

Moral Necessity and the Personal

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I claim that the dominant moral-realist understanding of action and moral responsibility cannot provide a comprehensive account of morality since it neglects the irreducibly personal component of the individual's moral experience. This is not to embrace non-cognitivism, however; indeed, I challenge the whole realist framework of most contemporary moral philosophy. To this end I explore the phenomenon of moral necessity, exemplified by Luther's declaration that he "has to" continue his protests against the church. I am careful to distinguish this kind of necessity from physical or psychological necessity, from means-end necessity and from the Categorical Imperative, and I suggest that it is far more widespread and far more complex than the realist or non-cognitivist would allow. These declarations are personal in that they do not entail any necessary universalisability of the judgement; however, their personal nature does not mean that they must collapse into the merely personal realm of whim and preference. Instead, Luther can be said to experience a legitimately objective demand that he behave thus and so, even though others would not experience such a demand in a relevantly similar situation. This irreducible heterogeneity of the moral, I suggest, lies at the heart of the intractability of many moral arguments. My argument can be derived as broadly Wittgensteinian (without being exegetical), and draws on the work of Peter Winch and Bernard Williams.

*Moral necessity*¹

The paradigm case of moral necessity is that of Martin Luther. Having been advised to back down in his protests against the corruption in the Catholic church, he allegedly stood on the steps of the Diet of Worms and

¹ This article is based on a chapter of my doctoral thesis for the University of Bristol, entitled *The Personal in Ethics*. I would like to thank Carolyn Wilde for all her help with that project. I also presented this argument to the Department of Philosophy at the University of Rijeka, Croatia, in June 2002. I would like to thank the department, and especially Elvio Baccarini, for all their hospitality and their constructive philosophical comments. Finally, I would like to thank an anonymous referee of the *Croatian Journal of Philosophy* for extremely detailed comments on an earlier draft, and I regret that I did not have sufficient space to address all of those comments.

declared: "*Hier steh' ich, ich kann nicht anders.*" His declaration is not whimsical, nor a bloody-minded refusal to budge, nor a cunning strategy within a conflict of power with the Church, although of course the same words might have been uttered by somebody doing any of those things. Moral philosophy is normally thought of as a matter of deliberation and choice on the basis of reasons, and yet here is Luther denying that he has choice. Is this a failure of some sort? In either case, how can it be morally admirable, coming as close as it does to a statement like "I'm sorry, I couldn't help it"? In 1982 Bernard Williams wrote a seminal article on this subject,² from which I will be drawing in what follows. However, I will go beyond Williams's analysis to suggest that moral necessity is far more than the isolated experience of saints and heroes; instead, I will argue that it is fundamental to moral experience, and reveals the irreducibly personal nature of ethics.³

As the minimum necessary condition, judgements of moral necessity (which I shall take to be the logical contrary of 'moral impossibility', a term that Williams also uses⁴) concern what the agent claims he "must" or "cannot" do. Another example might be the Good Samaritan's declaration, when interviewed by a CNN reporter, that he "had" to help the wounded traveller. The necessity is practical in that it has a direct relation to the agent's subsequent action or refusal to act, and is to be distinguished from the theoretical necessity of deductive logical arguments. I shall take it as unproblematic that such locutions are commonly used, and the philosophical question is whether they are anything more than a

² B. Williams, "Practical necessity" in: *Moral Luck* (Cambridge: CUP, 1981) (henceforth "PN"). Williams revisited the topic in a 1992 article entitled "Moral incapacity" (in: *Making Sense of Humanity* (Cambridge: CUP, 1995)). Curiously, he repeats much of "PN", and without ever mentioning it by name; so I will not concern myself with the later article here. In passing, Williams prefers the term 'practical' necessity partly to avoid the connotations of Kantian obligation, but also because, as he explains elsewhere, the phenomenon "is in no way peculiar to ethics. Somebody may conclude that he or she unconditionally must do a certain thing, for reasons of prudence, self-protection, aesthetic or artistic concern, or sheer self-assertion [...] a conclusion of practical necessity is the same sort of conclusion whether it is grounded in ethical reasons or not" (*Ethics and the Limits of Philosophy* (Cambridge, MA: Harvard University Press, 1985), 188). I prefer the term 'moral', partly for reasons of focus, but mainly because I still conceive the moral as quite different from the merely practical (aesthetic, prudential, self-assertive etc.).

³ In response to a request for clarification by my anonymous reviewer, I shall be using the word 'personal' rather than 'individual'. As I understand the latter term, it represents no more than a single member of a class; any general statements about the class ("all zebras are striped") will of course only be manifest at the level of the individual ("*this* zebra is striped"). In terms of the substance, the individual is ontologically primary, but in terms of properties, the class is. I want to resist the unthinking application of this picture to moral philosophy (i.e. to the class of right actions), and shall use the word 'personal'.

⁴ Although see "PN", 127, where he says that it can make a difference whether necessity or impossibility presents itself to the agent first and most naturally; compare one situation where the necessity of doing X rules out Y and Z, against another situation where the impossibility of doing Y or Z necessitates X.

rhetoical flourish atop a strong and always potentially overridable *inclination* to do or refrain from doing.

1. *What moral necessity is not*

There are some occasions where it does not make sense to speak of 'cannot', even if impossibility is involved ("PN", 129). While it is true that it is impossible for me to walk through a brick wall or run a mile under thirty seconds, this is impossible for all humans. If A is human, A is *already* understood to be incapable of such deeds; outside of science fiction and superhero comic strips, there would be no context in which I could expect A—or in which A would feel the need—to explicitly declare the impossibility or to try to overcome it. This is simply a contingent truth about the concept of 'human'.

On other occasions, A might declare the impossibility of doing X, where X is something that is well known for being in the powers of at least some human beings, and where it is not *obvious* that it is impossible for A. I want to distinguish four types of case, where 'must' and 'cannot' are legitimately used, and I shall then distinguish these from the cases of moral necessity in which I am interested:

I cannot run a mile in under four minutes right now, given my present fitness; we might call this *physical* impossibility. Again, some humans can achieve this, and the implication is that most of us could with sufficient desire and training (while if someone is in a wheelchair, it would be nonsensical to speak of an impossibility).

I cannot go out on to that balcony because of my vertigo (cf. phobias, compulsions); we might call this *psychological* impossibility. Importantly, while I might not be able to overcome my vertigo here and now, I could in time, with professional help.

"I have to get some sleep because of the exam tomorrow", which we might call *hypothetical* necessity. Conditional upon my having an end E, and recognising that means M is reliably sufficient to achieve it, then (a) in my ignorance of any better ways of achieving E, and (b) if failing to do M is likely to greatly impede the achievement of E, then "I must" means that I have an overriding reason to do it.

I lack one of the executive virtues, or lack a sufficient quantity of it, to Φ . Executive virtues are the sort of dispositions one needs to get *anything* done, good or bad, and which do not necessarily benefit anybody else. The most obvious candidate is courage, but there is also patience, persistence, stamina, charisma, intelligence, charm etc.⁵

⁵ Some cases of a declared lack of sufficient executive virtue, it might be argued, could collapse into cases of physical or psychological impossibility. This is doubtful; while fitness can be reliably measured by physiological signs, and phobias can be medically diagnosed, there is no equivalent response to corroborate a putative lack of courage. Virtues are supposed to be accessible to all—that's the point; that's why any such absence of virtue cannot turn away blame in the same way that physical and psychological necessity can. However, some cases of a declared lack of sufficient executive virtue might be reducible to hypothetical necessity, and invite the Socratic response.

There are two revealing ways to express what all four categories have in common. The first is to point to the appropriateness of certain types of response to declarations of impossibility (i.e. the negative version of each), and that is to tell the declarer: "grit your teeth", "don't think about it, just do it", "come on, everybody else can do it", and most importantly, "try". It is as if some extra effort of the will is required, perhaps gradually over the longer term, to overcome an obstacle which does not seem to hinder others. The second thing they have in common is that if the declarer subsequently manages to perform the act in question (again, taking the negative versions), then this will *falsify* the earlier categorical declaration: "See, you can do it after all."

2. *What moral necessity is*

In contrast, the Lutheran necessity I'm interested in cannot be plausibly reduced to any of the four categories. It would be inappropriate, for example, to respond to Luther by saying "why not? Your leg's not broken, is it?" It would be equally inappropriate to reduce his sense of necessity to the (strong but finite) desire for a certain end, a desire that could be in principle overridden by an even stronger desire for the opposite end, as in the maxim that "every man has his price". Both of these reductions fail, because they do not appreciate that, for the right sorts of reasons, Luther will *not even try* to overcome his impossibility, or to name his price. This does not mean that Luther knows that *if* he tried, he would fail; no, there are no further obstacles, external to the will, to overcome *in* trying. (I will return to the question of falsifiability below.) It is also important, as Michael Weston points out,⁶ that Luther's first-personal declaration that he "cannot" do otherwise is compatible with an observer's declaration that he "can" do otherwise; not only compatible, in fact, but the former reinforces the latter, for it is only in the space of options perceived by observers as intelligibly viable that Luther can declare such an impossibility.

A third reduction might invoke the notion of supererogation. The Good Samaritan might be a case of compassionately going beyond the call of duty. But this does not get us very far because it cannot articulate *the Samaritan's* sense of his ethical situation, the description *he* would give to the waiting CNN reporter. He feels himself to be under a categorical moral demand, even if others would not expect it of him or blame him for falling short of his ideals. After all, a deed of altruistic compassion that felt no sense of necessity at all would become merely whimsical.

The question now is whether this is anything more than the Kantian Categorical Imperative, or some similar sense of moral obligation that

Thus if I declare "I haven't got the patience for young children", you could say "well, you don't *really* want young children, then".

⁶ M. Weston, *Morality and the Self* (Oxford: Basil Blackwell, 1975), 18.

binds me, as a rational agent, regardless of my inclinations.⁷ However, let us look at what Luther does *not* say, indeed, at what he does not even imply: (i) “here *one* stands, *one* can do no other”; (ii) “here I stand, I ought to do no other”; (iii) “I ought to do no other; and I thereby imply that no one else ought to do other in circumstances relevantly similar to these”; (iv) “I cannot do other for it would infringe principle X”. Instead, Luther was declaring something deeply personal about his experience of the circumstances in which he found himself, something that he might not even have anticipated before the experience.

Does this not simply reveal Luther to be a man of principle, even if he does not use the word ‘principle’? To see why not, consider another example by Peter Winch.⁸ A group of gangsters invades a tightly-knit and strictly pacifist village community. When one gangster threatens to kill a village girl, one of the elders seizes a pitchfork and kills him. What is the elder to make of his violent action? Let us assume he can plausibly use notions of moral necessity. However, it would be wrong to interpret the elder as acting under a generally pacifist principle that is then consciously readjusted to accommodate this exception. As Winch says, “the whole point of this principle [of non-violence], in the context of the religious life of the community, would be lost if it were thought of as subject to qualification in this way” (186).⁹ Nor should we think of the elder as *justifying* his action “all things considered” as the “least evil” thing to do in difficult circumstances. Instead, the elder is quite clear that he has done something wrong, full stop, but that he had to do it. The Kantian will say that

⁷ A word about Kant. I have been careful to use the word ‘Kantian’ here and elsewhere, to avoid exegetical difficulties. For reasons of space I have also refrained from considering more sophisticated modern versions of Kant, such as that of Christine Korsgaard (esp. her *Sources of Normativity*, Cambridge: Cambridge University Press, 1996), recommended to me by an anonymous referee. Instead I have risked accusations of concocting straw men by concentrating on what I hope are uncontroversial assumptions underlying the main theoretical *approaches* of all writers who would call themselves Kantian. These assumptions concern (i) the singularity of the objective realm of moral reasons and obligations, (ii) the central property of a genuine moral judgement being its universalisability, and (iii) the importance of theory in accounting, from without, for the first-personal moral experience. At various points in this paper I will challenge each of these assumptions, with the aim not of mounting a concerted attack but of suggesting an alternative direction for further enquiry. I am appealing to the reader’s intuition that the Kantian approach (and indeed, in other realist and non-cognitivist approaches) somehow cannot capture the first-personal experience of moral necessity.

⁸ P. Winch, “Moral integrity” in *Ethics and Action* (London: Routledge and Kegan Paul, 1972).

⁹ My anonymous reviewer described my account of the personal as amounting to two different things: (i) “the possibility of morally salient exceptions to general principles”, and (ii) “a sort of prescriptivism”. It is in this paragraph that I deny the first understanding. The realist can certainly formulate exceptions to principles, but can only do so by refining his principle, or by invoking another, higher principle to resolve the conflict, whereas I want to suggest that principles are not as primary as the realist thinks. Alternatively, a realist can become a moral particularist like Ross, and argue for a radical singularity of each situation, but I would reject this as well, because it still assumes a singularity of the objective realm—see below.

this is incoherent, that he must have seen the action as right (least bad) *at some level*. But this is to implicitly conceive rightness in terms of motivational sufficiency and prescriptive universalisability, and to assume that our interpretation of the elder's action necessarily underlies—and is ontologically more basic than—the phenomenology of the action, i.e. to the elder. And it is this assumption, widespread in mainstream moral philosophy of both realist and non-cognitivist stripe, that I am challenging.

This mainstream assumption will then generate the obvious counter-argument: if the elder's action cannot be justified in terms of principles, then it can be *no more* than (the expression of the agent's) phenomenology, without any correspondence to a discoverable and singular moral reality. I suggest, in opposition to this mainstream framework, that the elder's retrospective judgement of what he felt he had to do, while devoid of any correspondence to objective principles, is personal without being *merely* personal. For the nature of the remorse felt by the elder includes vivid references to two things: to the objective evil that forced him to commit the act, and to the moral reality of the victim. Both of these are objective in the sense of being discoverable and external to the will; even if they do not belong to a singular realm of moral facts and moral reasons discoverable by *everyone* in relevantly similar circumstances.

The pacifist elder's, the Good Samaritan's and Luther's declarations are best understood as meaning 'here I stand' both spatiotemporally and *metaphorically*. They are each declaring how they see the world at that moment, where 'world' includes the sort of things which they conceive of as categorical claims or demands. Each is telling us who he is, what he holds dear and how dear he holds it. In the words of Simone Weil, "a painter does not draw the spot where he is standing. But in looking at his picture I can deduce his position by relation to the things drawn."¹⁰

However, the declaration of impossibility need not have been *merely* an expression of an antecedent position; it could have expressed the discovery of a necessary implication of the position, an implication the full meaning of which might not have been independently graspable or predictable—by Luther himself or by any observer—prior to that new situation (to just that precise concatenation of circumstances). In other words, Luther need never have previously deliberated about what he would do *if* he ever found himself at the door of the Diet of Worms etc. In one sense, Luther's discovery still has to fit with his narrative understanding of his life up to that point; it cannot come out of the blue on pain of radical dissociation. But such a fit, in the sense of how Luther's story led inexorably to this one moment, might only have become apparent, to Luther and others, *after* the fact, *after* the full meaning of his action sinks in. So Luther cannot say just *anything* before the Diet, on pain of ceasing to be *Luther*.

¹⁰ S. Weil, *First and Last Notebooks*, tr. Rees (Oxford: OUP, 1970), 146, quoted in P. Winch, "Text and Context" in his: *Trying to Make Sense* (Oxford: Blackwell, 1987), 22.

And yet this seems to come too close to a determinism of character, thus absolving from Luther who “couldn’t help it”. To this I have too responses. First, it is hard to know what *more* I could be responsible for than my character, since I cannot turn away blame in the way I can by quoting some physical or psychological incapacity; after all, part of having a character is the ability to act *out of* character when morally required. Second, Luther is not only discovering hitherto unknown layers of his character, brought out by circumstance; there is still some room for choice and invention, although here the dichotomous definitions of ‘discovery’ and ‘invention’ and their relationship to each other become murky. I certainly do not espouse an existentialist self-actualisation thesis, since for any choice to be meaningful to the agent, it has to be made against a background of values that remain fixed at that moment. But some element of invention there is. Here is one possibility: Luther finds himself on the steps of the Diet, and makes a decision, there and then, to *embrace* the radical implications of his previous convictions, even with the obvious risks. In other words, *if* his past convictions were serious, then he has to go through with this defiance to *make* them serious; what he previously held has found its full expression, its full meaning by being embraced under adversity.¹¹

Viewed by others, Luther is distinctive in finding himself unable to pursue certain intelligibly viable options (the options are deliberately silenced, to use John McDowell’s phrase) that do not pose such a moral difficulty to others—in this case, collusion with the Church. But being ‘unable’ can mean three things here (I draw on “PN”, 128):

- 1) the option did not even *occur* to the subject, whereas it would occur to observers. As when it might not occur to a small-town English businessman to have his local rival assassinated, despite the prevalence of such tactics in other places and times (one of Williams’s examples from another discussion);¹²
- 2) the option occurred to the subject, but not as a ‘live’ option (to borrow William James’s terminology). Even if the English businessman’s long-lost Croatian cousin turns up and suggests the assassination, and adduces all the good business reasons in its favour and the strong likelihood of getting away with it (partly because no one in the small town would expect such an option to even occur to an English businessman), the businessman can still refuse. The end of greater busi-

¹¹ Here is an example of what I have in mind by the term ‘invention’. At the age of 27 Evelyn Waugh converted to Catholicism. Before that moment he had attempted suicide, got divorced, and suffered increasingly from despair, but was delighted to find that all three were simply prohibited by his new church. In inventing himself as a Catholic, Waugh successfully embraced the prohibitions. It is then interesting to compare Waugh’s experience with Graham Greene’s. Greene became a Catholic at the age of 22, and saw the prohibitions, especially that against adultery, as “challenges”.

¹² By ‘small town’ I’m assuming a caricature of civilised gentlemanliness, unlike the feral ways of the big city. However, it might seem I’ve never heard of what goes on in the small towns of Agatha Christie’s novels.

ness success is certainly desired, and the assassination would certainly be a reliable means to it. But the evil of the means would so *pollute* the end as to make it entirely unattractive. In response the Croatian might scornfully explain the refusal with reference to Socratic weakness of will ("he doesn't *really* want to be a successful businessman") or to some vicious failing ("the English are all cowards at heart");

- 3) the option occurred to the subject, as a live option, but when it came time to carry it out, he finds he is unable to do it. This is the case involving self-discovery, and is the stuff of a hundred cheap thrillers. The plans have been laid, the reasons all seem to point in favour, the knife is unsheathed, but—seeing the terrified look on the rival's face—the businessman finds he just can't go through with it. At first he is bewildered, but the next morning thoroughly relieved.¹³

Note that in considering the way the agent's actions look (i) to the agent and (ii) to any observer, we must remember that the observer is not neutral, does not have privileged access to some over-arching View from Nowhere (Nagel's apt phrase), and is not an 'ordinary reasonable person' or 'man on the Clapham omnibus'. The observer is not describing the way things are, in the Kantian sense of a singular, common object of diverse perspectives, but how they are within his own perspective, where the options that occur to *him* may well differ from those that occur to the observee. And such an observer may not know anything about what is going through Luther's mind; the observer, in trying to emplot what he sees before him, might well attribute less than savoury motives to Luther (shrewd political calculations, a martyr complex, suicidal despair), and two observers could then argue about the best explanation for Luther's words and actions.¹⁴

¹³ This last possibility also has a negative side. How many of us, after seeing a cheap thriller, conceive heroic plans of action and defiance in adversity, only to experience our own shameful collapse upon actually encountering the situation-type in question? I shall return to this possibility below.

¹⁴ In other words, I am arguing for the possibility of a single agent experiencing objective value in the world, without such value being part of a *singular* objective realm, without it being normative on all agents. This does not, of course, prevent such a value from being shared—as a matter of contingent fact—among different agents in a given culturo-linguistic community, and *this* will usually be a source of, if you like, 'second-degree' normativity. This is how I would respond to the anonymous referee who argued that "the inescapability of the first personal point of view does not entail the impossibility of general principles". I would certainly agree with him. But his understanding of the word 'general' invokes a much more robust ontology to ground a *universal* normativity, an ontology modelled on the empirical sciences.

The problem for the realist is always one of *privileged access* to the singular objective realm he requires. This seems to work well enough in the empirical sciences, but there is no reason to think it has to work like that in ethics: both intuitionistic and rationalist methods of acquiring such access have notorious problems, primarily in the implication that one person can have better access than another. But the non-cognitivist answer of rejecting or reducing the objectivity of value is equally implausible, simply

In addition, I stress that such disagreements between Luther and an observer, or between two observers, will not be about an inert description of the situation before them, but about the sort of practical options that such a situation *presents* to each observer in their sundry modalities; that is, the requirements, prohibitions, and permissions that occur to each upon first conceiving the situation *and* in the course of further reflection and discussion. As Winch pointed out, we cannot describe how a person sees his situation independently from what he finds it possible or impossible to do. Discoveries of moral necessity are therefore an integral component of one's individual moral perspective.

To conclude this section: the phenomenon of moral necessity remains suspicious to Kantians, not only because in verbal terms it comes too close to physical impossibility and irresponsible determinism, but more importantly, it also seems to allow for too much heterogeneity of response, which again seems to come too close to arbitrariness and non-cognitivism. Before returning to these questions, my partial response will be to stress that Luther's necessity did not seem arbitrary *to Luther*. Luther was not aware of his perspective *as* a perspective, and was not aware of his necessity as 'subscripted', as "valid only for me, Luther". Rather, what he experienced was a fully objective necessity *tout court*. And in order to fully understand the situation, we have to accept this first-personal experience as ontologically just as important as any third-personal view of what is going on that the Kantians might offer.¹⁵

3. *Spontaneity*

It should not be thought that moral necessity must involve a thought or utterance of a 'must' or 'cannot' clause at the moment of performance. It could involve a spontaneous reaction to a situation that is judged only

because we never behave, and can never behave, *as if* non-cognitivism were true: whatever else Luther may be, he has no doubt about the reality of the value he experiences.

¹⁵ Williams elaborates on this point:

Conclusions of practical necessity seriously arrived at in serious matters are indeed the paradigm of what one takes responsibility for. That is connected with the fact that they constitute, to a greater or lesser degree, discoveries about oneself. The thought that leads to them, however, is not for the most part thought about oneself, but thought about the world and one's circumstances. That, though it still needs to be understood in philosophy, is not a paradox: it must be true, not only of practical reasoning but more generally, that one finds out about oneself by thinking about the world that exists independently of oneself. ("PN", 130)

This notion of externality, which I have been calling objectivity, is the crucial aspect of my account that removes it from the Kantian conception of the debate, according to which any discovery must either be of something in the world—something singular, and accessible to others—or of something in oneself, such as a mere preference or prejudice. Williams's example on the next page ("PN", n. 5, p. 131) is that of Ajax, the eponymous hero of the Sophocles play, who declares before his suicide (line 690, in Williams's literal translation) that "I am going where it must be gone". The objective 'it' of this declaration captures this impersonal externality, even if suicide is surely the most personal decision one can ever make.

later by an observer—or by the agent himself, in retrospect—as being a case of moral necessity. In Kantian terms, whether a moral reaction is spontaneous or not is irrelevant to the question of whether it is right or appropriate or sincere etc. In this picture, some individuals (perhaps called ‘virtuous’) seem to get it right without having to deliberate; others have to overcome their spontaneous reactions that they later reject as prejudicial or vicious. Either way, the Kantian demands that the quality of the reaction can and must always be *grounded* in good reasons, either hypothetically or *post facto*, if not explicitly in the agent’s deliberation. For without such a sense of grounding, runs the argument, there can only be animal reaction to stimulus. I want to challenge this picture.

Consider two examples, one from Simone Weil and a second from Bernard Williams.¹⁶ Weil’s example is deceptively simple: a father playing with his young child, lifting him up, swinging him round, hugging him, as the child laughs in delight—and she describes the father as ‘absorbed’ in the action. This absorption is philosophically interesting, because it seems to rule out any *reason* why the father would play with the child, let alone any sense of duty or responsibility or any search for utility. But that is the whole point about the activity’s importance to the man at the moment of pursuing it. As Michael Weston puts it, “the importance of an activity to a man [...] comes out, not in the fact that he has reasons for his actions which refer to anything beyond the activity, even to his personal situation, but in the absence of such reasons”.¹⁷

Indeed, such absorption also rules out any sense of love, if love is understood as the reason for his action. It is a *display* of love, he plays with the child *lovingly*, yes, but this implies an observer’s description of the situation, which, given the man’s absorption, becomes irrelevant to the man within his perspective at that moment, as do any third-personal descriptions that might be formulated while striving for objectivity as conceived from Nowhere. The man himself has no such thoughts; rather, he is single-mindedly absorbed in the action to a degree of utter non-reflection about why he might be doing it.

Such play is not really an example of necessity, perhaps, but it reveals something important about cases like Luther’s. Weil’s point is to suggest that there are many areas of life where we do act non-deliberatively—and indeed have to act non-deliberatively for the activity to fall fully under the relevant concept—and to this extent we are often acting under a kind of necessity. Sometimes I will be questioned or challenged about why I did X, and I may have a satisfactory reason ready to hand, but often such a question or challenge would make no sense, because I would not know what the questioner was looking for, or what he would consider an appropriate answer. What could the father say if asked why he was playing with his child? It is not even accurate to imagine the father in the moments leading up to the play, asking himself what he ought to do, and

¹⁶ B. Williams, “Persons, Character and Morality” in *Moral Luck* (Cambridge: Cambridge University Press, 1981)

¹⁷ *Morality and the Self*, 27.

then remembering his parental responsibilities upon seeing the child, and *these* thoughts could form the basis of an answer. That might be the case, but not in Weil's example. No, his actions were quite *thought-less*, although not in the sense of not paying due attention; just the opposite, he was paying so much attention that he was directed purely by his experience of objective value. (However, if the context of the enquiry were to shift, the father could respond that he was "*merely* playing with his child", as when a police officer asks him whether he noticed the bank robbery taking place at the time.)

The second example involves Williams himself, deciding (using the first person) which of two drowning people to save: his wife or a stranger. Some Kantians imagine Williams, poised on the ship's railing, deliberating over utility or desert. Williams however, rejects such deliberations as "one thought too many".¹⁸ Instead, he sees his wife and jumps in.¹⁹ In response, Harry Frankfurt argues that even the thought "it's my wife" is one thought too many *at the moment* of Williams's apprehending the situation and recognising one of the victims as his wife. Either there should be no thought and only action; or if words, then surely not a general concept like 'wife', nor still a possessive pronoun, for this would only be appropriate for the loss of something like my wallet. Instead, the word would be the person's *name* (or pet-name).²⁰ I agree to a certain extent with Frankfurt, but have two responses to his criticism.

First, Williams's comment "it's my wife", would be appropriate *after* the rescue, when asked by the ubiquitous CNN reporter why he chose to neglect the stranger. And a locution of necessity could also be used: "I had to save her." Williams here would *not* say "and furthermore, it is always right to give precedence to one's nearest and dearest". For Williams, that it was his wife is a conclusive reason, and this conclusiveness reflects the sense of necessity under which he was operating. On the other hand, Frankfurt is right to say that only the spontaneous, wordless leap into the water will adequately express Williams's concern for his wife at the moment of seeing her drowning. Indeed, the precise quality of Williams's love might only be revealed by his wordless leap, and perhaps even to his surprise.

Second, clearly any situation with two people drowning will not allow much time for reflection. However, even if there were far more time for reflection, an answer such as "she's my wife" could still be a conclusive reason underlying a judgement of moral necessity expressed at the moment of decision. For example, in Wittgenstein's example²¹ of a man forced

¹⁸ "Persons, Character and Morality", 18.

¹⁹ Clearly, we're assuming a lot of things here; that Williams can swim, that there are not more qualified personnel close by, that his wife's life is actually in danger etc.

²⁰ H. Frankfurt, *Necessity, volition, and love* (Cambridge: CUP, 1999).

²¹ Discussed in a conversation with Rush Rhees, and recounted in "Some developments in Wittgenstein's view of ethics" in: R. Rhees, *Moral Questions*, edited by D.Z. Phillips, Basingstoke, Macmillan, 1999, 37. Originally printed in *The Philosophical Review*, January 1965.

to choose between his wife and his cancer research, he may, after lengthy deliberation and advice, conclude that he owes his talent to suffering humanity. But he may also discover, during deliberation, just how much his wife—how much that particular, named person—means to him, how much she needs him, just how important it is for him to be and see himself as a loyal husband, and just how seriously he takes the vows of marriage. Similar to my gloss on the Luther example, it could be the man's decision, now, to *make* his marriage vows serious: "I cannot leave her." All this could be contained in the words "she's my wife", since the words 'wife' and 'my' go beyond mere identification to include his new attitude to her. In his discussion of the same example, D. Z. Phillips points out the ignorance of a critic who fails to understand this:

Imagine someone saying "get another job" or "get another wife who'll be prepared to accept the situation". What has he missed? Is it not the fact that the dilemma is inexplicable apart from *this* woman and *this* vocation involved in it?²²

4. *Moral luck*

Clearly I have been arguing that Luther's and the small-town businessman's declared refusal is somehow *admirable*, a decision to stick to one's moral position despite the carrots and sticks to do otherwise. But what if the carrots and sticks had simply been greater, beyond the limits of the subject's discovered or declared impossibility? Surely our admiration for Luther is too reliant on his good fortune in being exposed to just the right amount and the right kind of carrots and sticks that he could *afford* to refuse? This relates to the notorious problem of moral luck. In mainstream moral philosophy there is a strong presumption of legalism: morality should somehow be independent of luck, so that the moral severity of an offence relates only to the agent's will.²³

The problem comes to a focus when we compare Luther to the pacifist elder. Luther was able to behave in accordance with his best moral judgement, while the elder was unlucky enough to have his pacifism tested by such extreme circumstances. In the latter case it might seem appropriate to speak of falsification, thus reducing the impossibility to one of the four categories of necessity considered at the beginning of this article, and prompting the glib rejoinder "there, you're not really an absolute pacifist after all". Surely, the objection continues, no one can say for certain until he's lying on his deathbed that his deepest convictions will survive all fortuitous adversity. Certainly Orwell's *1984* is enough to deprive most sensitive readers of any *faux*-heroism about how loyal to their cause or their loved ones they would remain under sustained and ingenious coercion.

²² D. Z. Phillips, "Introduction" in J. Stocks, *Morality and Purpose* (London: Routledge & Kegan Paul, 1969), 10.

²³ See Williams's classic article "Moral Luck" in: *Moral Luck*.

But such gruesome hypothetical possibilities go too far in denying the possibility of *any* serious declarations of moral necessity.²⁴ The problem is that such declarations are incorrectly thought of *either* as truth-valued—and therefore falsifiable—predictions about one's future behaviour, or as mere declarations of good intentions ("as far as circumstances permit, I will not..."). As before, both interpretations betray the realist assumptions about the structure of moral reality and the individual's experience, where such a reality and experience is conceivable from Nowhere. For it is only from an *atemporal* View from Nowhere that a strict universal principle uttered at t_1 can be compared alongside its infraction at t_2 and the conclusion reached that the latter falsified the former. Whereas within his perspective, viewing the present at t_1 and viewing the present and the past at t_2 , the elder considers what he did to be wrong, but that he had to do it—to him it will probably be mysterious, certainly disheartening, but very clear. And if anything he will be an even more determined pacifist than before, instead of a qualified pacifist that the Kantian would demand he become in order to make rational sense of his actions as chosen.

Can the Kantian nevertheless describe the events in terms of justification and principles, whatever the elder's version? Certainly he could, but then there are the questions of how complete a description he can thereby offer, and what subsequent purposes would be served by such a description. To discuss this, it would be worth bringing in another example of moral necessity, one involving a more ambiguous dilemma. Williams describes a semi-fictionalised painter named Gauguin, who abandons his wife and children in Paris to go to the South Pacific to paint.²⁵ In his discussion, Williams was concentrating more on the idea of Gauguin's partly-fortunate success, which he could not have predicted when leaving Paris, as coming to vindicate—and therefore to *justify*—his family's abandonment. I want to concentrate on Gauguin's declared necessity of leaving his family, and have three points.

First, unlike the examples of the elder, Good Samaritan and Luther, this example is designed in such a way as to provoke a more negative response. However, the banal truth should be repeated that not everyone would have admired Luther at the time, and not everyone would condemn Gauguin for shedding his 'millstone' in the face of a 'higher' calling. One implication of my position is that in certain situations, such a

²⁴ One response to the 1984 objection would be to soften the argument and speak only of the impossibility of accepting certain carrots. While I am not confident about my ability to resist torture, I am much more confident of my ability to resist working for a cigarette company, i.e. no matter what they offered me. However, this may shift from carrot to stick if it is the only sufficiently well-paid job I can get, as in the case of Williams's 'George' the chemist, who can find no other work except weapons research, and who has a family to feed (J. Smart and B. Williams, *Utilitarianism: For and Against* (Cambridge: Cambridge University Press, 1973)).

²⁵ "Moral Luck", 22.

diversity of viewpoints on the matter is legitimate and irreducible, and that no View from Nowhere is available to resolve the dispute over whether 'in fact' Luther or Gauguin are to be admired.

Second, the Kantian will worry that Gauguin is *inaccessible* to reasoned attempts to persuade him to do otherwise, and that the "rascal will have his way". However, there is nothing in my account that denies such attempts can ever be successful. Some reasons might find purchase, after all, not so much in getting him to see what (conceived objectively in the Kantian sense) ought to be done, but in getting him to see the situation in a different light, getting him, for example, to think through the impact his departure will have on his family, the risks of the sea journey and of life in the wilderness, to consider a compromise (taking his family with him to Tahiti, or staying with his Family in Paris and commuting to a studio in rural France).²⁶

²⁶ This ideal of rational accessibility takes us to a different but relevant debate, that between the reasons-internalist (such as Williams) and the reasons-externalist (such as Kant). Williams's seminal article is "Internal and external reasons" in *Moral Luck*. Williams argues, persuasively in my view, that there are no external reasons, that is, no reasons that would be a reason for a given agent to Φ whether or not he (i) knows about the reason or (ii) accepts the reason. Instead, a reason can only function as a reason if it finds purchase in the agent's 'subjective motivational set'. The only exception to this would be reasons which did not find purchase because of the agent's inferential error or ignorance of certain relevant facts.

With regard to the discussion about Gauguin, it is almost as if Gauguin is vilified not so much for abandoning his wife but for not having a good reason to do so at the time. However, if Gauguin is an intuitively negative example of inaccessibility, there are positive examples as well. Consider Mark Twain's eponymous hero Huckleberry Finn, who befriends a runaway slave named Jim in the American deep south before the Civil War. At one level, Huck has never articulated any arguments against slavery, and accepts that Jim is somebody else's property. Huck also accepts that he has a duty to return Jim to the nearby slave-hunters, but finds that he cannot go through with it, and condemns himself for his weakness.

So, unlike Gauguin at the time of his abandonment (I'm avoiding questions of the possible later justification), we can admire Huck's sense of moral necessity; unlike Luther, Huck does not feel he did the right thing; unlike the pacifist elder, he did not see himself as neglecting a duty for the sake of an innocent human being, for Jim is still a slave, little more than a farm animal. "Because he's my friend" is a good enough reason, within Huck's perspective, to share a journey with Jim; it is not a good enough reason to hide him from the law.

It might be tempting to attribute internal but "non-transparent" reasons to Huck, as do Flanagan and Rorty ("Introduction" in *Identity, Character and Morality: Essays in Moral Psychology* (Cambridge, MA: MIT Press, 1993), 12), thus making his action rational and good. But this will not do, for if that reason is inaccessible to Huck at the time, then it is external. This is not to deny that Huck might come in time to see his action as right and the slave-owning society as wrong. However, it should be remembered throughout this discussion that the book was written primarily for an emancipationist audience: even so, a slave-owner could still be charmed by the book, but see it as sentimental and irrelevant to the emancipation debate, in the way that anthropomorphic cartoon animals are irrelevant to the debate over animal rights.

Third, and this is Raimond Gaita's point in his response to Williams's discussion of this example,²⁷ why should we *need* to justify the abandonment in terms of the paintings? Why not just appreciate the paintings and condemn the abandonment, and accept that he had serious reasons? Even if we ignore the problems Williams raises as to the sheer unlikelihood of Gauguin discovering this particular talent, finding the resources to produce the paintings, and getting them back to European art galleries, it is still at best naïve to think the paintings and the abandonment were linked by some metaphysical causality, such that there was *no way* that Gauguin's paintings would have come into being if he had not left Paris. But there is another point: to speak of justification is already to accept *Gauguin's* view on the two events. No doubt later in life, after artistic success, he might well have seen the abandonment as a necessary condition ("thank God I shed that millstone"), but there was nothing necessary about this attitude or interpretation. If he had failed as a painter, if he had grown bored and lonely away from his culture and society, this would have affected his interpretation of his earlier decision. So in an important sense, there is only the abandonment and the paintings; the rest of it are reactions within determinate perspectives: mine, yours, Gauguin's at t_1 , Gauguin's at t_2 etc. The causality that Gauguin adduces is part of his efforts, within his perspective, to emplot his own past, to make sense of actions that perhaps still troubled his conscience.²⁸

In addition, Gauguin is not the only person involved in the example: why do neither Williams or Gaita consider it interesting to ask what Gauguin's *wife* thought of his abandonment, of his success, and of Gauguin later in her life? If they met up, surely her perspective on the events would affect his perspective, even to the point of disrupting the neat justificatory causality that he had emplotted? How would Gauguin have come to see his earlier abandonment if his wife had subsequently committed

²⁷ R. Gaita, *Good and Evil: An Absolute Conception* (London: Macmillan, 1989), 241.

²⁸ In a sense, then, what I am arguing for is a sort of double-particularism. Not only is the situation radically particular, but so is the agent, and therefore the interaction between them is doubly so. This would be the limit of anything *theoretical* that could be said on the matter. As should be clear by now, I would reject the standard realist attempts to develop a normative theory of rightness or bestness, a theory that could be invoked either to resolve the individual's moral conflict or to explain the individual's moral phenomenology. This is how I would respond to my anonymous reviewer's comments about the poverty of my theory.

Perhaps a useful analogy is with the phenomenology of religious belief. A psychologist will put forward a theory to explain the development of such belief through, e.g., a religious education in childhood; a mainstream philosopher would put forward a theory about the existence of God, in an effort to make the belief rational. I suggest that both the psychological and the mainstream-philosophical explanations are irrelevant to the believer, for he believes in God *because God exists*—full stop. This is not to say that he may come to question his beliefs later and in so doing invoke either the psychological or the mainstream-philosophical theories, starting-points, and discourses. But while his belief in God is strong, then the third-personal theories—even if true within the standards of the respective enquiries—can only be derivative, and never as foundational as they claim to be.

suicide? This is not accidental to the meaning of Gauguin's abandonment, and as such Gauguin can be said to not know what exactly he was doing when he left her.

In conclusion, I do not have the space to provide a full defence of my claims here, but only to suggest a direction for fruitful further enquiry. The direction begins by challenging some of the assumptions inherent in the mainstream philosophical framework of realism and non-cognitivism, and by pointing at an irreducible personal element in moral phenomenology. This is not to reject the mainstream picture entirely, but only to suggest that it is not—and cannot be, given its presuppositions—the full story.