Part 3 - Holism and atomism in the theory of reasons and values

3.1. The contributory and the overall

In Part 1 I considered a certain style of attempt to capture the notion of a contributory reason. I took as my model of this style something along the following lines:

a feature makes a contribution in a particular case iff, in any case where it is the only contributor, it decides the issue.

I suggested that all such attempts to define the contributory were defective. They amount to a sort of isolation test (what if it had been the only one?), and because of this they direct our attention to the wrong place. They are no better than attempts to explain the contribution made by a member of a rugger scrum in terms of what would have happened had he been the only player on the field. One attractive feature of this analogy is the idea that it is only possible to push in the way that a member of the scrum pushes if something else is pushing on the other side. For another example of a similar sort, consider the person whose main contribution to his side's victory consists in a saving tackle - one that prevents the opposition from making a winning touch-down. This sort of contribution could not have been made if there had been no other contributors, and so any attempt to capture what is going on here in terms of how things would have been in the absence of other contributors must miss it.

So the isolation approach is defective. But there is another respect in which such definitions fail. They try to understand the contributory in terms of the overall, or the decisive. I suggested that all such attempts will fail, because they try to give an account of the sort of difference made by the presence of a contributory reason in terms of a different sort of difference that can only be made in different circumstances. The definition displayed above suffers from both these defects. It involves an isolation test, and it attempts to define contribution in company (as one might put it) in terms of decisiveness when alone.

It is the appeals to isolation that most obviously make this sort of approach to contributory reasons atomistic rather than holistic. Atomistic conceptions of reasons take it that each reason carries its own weight, as one might put it, from case to case. What it contributes when alone is necessarily the same as what it contributes in company, and vice versa. Things are in this respect exactly as we suppose the weight of cooking ingredients to be. A lump of butter has its own weight, which it carries with it wherever it goes. If it weighs 500g, it adds that amount to the weight of whatever it is present with. On this kitchen scales conception of the way in which reasons function, the weight of one thing cannot be affected by the presence or the weight of another. This is atomism. A holistic conception of how reasons work will claim, by contrast, that the 'rational contribution' of one feature can be affected by what else is present in the case. In some cases the weight of this feature will be increased by its company, and in others it will be diminished or even completely annihilated. As an example: I once went to stay with a friend in Chicago, who asked me whether there was anything I did not eat. I said that I ate everything except veal. He replied 'Yes, I agree, the conditions in which they keep those poor calves are dreadful - - and besides, it is impossible to get good veal in Chicago'. A holist will point to cases like this as evidence that if one adds one reason to another, the result is not necessarily an improvement; the combination may have less rational weight than the heavier of its conjuncts, even though both have positive weight.
So the definition displayed above expresses an atomistic conception of how reasons work. Such a conception is inevitable if there are to be contributory principles, for such principles tell us that a certain feature (or combination of features) makes the same contribution wherever it occurs, irrespective of context. Particularism maintains, by contrast, that most if not all of the features specified in candidate moral principles make at best variable rather than invariant contributions to the situations in which they are found. So particularism is an expression of a holistic conception of the way in which moral reasons function. And not only moral reasons, either. I have already suggested that it is unlikely that moral reasons have habits that are very different from those of other reasons; in the absence of a good sharp distinction between moral and other reasons, we would be unwise to presume that the moral ones function quite differently from the rest. So if we are to be atomists in the theory of moral reasons, we should be atomists in the theory of reasons in general (and vice versa).

Suppose now that I have persuaded you that the Rossian definition displayed above is incapable of capturing the nature and role of a contributory reason. There seem now to be two ways to go:

1. give a different conception of the contributory.

2. abandon the notion of a contributory reason altogether, and do the whole thing in terms of decisive or overall reasons.

If we take the first route, we still face hard questions about the relation between the contributory and the overall, but a new possibility opens up, that of understanding the overall in terms of the contributory rather than the other way around. And this will be the option I will eventually support. Let us first consider, however, the second possible route.

This is the line taken by Tim Scanlon (1998 & 2000). Scanlon rejects familiar models of the way in which the appeal to principles works, under which 'moral thinking employs ... principles which always apply but which must be balanced against one another in cases of conflict, the outcome depending on their relative moral "weight" ... An example of this approach would be the idea that we have both a duty to aid and a duty not to harm but that the latter has greater weight, and prevails when duties of the two kinds conflict' (2000, p. 309). I am not quite sure whose views he has in mind here. There seem to be three possible positions. The first is Ross's classic position, which allows a plurality of principles which 'always apply', but which are not fully ranked with respect to each other. Ross says that the general duties of beneficence and non-maleficence are less important, less 'weighty', than the other more specific duties (1930, p. 19). But he gives no real argument for this, and it does not seem to be an essential part of his theory. In this theory there is certainly balancing to be done, though what is balanced is not so much principles as the importance of features in particular cases. The second position would, like Ross's, allow a plurality of principles, but include a lexical ordering of types of duty. Conflict within a given type would be resolved by balancing. Conflict across types would be resolved by simple appeal to the lexical ordering. This seems to be the position that Scanlon is contrasting with his own view.1

Scanlon's view, by contrast, seems to be that both these views mistake the ways in which principles relate to each other; properly understood, principles cannot conflict, and so we do not need to appeal to balancing, or to a lexical ordering, in order to show how conflict can be resolved.

1 In debate, Scanlon associated this view with Philippa Foot.
What looks like a conflict between principles is really a relation between inadequately understood and incompletely specified principles, and the matter is resolved by a more complete specification of at least one of them. Suppose we face a choice between killing one person and helping another. The idea here is that in a proper understanding of the principle that requires us to help those in need, there would probably be included an exception to that duty for all cases where to help one we have to kill another. Properly understood, therefore, the duty to help is incapable of conflicting with the duty not to kill. And Scanlon adopts this model across the board.

The friends of principles should, I think, be happy with this suggestion that at least some apparent conflicts are really not conflicts at all, and that the matter is resolved by a better determination of one of the principles. They may not be so happy with the idea that all apparent conflicts are like this. They might think that there is no reason to go so far as that; indeed, that to do so is to distort a good idea by trying to make it do too much work. One thing we seem to have lost, if we apply Scanlon's model across the board, is any conception of contributory reasons. For by abandoning the idea that there can be genuine conflict, I think we also abandon the idea that two principles can combine. If each principle, when properly understood, specifies a 'decisive' or a 'conclusive' reason, how can we make sense of the view that the claims of friendship and those of the profession may combine to give us sufficient reason to act (e.g. to read a colleague's paper over the weekend when we would rather be dozing in the shade), even though neither would have been decisive on its own?

So Scanlon's conception of the role of principles leads him to deny any role for contributory reasons (or contributory principles, come to that). This seems to me a pretty drastic move. Quite apart from the fact that it seems fairly easy to offer examples in which the idea of a contribution seems to be required if we are to make sense of what is going on, it would seem that Scanlon has also deprived himself of the idea of a defeated reason, and thereby prevented himself even from addressing the question what the appropriate response is to such a thing. Normally we would speak of regret and residual duties, but if all conflict is, as Scanlon suggests, merely apparent, there are no defeated considerations capable of demanding regret, and nothing to generate a residual duty. So Scanlon's position involves some dramatic surgery. I find it hard to agree with him that we should understand all apparent conflict in terms of further specification of the principles at play.

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2 This idea of 'specification' was first properly characterised by Henry Richardson (1990); see also his (2000).
3 That he does so is, I think, not entirely clear in his (1998); but the language of his (2000) is explicit, most notably at pp. 310-311 where the rhetoric of 'counting decisively' is very strong. In his (2000) there is one place where Scanlon says that a moral principle ruling out killing specifies what is 'normally a conclusive reason'; but he does not generalise this. There is one point, however, where he seems to opt for a ranking of principles, in the discussion of what he calls the Rescue Principle and the Principle of Helpfulness: 'The Rescue Principle ... presumably takes precedence in cases of conflict' (p. 225). I think this remark must be a slip.
4 This would, I think, be Henry Richardson's position.
5 There is of course considerable incentive for Scanlon to think of principles as specifying conclusive reasons, derived from his contractualist claim that an act is wrong iff it is ruled out by principles that nobody could reasonably reject. (I owe this suggestion to Derek Parfit.) This claim, and the general picture in which it is placed, requires principles to rule things out rather than just to specify a consideration that counts against them. The idea of objecting to a principle because it specifies a feature that favours an action to which one can reasonably reject is much less compelling than the idea of objecting to a principle because it permits, or even requires such an action.
There is a question whether we are simply to abandon the less specific principles, as Scanlon seems to suggest, or whether they can remain in play in some way. Richard Holton offers a picture which is broadly similar to Scanlon's but which allows the superseded principles to remain on the scene. Holton is pursuing the idea that there is no one set of principles that entails, and hence justifies, each true moral claim. But he takes this to be compatible with holding that each true moral claim is entailed by some true principle (together with appropriate non-moral truths). The thought is that we can find a way of adding new principles to the old ones, principles that are in some way built on the old ones, but do not amend or replace them. We have, as it were, a nested set of principles of different layers. There is the principle 'do not kill', and there is the principle 'do not kill except in self-defence'. Where Scanlon would say that the latter principle replaces the former, Holton says that both remain sound, but that the question which one we are to use depends on the circumstances, in the following way. We can perfectly well apply the simple principle 'do not kill', in cases where there is no further relevant feature to be born in mind (such as that one needs to defend oneself). So a moral argument could run like this:

It is wrong to kill
This would be a killing
There are no further relevant features
So: it would be wrong to do this.

If, however, self-defence is at issue, the second premise is false, and we need a different argument, thus:

It is permitted to kill in self-defence
This would be a self-defending killing
There are no further relevant features
So: it is permissible to do this.

Holton is suggesting a possible 'principled particularism' under which every wrong action is made wrong by its relation to some principle, but that the principle only 'applies' in cases where there are no features relevant to how to act other than those already specified in the principle. This enables him to sidestep the particularist's complaint that in other circumstances application of the principle will give the wrong answer. In those other circumstances it will not be the case that there are no further relevant features (the 'that's it' clause, as Holton calls it, will fail), and so we really need to find a more specific superseding principle, as shown above. But the superseding principle is not somehow a replacement of the superseded one; both remain in play, and we allow circumstances to determine which to use on which occasion.

Despite these subtleties, Holton's picture shares one weakness with Scanlon's. This is that he can give no account of a contributory moral reason. If moral reasons are given in principles, and if we understand the behaviour of such principles in the way that Holton suggests, there is only ever one principle applicable to each case; for if there were more than one, the 'that's it' clause would fail and the whole approach be subverted. The idea then has to be that only one principle applies at a

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As does Richardson in his (1990).
time, and the consequence of this is that there are no opposing moral reasons, and we never have more than one on the same side either. This renders Holton vulnerable to the complaints made against Scanlon, that certain predicaments can only be understood if we retain the idea of contributory reasons, and that the conception of a defeated reason is required if we are to make sense of regret and residual duties.

Faced with these complaints, Holton claimed (in conversation) that it would be quite possible to add a conception of a contributory reason to what he had already in place. But the way in which he proposed to do this simply returns us to issues we have already considered, though perhaps in helpful ways.

In response to my general complaint that contributoriness is a matter of degree, and that matters of degree cannot be defined in terms that are all or nothing, Holton drew a distinction between two questions:

1 what is it for something to make a contribution?
2 how are we to understand the distinction between degrees of contribution - contributing more vs. contributing less?

He maintained that since these questions are separate, one can address the first without comitting oneself on the second. For instance, if several people contribute to pushing a car up a hill, we might hope to understand the distinction between those who contribute and those who merely stand idly by, without supposing that this distinction brings with it a way of understanding the difference between those who have contributed more and those who have contributed less. He then proposed to answer the first question by taking a contributory reason to be one in the absence of which the action would not have been right, say, in the style that we have seen before. It seems to me, however, that though there is a difference between these two questions, there ought to be some comprehensible relation between what it is to make a contribution at all and what it is to make more of a contribution than someone else, and the subjunctive conditional approach to the first question seems quite unable to provide what is needed. Take the case of the car that we are pushing up the hill. If to contribute at all is to be such that, if one had not acted, the car would not have moved up the hill, it seems quite clear that this is not something that one person can do more of and another less.

In fact the case of the car-pushing tends to rebound on those who use it. In their favour, we might suppose, is the fact that if any one person fails to help, the car will not move, and surely in such a case all do manifestly contribute. The analogy, however, would be that if an action is made right by a combination of features such that if any had been absent, the action would not have been right, we feel confident that each feature makes a contribution. And if we said this we would fall foul of the distinction between contributors and enabling conditions; subjunctive conditionals, as we have seen more than once, are blunt tools. But take another case where five people push but only four were needed. Now it is no longer true of any of them that if they had not pushed, the car would not have got to the top of the hill, and so on the original account none of them contributed at all, which seems a bit hard. Further, the original account makes a nonsense of the idea of a contribution to a failing cause (that is, one made on the other, the unsuccessful side).

Could we improve matters by changing the subjunctive conditional? The idea would presumably be to appeal to degrees of something. In the case of the car-pushing, it will perhaps be degrees of the ease with which the car reached the top. In the case of an action made right by a
combination of contributing features, it will be rather to degrees of rightness, always assuming that there are such things. We will say that a consideration makes a contribution iff without it, the action would have been less right than it is. Similarly, a defeated reason against doing the action will be understood as a consideration in the absence of which the action would have been (even) more right than it is. Such a shift will improve matters, at least with respect to some of the complaints made in the previous paragraph. But there remain two problems. First, there will be cases in which there is a consideration waiting in the wings, as it were, to take up any slack left by the defection on a contributor. I have put this point in a way that fits the car-pushing case. Suppose that five people push, but there are five more standing around ready and waiting to help or take someone's place if they drop out. We would not argue that the five who push in fact make no contribution, on the grounds that it is not the case that if they had not pushed, the car would have reached the top less easily. By analogy, there might be an action made right by a combination of features but such that if one of those features had been absent, another would have taken its place. This would do nothing to show that the first feature did not, as things stand, contribute to making the action right. There is an even worse scenario (from the point of view of the subjunctive conditional account of the contributory), where the consideration waiting in the wings would in fact do more to make the action right than does the one it is waiting to replace. In such a case, always assuming that it is possible, the first feature does make the action right, but if it had been absent the action would have been more right than it is. The whole picture has been turned upside down.

Finally, in criticism of Holton's position, we might say that he has no right to appeal to the notion of degrees of rightness and wrongness, because of the way his account of principles goes. On that account, an action is either absolutely right or not right at all; the idea of more or less right does not make sense. Every right action is made right by its relation to a principle that determines that every action to which it applies is (so long as the 'that's it' clause obtains) simply right. Since no sense is given to the idea of a competing reason, there can be no sense to the idea of the strength of the moral case for doing the action. All such moral cases are of equal strength, since all are perfect. Moral reasoning, as Holton sees it, is monotonic inference, and no valid deductive argument is more valid, or stronger, than any other.

Before we move on, it is worth asking whether these criticisms apply equally well to other forms of atomism that try to start from overall or decisive reasons. Richard Hare is such an atomist. He supposes that, where a combination of features makes an action right, the same combination will have the same effect wherever it occurs, irrespective of differences of other sorts. In this sense, a moral judgement that this action is right commits one, as Hare sees it, to the general judgement that any action is right that is similar to the first in respect of the features that were one's reasons for thinking this one right. This is atomism because the effect of the presence of that combination of right-making features is supposed to be the same regardless of changes in context. Hare's structures are different from Scanlon's, and again from Holton's; but all three offer atomistic conceptions of guaranteeing principles. I have argued, against Scanlon and Holton, that they can make no sense of contributory reasons, and that they can make no sense of defeated reasons, regret and residual duties. Might one say the same thing against Hare? I think so. The problem lies in the fact that Hare tries to do almost everything with a single tool of analysis, as one might put it, the notion of prescribing. In the light of the features which together I take to make a sufficient case for doing the action, I prescribe it to myself in a judgement that entails a self-directed imperative. Nothing is said here about the contributions of the different features that go to make that sufficient case, and it is not easy to see that anything could be said without appealing to tools that Hare denies himself. Further, it is hard to see how to express what is done by a defeated reason against doing the action. I imagine that
Hare would try to appeal to subjunctive conditionals in one way or another. He might, for instance, say that a defeated reason against is a feature that would have led me to prescribe my not doing the action in any situation of a certain sort - or perhaps that it is a feature that is part of a group of features (the reasons against in the present case) that would have had that effect in certain circumstances. But we have seen such suggestions many times already, and they are no better in this context than they were elsewhere. Hare's position is therefore weak in just the sort of way that are those of Scanlon and Holton.

So far in the present section I have been arguing that the problems I saw for Ross - those concerned with his ability really to capture the role of a contributory reason and that of a defeated reason - also beset the quite different accounts of Scanlon and Holton. The difference lies in the fact that Ross's position is ostensibly a theory of contributory reasons; it is only on inspection that one realises that the driving conception is really an appeal to what goes on at the overall level, with the results that we have seen. Scanlon and Holton, by contrast, are explicitly trying to do without any conception of a contributory reason at all. But trying to do without something perfectly coherent and indeed necessary (as I would argue) is little better than merely appearing to accept it.

Of course of the two approaches I very much prefer Ross's, since he at least recognises the need for the category of the contributory, and does his level best to make theoretical sense of it. That he completely fails to achieve this does little to diminish the credit he should be given for having been the first philosopher even to make the attempt. Not only was he the first, but his suggestions are still almost the only ones on the table. This is why Ross is so important and so worth spending time on. What is emerging, however, is that we really need a new account of the contributory, one quite different in structure from Ross's official offering. My suggestion on this front, of course, is that we should understand the contributory in terms of favouring. If we talk about favouring, we are at least talking about what is going on in the complex situation before us, where several features are all in there pushing and shoving, and we are not trying hopelessly to describe what is happening in that situation in terms of what would happen in a quite different one. Further, favouring is manifestly a matter of degree.

Let us now leave these issues, which have already seen more than once, and turn to a rather different question, which reveals a new sort of difficulty for Ross. I was alerted to this issue by reading a letter written to Ross by Prichard in 1932, two years after Ross had first published his account of prima facie duties. In it Prichard disputes a central theme of Ross's (1930), which is interesting because it is often suggested that Ross took his views on the point, as on much else, from Prichard. The letter is worth quoting in full:

My dear Ross,

I hope you will forgive my taking a sort of pot shot at something in your book. But I have got it on my chest.

On p. 27 you reduce the 6 or rather 7 prima facie duties enumerated on pp. 21 to 4, viz. your original (1)a, (1)b & (2)& the prima facie duty of producing as much good as possible

7 These are 1a: promising; 1b: reparation; 2: gratitude.
... And I have for long wondered that you should feel comfortable in coordinating the last with (1)a, (1)b and (2), e.g. the prima facie duty of keeping a promise.

But I have never till now seen clearly what has been puzzling me about this procedure - though I have always felt it was queer. The queerness I think lies in this - that whereas e.g. to describe an act as one of keeping a promise or as one of making reparation is to describe it in respect of a character it has in itself, to describe [an act] as producing as much good as possible, is only to do this verbally; it is really to describe it as having a character which it possesses only in relation to all the other acts the man can do - the character of producing good in a degree greater than that produced by any of the others.

This difference seems to me vital. The last does not seem to me the character of an action in the way in which the first 3 are. And the difference seems to me one which is paralleled in your distinction between some prima facie duty of a man and his duty sans phrase, and also to be out of place in a list of prima facie duties. Whether the phrase 'prima facie duty' is appropriate for the thing you refer to in your doctrine or not, the thing referred to is some character which an action of a certain kind possesses in itself i.e. as an instance of a certain kind and apart from its relatedness to the actions of other kinds possible to a man - a character e.g. due to an act being one of keeping a promise.

And I take your view about duty to be that in a given situation the action which it is my duty to do is that out of all the actions which I can, there is the greatest prima facie duty to do - so that where some action is what you call 'my duty' - or as I would rather put it the act which I am bound to do, or what I ought to do, it is so in virtue of having more prima facie obligatoriness than any of the other acts I can do - and so in virtue of a character which the act possesses only in relation to all the others. (cf. Pickard-Cambridge, note 3, p. 150, Mind, April, 1932.)

Hence while the basis of a prima facie duty is a character which the action has in itself, i.e. apart from its relation to the others, the basis of a particular act's being 'my' duty is not.

Hence, also, it seems to me, given your distinction between a prima facie duty of mine and my duty, the so-called character of producing as much good as possible, i.e. really the character of producing more good than any other possible action, while it might possibly be maintained to be the basis of some action's being my duty, can't be held to be the basis of an action being a prima facie duty.

But, further, strictly speaking I don't see how it can be maintained even to be the basis of the thing called an action being my duty, - i.e. your 'an action being my duty sans phrase'. For to produce more good than any other possible action is to have a certain character in a greater degree than certain other actions, and this cannot give rise to anything but a greater degree of something else; yet on your view to say of some act that it is a prima facie duty and to say of it that it is my duty are to make qualitatively different statements.

The truth is that the more I consider it the less I can make sense out of 'the act which I am bound to do' - as distinct from 'an act which I ought to do' - and the more I get to think that the only fact corresponding to the phrase is 'the act which I ought to do more than I ought to do any other', and that your 'prima facie' duty is really a duty, your 'my duty sans phrase' is really that of a man's duties which he most ought to do, i.e. that so far as these phrases can be made to stand for facts these must be the facts.
I expect the thing to bore you hopelessly. For personally I find that once I have got a thing down in print, the issue ceases to interest me unless I have to re-write it.

May I have this back some time? But don't bother to answer unless you feel inclined. My main object has been to get my idea down in black and white.

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HAP

So: what is the difficulty that Prichard is pointing out? The letter raises several significant issues, but the main one is whether Ross succeeds in capturing the notion of a contributory reason. Ross's theory is, after all, the only one available that is applicable to ethics; Bayesian approaches are very implausible here, because the reasons for doing an action cannot be conceived as features that raise the probability that the action is right, nor, sadly, can we conceive of them as features that raise the probability of something else, for instance that we will do the action.

This general issue includes several others:

1. Whether there are distinct features of overall goodness and rightness, in addition to what can be captured/expressed at the contributory level. That is, whether there are normative properties ('characters') in addition to normative relations.

2. Whether right-making features can be what make the action right. That is, whether the 'right' in 'right-making' is overall rightness or not.

3. Whether such considerations as:
   - that the action is right
   - that no alternative action is right - or more right
   - that there is more reason to do this action than to do any other
   - that this action would do more good than any other

   can be thought of as reasons for doing the action.

The letter starts by pointing out that the prima facie duty of producing as much good as possible is unlike other prima facie duties in not being a character that the act has in itself. This is not a point about the intrinsic, especially. Several of Ross's prima facie duties do not consist in characters that can easily be shown to be intrinsic (e.g. the duties of gratitude and of reparation). The point is rather that this act's being a promise-keeping makes it a prima facie duty, but if we have made two promises and can only keep one, this one's being more important, or more pressing a promise, is something that is not properly located at the prima facie level. But now consider Ross's claim that the act that is my duty proper is the one which I have the greatest prima facie duty to do - which has most prima facie obligatoriness. Given this contrast between duty proper and prima facie duty, that this action produces more good than any other ought to be (part of) the basis of its being a duty proper, not of its being a prima facie duty; for comparative facts of this sort function at the overall, not at the contributory level. But it cannot be the basis of a duty proper, since to have some

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8 Bodleian Library MS Eng. Lett. d. 117 fols. 99ff. The letter is dated 14.7.1932; I owe my knowledge of its existence to the researches of Jim McAdam. Prichard apparently often sent letters of this sort, and always asked for them back.
property (e.g., being good-producing) in a greater degree can only give rise to a greater degree of something else. For Ross, however, duty proper is not a matter of degree; the difference between duty proper and prima facie duty is a qualitative difference.9

Prichard resolves this conundrum by declaring that the only thing that can be meant by ‘the act that I am bound to do’ is ‘the act which I ought to do more than I ought to do any other’. Everything is defined in terms of the contributory - in terms of something that is a matter of degree. And this is what I find most interesting in the letter. Up to now we have seen attempts to understand the contributory in terms of the overall, and attempts to do without the contributory altogether. Prichard supposedly offers us a way of doing things the other way around - that is, of understanding the overall in terms of the contributory.

So the main issue here is the relation between contributory and overall. The difficulty is one that faces all moral theories. Consider the case of consequentialism. According to consequentialists, it seems that the feature that makes an act a duty is never a feature of that act, but a relation between features of that act and features of others. If we say ‘what made the act right was that it produced more good than other options would have’, we have to find another sense of ‘right’ if we want also to say ‘what made the action right was the amount of good it produced’. But if we do find such another sense of ‘right’, the rightness that is made by the goodness of the consequences is not the one we are thinking about when we ask which action is right -or so it seems. So we have lost our sense that the rightness that is made by contributors is the very same rightness as the action gets when it is successfully made right. Our question is whether Ross has shown how to get round this difficulty. Has he given an adequate account of the relation between the contributory and the overall - between contributory reasons, we might say, and overall conclusion? There is the danger that by distinguishing so explicitly between overall and prima facie rightness, and then expressing the contribution of contributing features entirely at the prima facie level he has prevented them from contributing to overall rightness, which is what one would have thought they were trying to do in the first place.

Ross says two things that make matters worse rather than better. The first is this:

‘The phrase ‘prima facie duty’ must be apologised for, since (1) it suggests that what we are speaking of is a certain kind of duty, whereas it is in fact not a duty, but something related in a special way to duty. Strictly speaking, we want not a phrase in which duty is qualified by an adjective, but a separate noun’ (1930, p. 20).

The second is Ross’s claim that duty proper is ‘toti-resultant’ while prima facie duty is ‘parti-resultant’, which I have already discussed at length. This claim makes it harder to understand the special role of the prima facie duties in acting as a ground for duty proper, since it appears to fail to distinguish that role from the role played by such considerations as that no other act is better supported (e.g. that no other act would produce more good). The point we are trying to stick to is that certain features (the ground, the prima facie right-making features) play a special role in the generation of overall rightness, and by claiming that overall rightness is toti-resultant Ross seems to

9 The argument in the last two sentences here is both invalid and irrelevant. There are surely examples in which something that is not a matter of degree is ‘given rise to’ (non-causally) by something that is. (One needed to be over a certain height to be eligible to be a policeman.) Further, Prichard’s principle here does not even apply to the case in point. For the property of producing more good than any other action is not itself a matter of degree. The amount of good produced is indeed a matter of degree, but that is irrelevant.
have prevented himself from saying this at all, let alone from explaining it. According to the passage quoted above, he even says that it is a mistake to allow any reference to duty to enter into our characterisation of what is going on at the contributory level. But this is to deprive himself of his main weapon in the battle to capture the idea that right-making features can succeed in making the action right. Our question, after all, was just this: when the contributing features go to make an action right, is the rightness that they make overall rightness? If not, what is it?

In response to this question, we might try to recombine prima facie duty and duty proper by appeal to the principle that we ought to do that action which we most ought to do. This suggestion, however, seems to have incoherent consequences: according to Prichard (ms p. 276) it implies that 'while the one act is a duty the other is not, and that the latter is a duty though to a lesser degree than the former. Putting this otherwise, if we think that of two acts there is a greater obligation to do one of them, we cannot go on to think that we ought to do that action without implying that there is no obligation to do the other in any degree whatever. Consequently we gain nothing by maintaining the existence of degrees of obligation in addition to absolute obligation.\[10\] Another way of putting this might be as follows: the act we ought not to do is still one which we ought to some extent to do, even though we ought not to do it at all. The greater obligation to do A implies that this is what we ought to do, and that we have no duty to do B at all, indeed a duty not to do it, even though we ought to some extent to do it. This sort of incoherence seems to be the result of combining talk of what one most ought to do (the strongest or most stringent prima facie duty) with talk of what one ought to do (full stop).

Could we try to avoid this sort of incoherence by trying to do without the contributory altogether? Ross did say that 'prima facie duty is not a form of duty at all'. If so, there is presumably no such thing as the most stringent prima facie duty in the first place, since that which is more or less stringent seems to have to be duty in some sense. This manoeuvre faces substantial difficulties. First, where there is only one prima facie duty, the role played by the relevant feature must be both (1) identical to the role it plays when it is not alone, and even when it is not winning, and (2) that of being a ground for duty proper. But the manoeuvre we are considering makes this impossible. Second, and more directly, this proposal abandons the attempt to make sense of what we might call a contributory normative thrust. But we need such a conception, because what favours an action should be able to be what makes it right. The ground for rightness (duty proper) must be whatever features favour the action, i.e. the ground for prima facie duty. But Ross’s approach makes this impossible.

The only alternative seems to be to try to make do with the contributory, that is, to define the overall 'ought' as 'most ought'. The claim 'we ought to do what we most ought to do' is now seen as an uninformative tautology, rather than as a substantial (though no doubt a priori) truth. With Prichard, we give no sense to any 'absolute' notion of 'right', 'ought', 'obligation' or 'duty'. The question 'what ought I to do here?' is understood only as the question 'which action is there the strongest claim on me to do?'

It is not as if Ross should really be wanting to resist this suggestion. After all, he accepts Broad’s account of rightness as suitability or fittingness; the right action is the one that fits the

\[10\] This passage is supposedly from a student's notes on lectures of Prichard's; the one concerned here was on conflicts of duties. It may be that the 'notes' were written by a student, but I have to say that if so the student has done a truly miraculous job of capturing Prichard's tone and style.
situation best or is most suitable to it, and this is clearly a matter of degree. If rightness is fittingness, the most fitting action can be thought of as the most right without strain, and just as Broad speaks of 'the rightest action open to the agent' (1930, p. 164), so Ross says 'Rightness can be identified, then, with ... the greatest amount of suitability possible in the circumstances' (1939, p. 53). If so, there should be no need to invent a new property of overall rightness that is not a matter of degree. But this is just what Ross did.

If we understand the right as the most right, and what we ought to do as what we most ought to do, we solve one problem, that of the relation between the contributory and the overall. But we have as yet failed to address another. It still appears that part of the ground for overall duty, however understood, is that there is no greater claim on us to do some alternative act. (The consequentialist version of this, as we have seen, is that there is enormous temptation to say that the ground for duty proper is that no other action promises better outcomes.) But it cannot be right to say that among the reasons for doing this act is that there is no greater reason to do something else (for example, that no alternative promises more good). This remark about how the reasons pan out, or about the side on which the reasons come down, cannot itself be understood as specifying a further reason in addition to those on which it comments or adjudicates. It should be no surprise that I suggest that what we need at this point is the distinction between enabling conditions and contributing features, that is, between two ways in which a consideration can be relevant to the normative status of an action. Not everything relevant to the evaluation of an action is part of the reasons for or against doing it. Not everything that goes to determine the rightness of an action is a reason for doing it. In this way we allow a relevance to the remark that there is no greater reason to do something else, without going so far as to include it among the reasons themselves.

The conclusion that I draw from this long discussion of an apparently private debate between Prichard and Ross is that we give ourselves unnecessary difficulties in understanding the relation between contributory reasons and overall oughts if we once yield to the temptation to think of the overall 'ought' as a character that is distinct from that of being 'most favoured' or of being that which we 'most ought' to do. To the extent that it is true that we ought to do what we have the strongest moral reason to do, this is an uninformative tautology, not an interesting relation between two distinct concepts. We also need to make significant appeal to the distinction between what is a reason and what plays only the role of an enabler, if we are to be able to make sense of the role played by such features as that there is no stronger reason to do something else.

This conclusion throws an enormous amount of weight on the notion of a contributory reason. I have by now said a great deal about this notion along the way, and there is no real need to say more. The main suggestion is that this notion is to be understood in terms of a very specific

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11 This sentence is a quotation from Raz (2000), p. 230.
12 See e.g. Scanlon (2000, p. 311): 'What would make my action wrong is, rather, the fact that I promised and that that, under the circumstances, is a decisive factor'. And again, 'what makes [not saving you] wrong is ... the fact that there is a decisive reason to save you'.
13 If this is right it makes trouble for Broome's distinction between slack and strict 'oughts' (Broome, 2000). His suggestion is that there is a strict sort of 'ought' such that, if you do not do what you ought (in that sense) you are not entirely as you ought to be, and another slacker sort for which this is not the case (the latter is the contributory sort of 'ought'). The suggestion in the text involves doing without this distinction, or perhaps rather reworking it so as to say that if you fail to do what you most ought, you are not as you most ought to be. We can say this without appealing to a strict sort of 'ought' at all.
relation of favouring (as opposed to enabling, say) rather than in the sort of way we noticed in Ross, where subjunctive conditionals carried all the explanatory weight. A corollary of this suggestion is that what we notice when we recognise that this feature favours that response in this situation is not itself essentially generalisable. There is nothing in the notion of favouring that would sustain the sense that what favours in one case must favour elsewhere. To the extent that Ross's account of a contributory reason was intended to subserve a tacitly generalist conception of a reason, it is a failure.

If the notion of a contributory reason is so important, it might be worth our while having a brief look at how recent writers have handled it. The first thing to say is that many significant figures in recent debates in ethical theory have said little or nothing on the topic. One looks in vain, for instance, in Simon Blackburn's *Ruling Passions* (1998) for any substantial discussion of what it is for something to be a reason. This is a shame, because many who work in this area take the notion of a reason to be the basic normative concept, which means that an attempt to provide a non-cognitive account of normativity in general which offers no cognate understanding of the concept of a contributory reason is surely noticeably lacking at a crucial point. Allan Gibbard's *Wise Choices, Apt Feelings* does at least contain a section devoted to the issue (1990, pp. 160-6). To see the problem from Gibbard's point of view, we need to ask what we might expect an expressivist to say about the notion of a reason. The first thing that strikes us might be something like this:

To say that R is a reason for S to F in circumstances C is to express acceptance of a system of norms that directs S to F in C.

The trouble with an account of this sort is that it does not address the notion of a contributory reason. We want to know what it is to say that R is some reason for S to F in C, and what we are told is surely located more at the notion of overall reason. After all, I might say that R is a reason for S to F in C while actually adhering to a system of norms which forbids R to S in C. What is required, then, is to find some other term than 'directs'. We might try:

To say that R is a reason for S to F in C is to express acceptance of a system of norms that would lead one to approve of S's F-ing, at least to some extent.

The problem now is that though one thinks there is indeed some reason for S to F in C, it might well be that one also thinks that there is conclusive reason for S not to F in C at all. If so, it is not as if one would approve of S's F-ing to some extent - one would be entirely against it. Further, what if S Fs but not for the reason that R? Is one to approve of this? It is not clear whether we should take this proposal to commit us to overall approval (or even partial approval, whatever that is) of S's F-ing, of only of S's F-ing for reason R. If it is the latter, I myself would say that the notion of a reason, the *definiendum*, has been smuggled into the *definiens* in such a way as to make the whole thing circular, since for S to act for the reason that R it is required that S take R to be some reason to F (in some weak sense of 'take'), and this sort of reason must be the very sort of contributory reason we are trying to understand.

One might then, in pursuit of an expressivist conception of a contributory reason, try to piggy-back on an expressivist conception of an overall 'ought'-judgement. We are, for present purposes, allowing that there is nothing wrong with the standard expressivist approach on this topic:

To say that S ought overall to F in C is to express acceptance of a system of norms that would require S to F in C.

So we might try something like the following, for the contributory:
To say that R is some reason for S to F in C is to say that, if it had not been the case that R, S's F-ing in C would have been less right than it is.

But this can hardly succeed, for reasons most of which we have seen before ad nauseam. First, we do not yet have any notion of more and less right. We just have the notion of requiring that appears in the account of overall oughts, and we have not been shown any expressivist way of taking requiring to come in degrees of stringency. (Note that there is a difference between degrees of acceptance of a norm and degrees of stringency of the norm accepted.) Second, the subjunctive conditional we are now considering is anyway incorrect as an analysis of a contributory reason.

What then does Gibbard offer? He writes (1998, p. 163):

To say that R is some reason for S to F in C is to express acceptance of a system of norms that direct us to award some weight to R in deciding whether to F in C.

Note that where before I had supposed that the norms I sign up to in saying that there is a reason for S to F in C are norms that require (or recommend) that S should be doing the F-ing in C (or the deciding whether to F in C), on Gibbard's account they require me to be doing it. But that is by the by. The crucial question is whether this account can be supposed successful. I think it cannot. It is surely parasitic on some appropriate conception of weight - of normative weight, as one might put it. And no such conception has been cashed out in expressivist terms. Further, we should note the way in which the account is entirely in terms of 'awarding weight to R in deciding whether to F in C'.

We might ask whether this is really the same as taking R to favour F-ing in C. The answer will surely be that it is not the same. I might think, for instance, that I should always consider the question whether R if I am deciding whether to F in C, but suppose nonetheless that on many occasions the question whether R or not will be in fact irrelevant to how I ought to act. This would happen if R was very commonly relevant, so that it is a consideration one ought always to bear in mind, even though sometimes its relevance is defused by other considerations. If, by contrast, awarding weight to R is another way of saying 'take R to count in favour or against' we are left grasping for an expressivist account of these notions, which were surely the ones the analysis was supposed to be grappling with in the first place.

My conclusion is that the expressivists have failed to offer any effective account of a contributory reason. I now turn to the pragmatists, in the person of Robert Brandom and the views expressed in his Making it Explicit (1994). For Brandom, an inference (practical or theoretical) is valid or sound if entitlement to the premises generates entitlement to the conclusion. Entitlement is a matter of permission. One can be entitled to incompatible conclusions, in the sense that one has the right to endorse any one of them - though once one has committed oneself to one of them, one loses entitlement to the others. One can, therefore, be committed to the premises of an entitlement-preserving inference without being committed to the conclusion. At this point Brandom writes, 'The notion of entitlement-preserving inferences accordingly provides a pragmatic analysis ... of the notion of prima facie reasons (whether doxastic or practical)' (1994, p. 249). I want to dispute this claim. It seems to amount to saying that one may be in a position in which one has sufficient reason for any of a number of conclusions. But the notion of a sufficient reason is not the same as the notion of a prima facie reason.

One thing to be born in mind here is a certain difference between theoretical and practical reason. Suppose that I want to stay dry, and that it is raining. There may be various ways of staying dry. I might just not go out; I might take my umbrella; or I might put on my rainproof cape. This gives me three possible 'inferences':

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1. It is raining: so I'll stay in.
2. It is raining: so I'll take my umbrella.
3. It is raining: so I'll put on my cape.

I could 'draw' any one of the three 'conclusions' specified in these 'inferences'. Suppose, now, that the inference is not, as we have so far been supposing, practical, but theoretical. We can make it explicitly theoretical by making it third-person rather than first-person. He wants to stay dry and has three ways of doing so. That gives us three inferences:

1. It is raining: so he'll stay in.
2. It is raining: so he'll take his umbrella.
3. It is raining: so he'll put on his cape.

Now none of these inferences is sound; we are not entitled to any of the conclusions even though we are entitled to the common premise. The matter turns on the notion of good enough reason - sufficient reason. What is sufficient reason in a practical sense is not sufficient reason in a theoretical sense. In theoretical reason there is no analogue of the kind of plural entitlement that we find in practical reason. What we do get, in theoretical reason, is a different notion of a sufficient reason, which is that of a good enough, though not conclusive reason. (This sense of 'sufficient reason' of course is applicable in practical contexts as well.) What we don't get in the theoretical context is the right to draw one conclusion when there are others available to us that are equally good.

This matter, however, is nothing whatever to do with the notion of a prima facie reason. To see this, we need some distinctions. A default reason is a feature that is a reason of a certain sort unless something special occurs to prevent it from being so. If something special does occur, the default reason ceases to be a reason at all. A prima facie reason is a consideration that favours a certain action, even though it may be defeated by considerations that favour the other side more strongly. If it is defeated in this sort of way, it remains as a reason, and it continues to favour the action that overall one has more reason not to do. A sufficient reason on the practical side is one that is strong enough to justify action, even if there are other equally good reasons for alternative actions (e.g. for going to Bognor rather than to Lyme Regis for one's holiday). A sufficient reason on the theoretical side can only be one that, though perhaps not conclusive, is still strong enough to justify one's adopting a certain belief, so long as one has not equally good or better reason for some alternative.

So far one might think that this is just a matter of terminology. We need to distinguish three notions, those of a prima facie reason, of a default reason, and of a sufficient reason. What I want to say, however, is that we need all three of these and that Brandom only has room for two of them. Ross's notion of a prima facie reason was supposed to capture what we might more ordinarily think of as a 'contributory' reason. I want to suggest that Brandom cannot capture this important part of our thought about reasons.

If we keep the terminology as I have suggested, according to the three notions I distinguished in the previous paragraph, we can see that some of the things that Brandom says are true, but not quite in the terms in which he puts them. He writes 'Often when a commitment is attributed to an interlocutor, entitlement to it is attributed as well, by default. The prima facie status of the commitment as one the interlocutor is entitled to is not permanent or unshakable ... When it is
appropriately challenged ... the effect is to void the inferential and communicative authority of the corresponding assertions' (1994, pp. 177-8) - that is, the entitlement vanishes at an appropriate challenge. This is properly a matter of a default, not a matter of a prima facie anything, I think. To the extent that one can use the notion of the prima facie here at all, it is in the sense of something that appears to be there but may not really be. (It was not in this sense that Ross used the notion of the prima facie, of course.) But in fact even that notion of the prima facie is not the same as the notion of a default; a default status is just not the same as a prima facie status in either sense.

Now consider a further remark of Brandom's: 'the premises of these inferences entitle one to their conclusions (in the absence of countervailing evidence) but do not compel such commitment. For the possibility of entitlement to commitments incompatible with the conclusion is left open' (1994, p. 169). This remark appears to use a notion of entitlement that is rather like that of having separate good reasons. But this is a mere appearance. The sort of entitlement Brandom is talking about vanishes in the presence of countervailing reasons. Good reasons on the defeated side do not vanish just because there are better reasons on the winning side. But in Brandom's terms, entitlement cannot exist where there is more than one conclusion equally well supported by the evidence, and it cannot exist where there is another conclusion better supported either. The idea of an entitlement that is defeated but still holds good (that is, retains some normative force) is not available to him.

Perhaps we have here a point in favour of Brandom's overall picture. I have been suggesting that the notion of a prima facie reason that we are familiar with from Ross is not one that Brandom can use in his account of theoretical inference. But perhaps that is as it should be. The notion of a contributory reason that is available on the theoretical side is quite different from the notion of a contributory reason that we use on the practical side. On the theoretical side, a contributory reason is a consideration that raises the probability of a certain hypothesis. But we see nothing like this on the practical side. A reason in favour of an action is not a consideration that raises the probability that the action is right, or rational, or sensible, as we see when we notice that our overall conclusion is not that most probably this course of action is the right one to adopt. The relation between evidence and conclusion is quite different from the relation between reasons and action, unless we consider the evidence as reasons in favour of a certain action, namely that of coming to believe the conclusion.

Nonetheless, even if what I have just said is confused, there remain significant differences between what is available to Brandom and what we want to be able to use the notion of the prima facie to say. There are three important aspects to the prima facie:

1. One can have prima facie reasons both in favour of and against the same action
2. One can have prima facie reasons some of which favour one action and others another.
3. Prima facie reasons are features that count in favour of an action. They contribute something to something. Prima facie theory is a theory of how this works - a theory of contributing reasons. It allows that there are instances in which no contributory reason is sufficient alone. It allows that two severally insufficient reasons can combine to make a sufficient case for an action. And, perhaps most crucially, it tells us that a defeated reason still does something; not all contributions are on the winning side.

How much of this is Brandom in a position to say? Not much, it seems to me. (The points he makes about default reasons are all irrelevant.) So he offers us no notion of a contributory reason. Is this just because he has not addressed the issue? I think not. The question turns on whether it is
possible, using the material to which he wants to restrict himself, to construct a conception of what is better called the *pro tanto* - the separate contribution made by each distinct reason. It seems to me that the most promising move is to try to build a notion of a *pro tanto* entitlement. But entitlement, though it does come in degrees, is still (for Brandom) a success term. A defeated entitlement is one that has lost its normative status. One can have a defeated but still operating contributory reason, but such a reason does not ground any entitlement - not even a little one or a *pro tanto* one - to do the thing favoured by that reason. If so, the tempting conclusion is that there is an aspect of normativity (of the way in which reasons behave) that cannot be captured in terms of commitments and entitlements - the terms to which Brandom wants to restrict himself.\footnote{Many thanks to Mark Lance for help with Brandom.}

Where else might one look for help? Frank Jackson is a doughty representative of a vigorous tradition in philosophy, and his *From Metaphysics to Ethics* (1998) contains substantial discussion of the normative, leading to the conclusion that all normative properties and concepts are descriptive. He reaches this conclusion by arguing that for every evaluative property, there is a descriptive property that is necessarily co-extensive with it, and then arguing that in fact these necessarily co-extensive properties are identical. The tools of this argument are the notions of entailment (especially mutual entailment) and supervenience. So the natural way to try to capture the notion of a contributory reason, if one is wanting to work with Jackson's basic tools, is to try to provide an analysis in terms of subjunctive conditionals - the same resource as is used to construct the notion of supervenience. I have no complaint against this manoeuvre in itself. It is just that there are manifest obstacles in its way, as we have already seen. Subjunctive conditionals cannot capture the right-making relation, because they necessarily package right-making features together with other necessary conditions, including enabling conditions. They are too indiscriminate for this purpose, then. We cannot say that a reason why an action is right is a feature in the absence of which the action would not have been right. For enabling conditions are of this sort, but they are not right-making features. We might try saying rather that a contributory reason will be a feature in the absence of which the action will be less right than it would otherwise have been. But this is also subject to counter-examples. It might be, for instance, that we have here a feature which contributes to making the action right, but such that if that feature were absent the action would have been even better. Doing something for a friend is good, perhaps, but it would be even better if it were a stranger.

Might we hope to do better by using the notion of entailment? Sadly, no. For we have already seen that the features that make the action right do not entail that it is right. It is perfectly possible for those features to be present in another case without making the relevant action right - this is just what would happen if an enabling condition were to fail. So this avenue is blocked too.

Jackson does however make a further suggestion, which is in fact the only explicit characterisation of a reason in his book. He writes:

> Again, the principle that acts that cause suffering are typically wrong is not the principle that the suffering causes the wrongness of the act. An act may be wrong because it causes suffering, but the ‘because’ is not a causal one. (The act does not become wrong a moment after it causes the suffering.) The principles of folk morality
tell us which properties typically go together, but not by virtue of causing each other.
(p. 131)

About this, I want to say that even if one can make some sense of the notion of an epistemic reason in terms of which properties typically go together, since such generalities can perhaps underlie the credence quotients required of us by epistemic rationality, this approach is not likely to work for contributory moral reasons. It is not that causing considerable pain commonly goes together with being wrong; rather the former (on some occasions at least) is the ground of the latter or generates it - it makes the action wrong. This is a different relation from that which holds, say, between the pronouncements of a recognised moral authority and the moral facts of the matter. In the latter case, we really are dealing with things that ‘typically go together’, and not with contributory reasons that go to make the action right. That this moral authority pronounces our action right cannot be among the things that make it right (except in very unusual circumstances).