Pojman: What is Moral Philosophy?

Etymology

- **Morals** < Latin *mores*: "Custom" The traditional or characteristic norms of a people or group

- **Ethics** < Greek *ethos*: "Character" Usually the character or essential spirit supposedly typical of a people or group; the prevalent sentiment of a community
Morality/Moral Philosophy/Ethics

Pojman (11-12) makes a threefold distinction:

1. **Positive Morality**: Actual normative constraints on behaviour (whether rationally justified or not, arising from any source).

   “Positive” in both the legal sense (dependant on authority or convention) and in the philosophical sense (pertaining to actual phenomena, without reference to origins or causes)

2. **Moral Philosophy**: Systematic theoretical reflection on morality; i.e., theory-talk about what positive morality *ought to be* and how ethical theories can be justified.

3. **Ethics**: The combined domain of positive morality and moral philosophy.

Morality as Distinct from Religion, Law, and Etiquette

- Morality is similar to (certain aspects of) religion, law and everyday customs in that it is concerned with norms.

  Another way of saying this: Morality, religion, law and etiquette all have a prescriptive (i.e., action-guiding) aspect.

- But *morality*, in the sense that moral philosophers usually intend, is distinct from these other normative activities…
Religion

- In religion (or, in any case, in the monotheistic Abrahamic religions), norms are typically offered up as precepts we ought to obey either “because God says so” and/or “because God will punish you if don’t.”

That is, religious morals are typically warranted by divine revelation and/or divine (or ecclesiastical) authority.

- But to say that religious norms are “warranted” is at best imprecise, however. In practice, religious precepts do not normally invite us to determine for ourselves why we ought to obey…

- Instead, religious precepts typically are accepted as pre-reflective judgments—our behaviour is externally directed by norms that are accepted as matters of custom, convention and/or socialization (i.e., positive morality).

- But does “for my Bible tells me so” count as reason at all unless I have some independent reason to believe that what the Bible says is in fact true?

Of course, “do so because I will punish you if you don’t” has the same problem, only more so…
Put more generally:

For any sort of precept that rests on authority, there is no reason to expect agreement unless everyone concerned has good reasons to accept that authority.

Compare: Scientific or technical authorities

In such cases, the ‘authority’ is really (at least in principle) a mere convenience, since the norm is ultimately (or at least ostensibly) grounded on available reasons, not simply on the authority.

Law

Many people seem to suppose that morality and the law must be closely connected somehow, but it is not obvious that this is necessarily true.

For one thing, it is clear that morality and law cannot be identical…
- **Coordination Problems**: Many actions that are governed by law (e.g., in Canada, driving on the right side of road rather than the left) are presumably matters of indifference from a moral point of view.

  (In this respect, coordination problems are analogous to some matters of etiquette.)

- **Immoral Laws**: On the other hand, many practices have been inscribed in law, that are, if anything is, clearly immoral.

  E.g., slavery, forced sterilization of the disabled

- **Conflicting Moral and Legal Duties**: Similarly, there are often cases when legal and moral duties seem to conflict.

  For example, consider a Canadian case (similar to the case described by Pojman): Ken Murray and the Bernardo videotapes.

  One (slightly pretentious) way of summarizing the forgoing: **Law is defeasible in terms of morality** (but not vice versa).
Scope and Sanctions In Law & Morality

- Law can also be distinguished from morality with respect to the **scope** and **sanctions** that attach to each:

  **Scope**: In general (at least in the common law tradition), the law is taken to be concerned with **acts**, rather than attitudes or states of being...

Intention

- **Intention**, e.g., is often relevant to the determination of legal guilt or innocence (e.g., *mens rea* in criminal cases), but the mere fact of *having certain intentions* is not really the sort of thing about which you can have a law.

  In morality, by contrast, bad intentions may sometimes amount to a moral wrong.

  **E.g.**: I (lawfully) obtain a weapon with the intent to kill someone—for selfish reasons (I want to inherit his money, say). At the last minute I am prevented from acting (perhaps someone steals the weapon). I may not have committed any illegal act, but I may still have committed a moral wrong.
Coercive / Noncoercive Sanctions

- If you break the law, you may be fined or imprisoned (or, in some jurisdictions, executed).

  The standard view: The state has an official monopoly on the lawful use of coercion. Various bureaucracies exist to hand out legal sanctions (the police, the courts, regulatory bodies, Canada Revenue Agency, etc.)

- If you do something that is morally wrong (but not also illegal), no similar moral bureaucracy is going to come after you.

  Instead: Pangs of your own conscience; your reputation may suffer; you may be exposed to the blame (or praise) of other people.

Etiquette

- For the most part, “etiquette” pertains (almost by definition) to norms that are of relatively little moral significance.

  E.g.: Social norms governing which finger a wedding band should be worn on or which fork should be used with the fish course in formal meal.

- If you violate these norms you may be subject to blame from other people, pangs of conscience, damage to your reputation, etc., similar to that which you would experience had you committed a moral wrong...
The difference—the demarcation line between etiquette and morality—is presumably that reasonable people may realize that matters of etiquette are simply not that important and that, therefore, these are matters about which reasonable people can simply "agree to disagree."

On the other hand, as Pojman notes (14-15), deliberately flaunting a rule of etiquette, even though it may be a matter of moral indifference in itself, may still sometimes give rise to a moral wrong...

If (as seems reasonable) there is some genuine moral rule to the effect that "ceteris paribus, we ought to show people respect," then it would be wrong to casually flaunt someone's customs just because we happen to think they are pointless or silly (e.g., bowing rather than shaking hands).

Note, the ceteris paribus, however: If we have good reason to believe that the some custom is immoral (footbinding or clitorodectomy, e.g.), then the mere fact that it is a custom is no moral defense. Presumably, in such cases, we have a more fundamental duty than showing respect, namely, to oppose wrongdoing.
### Four Domains of Ethical Assessment

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<td>Ethics</td>
<td>Right / Wrong;</td>
<td>Conscience; Praise and Blame; Reputation and Trust</td>
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<td>Permissible / Impermissible (as determined by conscience or reason)</td>
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<tr>
<td>Religion</td>
<td>Right / Wrong</td>
<td>Conscience; Eternal Reward or Punishment (caused by some supernatural agent or force)</td>
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<td>Law</td>
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<td>Coercive Punishment (fines, imprisonment, possibly death, as determined a judge or by statute)</td>
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<td>Etiquette</td>
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The Purposes of Morality

According to Pojman…

1. To keep society from falling apart
2. To ameliorate human suffering
3. To promote human flourishing
4. To resolve conflicts in just and orderly ways
5. To assign praise and blame, reward, punishment, and guilt

Why Obey?

- It may be true that we need morality (or least some shared system of norms) to hold society together.

  But does that provide us, as individuals, good reason to go along with the system?

- Yes, perhaps, if the rest of Pojman's list is accurate


- Or maybe not? The ‘compliance problem’

  Cf. the Gyges’ ring story in Plato’s Republic