligation*

further views are possible.<sup>9</sup> Should we really expect “ought” to be so adaptable that, for each such view, there is a distinct sense of the term that validates the view? This strains credulity. But, if not all such views capture a legitimate sense of “ought,” how are we to discriminate between those that do and those that don’t? Second, there is good reason to insist that “ought” is *not* equivocal in the manner just indicated – to insist, that is, that there is only *one* kind of overall moral obligation, and thus only *one* corresponding “ought.” Let me explain.

I have said that it is with overall moral obligation that the morally conscientious person is primarily concerned. Let us assume that Jill is such a person. Being conscientious, she wants to make sure that she does no moral wrong in her treatment of John. She seeks your advice, telling you that she believes that drug B would be best for John but that she isn’t sure of this.

“So,” she says, “what ought I to do?”

You are very well informed. You know that A would be best for John, that Jill believes that B would be best for him, and that the evidence available to Jill (evidence of which she is apparently not fully availing herself, since her belief does not comport with it) indicates that C would be best for him. You therefore reply, “Well, Jill, objectively you ought to give John drug A, subjectively you ought to give him B, and prospectively you ought to give him C.”

This is of no help to Jill. It is not the sort of answer she’s looking for. She replies, “You’re prevaricating. Which of the ‘oughts’ that you’ve mentioned is the one that *really* counts? Which ‘ought’ *ought* I to act on? I want to know which drug I am morally obligated to give John, *period*. Is it A, B, or C? It can only be one of them. It can’t be all three.”

Jill’s demand for an *unequivocal* answer to her question is surely reasonable. There is a *unique* sense of “ought” with which she, as a conscientious person, is concerned; it is with what she ought to do in *this* sense that she seeks guidance. Unless and until you single out one of the drugs as being the one that she ought to give John, you will not have answered her question.

<sup>9</sup> For example, the view that an agent ought to perform an act if and only if he believes that it is probably the best option that he has.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Living with Uncertainty*

Ross is himself well aware of this fact. I noted above that he distinguishes between what he calls objective and subjective rightness. However, having done so, he immediately goes on to add:

But the question remains, which of the characteristics – objective or subjective rightness – is ethically the more important, which of the two acts is that which we ought to do.<sup>10</sup>

It is curious that Ross is prepared to declare “right” ambiguous between objective and subjective senses but not to declare “ought” similarly ambiguous. I can find no justification for such discrimination. Just as Jill wants to know what she really ought to do, so too she wants to know what drug it would really be right for her to give John. Once again, it would be of no help to her – you would not be addressing the question she raises – if you were to say, “Well, Jill, it would be objectively right for you to give John drug A, subjectively right to give him B, and prospectively right to give him C.” Even if we were to countenance a proliferation of senses of “right” in the present context, we would need to single out that one sense with which Jill is concerned and focus on it. So too with senses of “ought.” But I see no need to countenance any such proliferation. When it comes to the question of what Jill is overall morally obligated to do, only one sense of “ought” and only one sense of “right” count. Let us therefore repudiate any other putative senses. Case 1 gives us all the information we need: A would in fact be best for John; Jill believes that B would be best; the available evidence indicates that C would be best. Under these circumstances, which drug *ought* Jill to give John?

## I.2 ROSS ON MORAL OBLIGATION

Ross was one of the first philosophers to address at any length the question which of the Objective, Subjective, and Prospective Views (if any) is correct. In his most famous work, *The Right and the Good*, he implicitly embraces the Objective View.<sup>11</sup> In a later book, *Foundations of Ethics*, in which he explicitly discusses each of the Objective, Subjective, and Prospective Views (although he appears to think that the third of these reduces to the second), he rejects the Objective View in favor of the Subjective View.<sup>12</sup> Ross attributes his conversion to H.A. Prichard, whose article “Duty and Ignorance of Fact” he deemed to make a

<sup>10</sup> Ross 1939, p. 147.    <sup>11</sup> Ross 1930, ch. 2.    <sup>12</sup> Ross 1939, ch. 7.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Ignorance and obligation*

conclusive case for such a conversion.<sup>13</sup> In this section, I will examine the arguments that Ross gives against the Objective View and in favor of the Subjective View. In the [next section](#), I will discuss some arguments against the Subjective View.

One argument that Ross gives is this.<sup>14</sup> An act cannot be right or obligatory unless it is reasonable to do it. Doing that which is in fact best can be unreasonable. (For example, if Jill is utterly careless regarding how she treats John – she throws a cloth over drugs A, B, and C, say, and then reaches underneath to pick at random one of the drugs with which to treat John – then, even if she manages to give John the best treatment, she will have acted unreasonably.) Doing that which one believes to be best is always reasonable. (For example, if Jill gives John drug B, believing this to constitute the best treatment, she will have acted reasonably.)

This is a poor argument. Note, first, that it is at best an argument against the Objective View; it does not establish the Subjective View. Even if we accept that carelessly doing what is in fact best is not reasonable, this suffices only to preclude the Objective View. We would arrive at the Subjective View only if it were added that only doing that which one believes best is reasonable.<sup>15</sup> A second problem concerns what counts as reasonable. A proponent of the Objective View is likely to insist that there always *is* a reason to do that which is best. Whether he would go on to say that one always *has* a reason to do that which is best is less clear. Whether he would go still further and say that it is always *reasonable* to do that which is best is even less clear. But what does seem clear is that an appeal to reasons or what is reasonable by itself provides insufficient reason to abandon the Objective View.<sup>16</sup> (Having said this, I should add that I think Ross is in fact on to something very important here. I will return to this point in section 1.4.)

A second argument that Ross suggests is this.<sup>17</sup> One is blameworthy if and only if one fails to fulfill one's obligation. It is not the case that one is blameworthy if and only if one fails to do what is best. (For example, Jill may unluckily fail to treat John successfully; but if she has been as careful as possible in her effort to treat him, then she is not to blame for her lack of success.) One is blameworthy if and only if one fails to do what one believes to be best. (For example, if Jill fails to do what she believes to be best, then she is to blame, whether or not she thereby treats John successfully.) Hence

<sup>13</sup> Prichard 1932. <sup>14</sup> Ross 1939, p. 157. <sup>15</sup> Cf. McConnell 1988, p. 85.

<sup>16</sup> Cf. McConnell 1988, pp. 85–6. <sup>17</sup> Ross 1939, pp. 163–4.

Cambridge University Press

978-0-521-89491-3 - Living with Uncertainty: The Moral Significance of Ignorance

Michael J. Zimmerman

Excerpt

[More information](#)*Living with Uncertainty*

one's obligation is to do that which one believes to be best rather than that which is best.

This argument, too, is unconvincing. Even Ross himself does not wholeheartedly endorse it. He says that “[t]he notion of obligation carries with it very strongly the notion that the non-discharge of an obligation is blameworthy,”<sup>18</sup> but he goes on to claim that an act done from kindness may have “some moral goodness” even if it “does not harmonize with [the agent’s] thought about his duty, and is not [subjectively] right.”<sup>19</sup> But even without such a concession, the argument would be unpersuasive, since it wholly overlooks the possibility of excuses for – of being blameless for – behavior that is overall morally wrong. Almost all moral philosophers acknowledge (and, as I will argue in chapter 4, quite correctly acknowledge) that the conditions for an act’s being overall morally wrong are distinct from the conditions for its agent’s being morally blameworthy. Ross’s argument thus presumes a drastic revision of our moral categories, a presumption that is itself in dire need of defense. (In this respect, Ross is much more sensitive in *The Right and the Good* than he is in *Foundations of Ethics*.)

A third argument that Ross suggests in connection with the Subjective View is this.<sup>20</sup> One cannot know whether one is performing an act that is in fact the best that one can do. (For example, Jill cannot know whether, in treating John as she deems best, she is doing what will in fact result in his recovery. Perhaps he will have an adverse reaction, and so on.) However, one can always know whether one is doing what one believes is best. (In attempting to cure John by giving him drug B, Jill knows that she is doing what she believes is best.) Furthermore, one can always know whether one is fulfilling one’s obligation. Hence the Subjective View is to be favored over the Objective View.

This argument is fraught with problems. For one thing, like the first argument, it is at best an argument against the Objective View; it does not establish the Subjective View. Second, the claim that one can always know whether one is fulfilling an obligation is highly controversial; surely such a bold claim itself requires argument. Third, this claim, even if accepted, is not suitable as a premise in an argument for some particular view about the nature of moral obligation, since its employment *presupposes* some such view. Jill might have known, for example, that she was doing what she believed to be best; but, unless she already knew that the Subjective View

<sup>18</sup> Ross 1939, p. 163.    <sup>19</sup> Ross 1939, p. 167.    <sup>20</sup> Ross 1939, p. 163.