A Defense of the Common Morality

ABSTRACT. Phenomena of moral conflict and disagreement have led writers in ethics to two antithetical conclusions: Either valid moral distinctions hold universally or they hold relative to a particular and contingent moral framework, and so cannot be applied with universal validity. Responding to three articles in this issue of the Journal that criticize his previously published views on the common morality, the author maintains that one can consistently deny universal to some justified moral norms and claim universality for others. Universality is located in the common morality and nonuniversality in other parts of the moral life, called “particular moralities.” The existence of universal moral standards is defended in terms of: (1) a theory of the objectives of morality, (2) an account of the norms that achieve those objectives, and (3) an account of normative justification (both pragmatic and coherentist).

Phenomena of moral conflict and disagreement have led writers in ethics to two antithetical conclusions. Some writers maintain that there are objective, universal moral standards. Others reject all objectivity and universality. To maintain, as do most writers in bioethics, that there are valid moral distinctions between just and unjust actions, merciful and unmerciful actions, and humane and inhumane actions is to claim either that these conclusions hold universally or that they hold relative to a particular and contingent moral framework. If judgments are relative to a framework, then they cannot be applied with universal validity.

I maintain that one can consistently deny universality to some justified moral norms and claim universality for others. I argue for this conclusion by locating universality in the common morality and nonuniversality in other parts of the moral life, which I call “particular moralities.” I defend the thesis that there are universal moral standards in terms of: (1) a theory of the objectives of morality, (2) an account of the norms that achieve those objectives, and (3) an account of normative justification (both prag-
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matic and coherentist). I discuss how the common morality is progressively made specific and the sense in which moral change occurs.

Three instructive articles in this issue of the Journal are critical of my previously published views on the common morality. I will respond to the articles by David DeGrazia (2003) and Leigh Turner (2003). I shall not comment on the article by Jeffrey Brand-Ballard (2003) because we appear to have no substantial disagreement on the subject of the common morality. If we disagree, it is over principlism rather than the common morality. However, Brand-Ballard clearly uses the term “common morality” to refer to a richer mix of moral norms than I do. In this respect, he is like DeGrazia and Turner: All three take “common morality” to refer to a broader and very different body of norms than I do.

**THE NATURE AND OBJECTIVES OF THE COMMON MORALITY**

I define the “common morality” as the set of norms shared by all persons committed to the objectives of morality. The objectives of morality, I will argue, are those of promoting human flourishing by counteracting conditions that cause the quality of people’s lives to worsen.

*The Nature of the Common Morality*

The common morality is not merely a morality that differs from other moralities. It is applicable to all persons in all places, and all human conduct is rightly judged by its standards. Virtually all people in all cultures grow up with an understanding of the basic demands that morality makes upon everyone. They know not to lie, steal, break promises, and the like. The following are examples of “standards of action” (rules of obligation) in the common morality: (1) “Don’t kill;” (2) “Don’t cause pain or suffering to others;” (3) “Prevent evil or harm from occurring;” (4) “Rescue persons in danger;” (5) “Tell the truth;” (6) “Nurture the young and dependent;” (7) “Keep your promises;” (8) “Don’t steal;” (9) “Don’t punish the innocent;” and (10) “Treat all persons with equal moral consideration.”

The common morality contains standards other than principles of obligation. Here are 10 examples of moral character traits (virtues) recognized in the common morality: (1) nonmalevolence; (2) honesty; (3) integrity; (4) conscientiousness; (5) trustworthiness; (6) fidelity; (7) gratitude; (8) truthfulness; (9) lovingness; and (10) kindness. My hypothesis with respect to these virtues is that they are universally admired traits of character, that a person is universally recognized as deficient in moral character if he or she lacks such traits, and that those negative traits that are the
opposite of these virtues, commonly called “vices”—malevolence, dishonesty, lack of integrity, cruelty, and so on—are substantial moral defects, universally so recognized. I will say no more about the virtues and vices. In this paper, I focus exclusively on norms of action.

The Objectives of Morality

Centuries of experience have demonstrated that the human condition tends to deteriorate into misery, confusion, violence, and distrust unless norms of the sort I listed earlier—the norms of the common morality—are observed. When complied with, these norms lessen human misery and preventable death. The object of morality is to prevent or limit problems of indifference, conflict, hostility, scarce resources, limited information, and the like. It is an overstatement to maintain that all of the norms that I listed previously are necessary for the survival of a society (as diverse philosophers and social scientists have maintained (see Bok 1995, pp. 13–23, 50–59, citing several influential writers on the subject)), but it is not too much to claim that these norms are necessary to ameliorate or counteract the tendency for the quality of people’s lives to worsen or for social relationships to disintegrate. In every well-functioning society norms are in place to prohibit lying, breaking promises, causing bodily harm, stealing, fraud, the taking of life, the neglect of children, and failures to keep contracts. These norms are what they are, and not some other set of norms, because they have proven that they successfully achieve the objectives of morality. This success in the service of human flourishing accounts for their moral authority.

PARTICULAR MORALITIES AS NONUNIVERSAL

I shift now to analysis of particular moralities. Turner states that I do not allow for pluralism or for the local character of “moral worlds.” However, he misconstrues my view. Many moral norms are particular to cultures, groups, and even individuals. Whereas the common morality contains only general moral standards that are conspicuously abstract, universal, and content-thin, particular moralities present concrete, nonuniversal, and content-rich norms. These moralities implement the many responsibilities, aspirations, ideals, attitudes, and sensitivities that spring from cultural traditions, religious traditions, professional practice, institutional rules, and the like. In some cases, explication of the values in these moralities requires a special knowledge and may involve refinement by experts or scholars—as, for example, in the body of Jewish moral and religious norms in the Talmudic tradition. There also may be full-bodied
moral systems set up to adjudicate conflicts and provide methods for the
treatment of borderline cases—for example, the norms and methods in
Roman Catholic casuistry.

Professional moralities are one type of particular morality. These mo-
ralities may vary legitimately in the way in which they handle conflicts of
interest, protocol review, advance directives, and many other subjects.
Moral ideals provide another instructive example of particular moral-
ities. These ideals are neither required of all persons nor universal (see
Brandt 1992). All moral ideals are optional. Actions done from these
ideals are morally good and praiseworthy, and those who fulfill their ideals
can be praised and admired, but they cannot be blamed or disdained by
others if they fail to fulfill their ideals. These ideals enrich and expand the
moral life, but they are not part(s) of the common morality.

Turner states that I defend an ahistorical and an a priori account of
morality. It should be clear from my comments on particular moralities
that I do not defend this view. These moralities develop historically. I am
also an historicist and conventionalist in regard to the common morality,
but a defense of this position would require a more extended discussion
than can be undertaken here. Two succinct clarifications will have to suf-
fice: First, Turner opines that pluralists form a “third theoretical camp”
that is sharply distinguished from relativists and universalists. I reject this
conclusion. A pluralist who repudiates universal norms is a relativist.
Turner appears to be a pluralist and a relativist. He has no means to rebut
the thesis that all communally initiated systems of norms are on an equal
moral footing, regardless of the principles that underlie them, the reasons
for adopting them, or the consequences of their adoption. Second, Turner
maintains that there are, at local levels (by contrast to the universal level),
“shared, historically emergent understandings and common accounts of
moral practices.” This thesis has both wide and narrow applications. If
there can be such commonly accepted practices locally (in cultures, tribes,
religious traditions, professional organizations, and the like), then there
can be commonly accepted practices universally. Turner and I ought not
to disagree about this. Any difference between us should have to do with
how to test empirically for common acceptance. I turn, then, to the prob-
lem of empirical assumptions and empirical investigation.

THE PROBLEM OF EMPIRICAL JUSTIFICATION

Turner is tenaciously critical of what he sees as the empirical assumptions
that I (and my coauthor James Childress) make in discussing the common

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morality. He says that scant anthropological or historical evidence supports the thesis that a universal common morality exists. Part of the problem, as noted earlier, is that Turner includes under “morality” many more norms—for example, norms that structure social hierarchies, stations, and gender roles—than I include. As best I can tell, Turner altogether rejects the distinction that I make between “common morality” and “particular moralities.”

In principle, scientific research could prove me—or Turner—wrong. However, before such research proceeds, it is essential to be clear about the concept, or hypothesis, to be tested. For purposes of empirical investigation, my claim is that all persons committed to morality, and all well-functioning societies, adhere to the general standards of action enumerated previously. My claim is not, as Turner suggests, that all of the moral norms of all societies are indistinguishable. Moreover, what we now know or could know empirically, and whether the propositions that I have advanced are falsifiable by scientific investigation, are nuanced questions—not so “straightforward” as Turner proposes. It would be difficult to design empirical studies without either missing the target—viz., all and only those who are committed to the objectives of morality—or begging the question. The question could be begged either by (1) designing the study so that the only persons tested are precisely those who already have the commitments and beliefs the investigator is testing for or (2) designing the study so that all persons are tested regardless of whether they are committed to the objectives of morality. The first design risks biasing the study in favor of my hypothesis; the second design risks biasing the study against my hypothesis.

I have defined the common morality in terms of the set of norms shared by all persons committed to the objectives of morality. Since persons who are not committed to the objectives of morality are not within the scope of my argument, they could not appropriately be included as subjects in an empirical study. Their beliefs are worthless for testing my empirical hypothesis. Some, likely including Turner, would conclude that I have constructed a circular and self-justifying position; that is, they would say that I am defining the common morality in terms of a certain type of commitment and then allowing only those who accept the kinds of norms that I have identified to qualify as persons committed to the objectives of morality. In publications referenced by Turner, I have claimed that amoral people, immoral people, and people driven by ideologies that override moral obligations are not pursuing the objectives of morality, whatever else they may be pursuing. I appreciate that this position risks stipulating the meaning and content of “morality.”

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Nonetheless, I think the position I defend is the correct one. A full defense of this view would require a justification of all of the elements of my account, in particular, the object of morality, considered judgments, the role of coherence, pragmatic justification, and specification. Here I can do no more than to note three reasons why Turner’s appeals to empirical evidence are unconvincing.

First, no empirical studies known to me show that only some cultural moralities accept, whereas others reject, the several examples of standards of action that I earlier submitted as rules of obligation in the common morality (see p. 260). Empirical investigations of morality study differences in the way such rules are embedded in different cultures. These studies assume rather than question these general standards. They show differences in the interpretation and specification of these shared standards; they do not show that cultures reject them. For example, empirical studies do not test whether a cultural morality includes or rejects rules against theft, promise breaking, or killing. Rather, investigators study when theft, promise breaking, and killing are deemed in these cultures to occur, how cultures handle exceptional cases, and the like. Empirical data show variation in what I refer to below as particular moralities and in specification of the rules of the common morality. These data do not provide evidence that a common morality does not exist.

Second, the conclusions that I reach can be tested empirically. Investigation would center on persons who already had been screened to assure that they are committed to the objectives of morality, but they would not have been screened to determine which particular norms they believe to be the best means to achieve those objectives. That is, persons not committed to the objectives of morality would be excluded from the study, and the purpose of the study would be to determine whether cultural or individual differences emerge over the (most general) norms believed to achieve best the objectives of morality. Should it turn out that the individuals or cultures studied do not share the norms that I hypothesize to comprise the common morality, then there is no common morality of the sort I claim and my particular hypothesis has been falsified. If norms other than the ones I have specified were demonstrated to be shared across cultures, this finding would constitute evidence of a common morality, albeit one different from the account I have proposed. Only if no moral norms were found in common across cultures would the general hypothesis that a common morality exists be rejected. Of course, whatever is established about the existence of norms in the common morality, noth-
ing follows about whether the norms are justifiable, adequate, or in need of change. I consider this normative question later.

Third, and paradoxically, Turner’s notion of “shared, historically emergent understandings” and “widely shared understandings of moral practices and policies” errs in the direction of presuming more shared agreement than actually exists. I agree with the leading thesis in Turner’s paper—“We can find both zones of consensus and zones of conflict”—but even within local regions of consensus, there is sure to be dissent and controversy. Consider Turner’s statement that “Moral frameworks concerning research on human subjects currently seem to constitute one region where there exist widely shared understandings of moral practices and policies.” A bountiful literature in bioethics, both empirical and normative, calls this judgment into question. There currently exists a deep pluralism of viewpoint on virtually every major topic in research on human subjects, including such pillars of the system as informed consent and the review of research by local and national committees.⁵

THE PROBLEM OF NORMATIVE JUSTIFICATION

DeGrazia (2003) asserts that Childress and I “reduce normative ethics to descriptive ethics” and that we attempt to justify common morality “in terms of consensus.” I acknowledge that there are flawed sentences regarding the role of consensus in Principles of Biomedical Ethics, but Childress and I are clear that we advance both “normative and nonnormative claims” in our defense of the common morality (Beauchamp and Childress 2001, p. 4). Here I clarify my own views about the distinction between the descriptive (nonnormative) and the normative, without attempting to speak for Childress.

First, descriptive ethics and consensus reports are factual; normative ethics and methods of justification are not. Descriptions are not justifications. Claims about the existence of the common morality can be justified empirically by empirical investigation, but claims about the justifiability and adequacy of the common morality require normative investigation.

Second, I am not assuming that all persons in all societies do in fact accept the norms of the common morality. Unanimity of this sort is not the issue. As noted previously, many amoral, immoral, and selectively moral persons do not embrace various demands of the common morality. Some persons are morally weak, others morally depraved; morality can be misunderstood, rejected, or overridden by other values.
Third, it is preposterous to hold that a customary set of norms or a consensus set of norms is justified by the fact of custom or consensus. More preposterous still is the idea that norms qualify for inclusion in the common morality because they are rooted in custom or consensus. The proposition that moral justification derives from custom or consensus is a moral travesty. Any given society’s customary or consensus position may be a distorted outlook that functions to block awareness of common-morality requirements. Some societies are in the influential grip of leaders who promote religious zealotries or political ideologies that depart profoundly from the common morality. Such persons may be deeply committed to their particular outlook—for example, they may be intent on converting others to their favored political ideology—but these individuals should not be said to be morally committed merely because they are committed to a supremely valued point of view. Fanatics in control of the Taliban in Afghanistan committed horrendous moral offenses. Their enthusiasm was about something other than the common morality, which to them has no authority to constrain their particular kind of zealotry.

Fourth, universal agreement about norms that are suitable for the moral life explains why there is a common morality, but does not justify the norms (cf. Mackie 1977, pp. 22–23). What justifies the norms of the common morality is that they are the norms best suited to achieve the objectives of morality. Ultimate moral norms require for their justification that one states the objective of the institution of morality. Once the objective has been identified, a set of standards is justified if and only if it is better for reaching the objective than any alternative set of standards. This pragmatic approach to justification is my own preferred strategy for the justification of general moral norms, but I appreciate that others may prefer a different strategy of justification—e.g., a contractarian one. In the penultimate section, below, I supplement this account of pragmatic justification of common-morality principles by a coherence theory of justification for particular moralities.

Fifth, DeGrazia (2003) distinguishes between “common morality 1” (widely shared moral beliefs) and “common morality 2” (moral beliefs that would be widely shared if morally committed persons reached reflective equilibrium). I find this distinction, as presented, puzzling and unsatisfactory. Common morality 2 will generate different (and conceivably coherent) sets of norms that constitute particular moralities, not the common morality. Common morality 2 seems to be a general heading for the way in which particular moralities develop, or perhaps should develop,
from the common morality. However, despite these misgivings, this distinction between common morality 1 and common morality 2 can be salvaged and reconstructed as follows: Common morality 1 is the set of universally shared moral beliefs as it now exists (a descriptive claim), whereas common morality 2 is the set of moral beliefs that ought to be embraced in the common morality (a normative claim). I return to this distinction between what is and what ought to be in the common morality in the final section of this paper.7

SPECIFICATION: MAKING GENERAL NORMS PRACTICAL

The reason why norms in particular moralities so often differ is that the abstract starting points in the common morality can be developed coherently in a variety of ways to create practical guidelines and procedures.

DeGrazia and I agree that Henry Richardson’s account of specification explicates one important way in which general norms are made suitably practical. Specification is not a process of producing general norms such as those in the common morality; it assumes that they are available. Specifying the norms with which one starts—whether those in the common morality or norms previously specified—is accomplished by narrowing the scope of the norms, not by explaining what the general norms mean. The scope is narrowed, as Richardson (2000, p. 289) puts it, by “spelling out where, when, why, how, by what means, to whom, or by whom the action is to be done or avoided” (see also Richardson 1990; Beauchamp and Childress 2001, pp. 15–19; DeGrazia 1992; DeGrazia and Beauchamp 2001).

For example, the norm that one must “respect the autonomy of competent persons” cannot, unless specified, handle complicated problems of what to say or demand in clinical medicine and research involving human subjects. A definition of “respect for autonomy”—as, say, “allowing competent persons to exercise their liberty rights”—might clarify one’s meaning in using the norm, but would not narrow the general norm or render it more specific. Specification is a different kind of spelling out than analysis of meaning. It adds content. For example, one possible specification of “respect the autonomy of competent persons” is “respect the autonomy of competent patients when they become incompetent by following their advance directives.” This specification will work well in some medical contexts, but will confront limits in others, thus necessitating additional specification. Progressive specification can continue indefinitely, but to qualify as specification a transparent connection must always be maintained to the initial norm that gives moral authority to the resulting string of norms.
Now we come to a critical matter about particular moralities. There is always the possibility of developing more than one line of specification when confronting practical problems and moral disagreements. Different persons and groups will offer conflicting specifications. In any given problematic or dilemmatic case, several competing specifications may be offered by reasonable and fair-minded parties, all of whom are committed to the common morality. We cannot hold persons to a higher standard than to make judgments conscientiously in light of the relevant basic and specified norms, while attending to the available factual evidence. Conscientious and reasonable moral agents understandably will disagree with equally conscientious persons over moral weights and priorities in circumstances of a contingent conflict of norms, and many particular moralities therefore will be developed.

JUSTIFYING SPECIFICATIONS USING THE METHOD OF COHERENCE

Not all norms in particular moralities are justified. I earlier suggested that the norms of the common morality are justified pragmatically. In addition, I accept a coherentist justification of the specified norms that comprise particular moralities.

A specification is justified if and only if it maximizes the coherence of the overall set of relevant beliefs. These beliefs could include empirically justified beliefs, justified basic moral beliefs, and previously justified specifications. This is a version of so-called "wide reflective equilibrium" (Daniels 1979; 1996). No matter how wide the pool of beliefs, there is no reason to expect that the process of rendering norms coherent by specification will come to an end or be perfected. Particular moralities are, from this perspective, continuous works in progress—a process rather than a finished product. There is no reason to think that morality can be rendered coherent in only one way through the process of specification. Many particular moralities are coherent ways to specify the common morality. Normatively, we can demand no more than that agents faithfully specify the norms of the common morality with an attentive eye to overall coherence.

Competing specifications generate moral disagreement and conflict. The moral life always will be plagued by forms of conflict and incoherence. The theorist’s goal should be a method that helps in a circumstance of conflict and disagreement, not a panacea. Although DeGrazia conjectures that Childress and I have an “excessive aversion to disagreement,” his thesis must confront the accusation commonly brought against us that we allow for too much conflict and disagreement. My view is that we
countenance disagreement (in moral theory and in moral practice) more readily than do many writers in bioethics—indeed, it appears that we tolerate disagreement more readily than DeGrazia himself, judging from his comments regarding “standing up for what’s right.” Standing up for what a person believes to be right is often admirable, but without more explanation than DeGrazia offers, such resolve can descend into little more than an insistent inflexibility that refuses to recognize legitimate disagreement.

DeGrazia speculates that our “excessive aversion to disagreement” leads us to an “excessive accommodation of existing moral beliefs and/or competing constituencies,” resulting in “reduced coherence and justification.” He offers three examples. Consider his third example, which he seems to find the most flagrant on grounds that “compromise apparently leads to contradiction.” This example centers on our support for physician-assisted suicide—thus, he says, accommodating “liberal commentators”—and the way we take seriously slippery-slope arguments in opposition to physician-assisted suicide—thus, he says, accommodating “conservative participants in this debate.” DeGrazia greets with skeptical disbelief our assertion that these two points of view “can be reconciled.”

He offers no argument for this conclusion that our position is incoherent and contradictory, and he does not reconstruct the arguments that Childress and I present in our book. To see how the two views can be reconciled coherently, we need before us the distinction that Childress and I use between the justification of policies and the justification of acts. Public rules or laws sometimes justifiably prohibit conduct that is morally justified in individual cases. Two moral questions about physician-assisted suicide need to be distinguished: (1) Are physicians ever morally justified in complying with first-party requests that they assist patients in acts of suicide? and (2) Is there an adequate moral basis to justify the legalization of physician-assisted suicide? Childress and I argue that there are justified acts of assisting patients in committing suicide. However, once public considerations external to the private relationship between a physician and a patient are brought into the picture—such as the implications of legalized physician-assisted suicide for medical education and medical practice in hospitals and nursing homes—these considerations may provide good and sufficient moral reasons for banning physicians from engaging in such actions as a matter of public law. We argue that some policies that would legalize physician-assisted suicide are, under at least some circumstances, morally problematic. It may turn out that the worries about legalization advanced in some slippery-slope arguments
have force, but it may also turn out they have little or no force. There is no incoherence in this position.

DeGrazia also maintains that Childress and I have had relatively little to say about the question, "What is coherence?" He suggests that coherence is simply "the holistic embodiment of theoretical virtues, the characteristics we expect of any good theory." Coherence thus reduces for him to conformity to the criteria of good theories. This issue is too involved to be addressed here, but, as DeGrazia notes, Childress and I have a defensible set of criteria of good theories, and therefore, by his account, we have an acceptable (albeit underdeveloped) core notion of coherence.

CHANGE AND STABILITY IN THE COMMON MORALITY

I turn, finally, to issues about whether morality changes over time. Moral change entails that what was not previously morally required (or prohibited) is now morally required (or prohibited). Particular moralities, customary practices, and so-called "consensus moralities" can and do change; they may even change by reversal of a position. For example, a code of research ethics might at one time endorse placebo-controlled trials only to reverse itself and condemn such trials at a later time. When relevant circumstances change or new insight is achieved, such revisions are warranted.

Change in particular moralities is not, however, the issue. The critical question is whether the common morality changes. Could it come to be the case that we no longer have to keep our promises, that we can lie and deceive, or that a vice can become a virtue? To the extent that one can envisage circumstances in which human society is served better by substantially changing or abandoning a norm in the common morality—that is, to the extent that one can envisage that some alternative norm would better serve to counteract the tendency for the quality of life to worsen or disintegrate in social relationships—change in the common morality could occur. For example, it is possible—though unlikely—that the obligation to tell the truth could become severely dangerous to the well being of our friends and acquaintances and that we might therefore abandon the rule altogether.

Justification of a change in the common morality either would require that one or more moral norms remain unchanged in the moral system or would require that the objectives of morality not change. Without some stability of this sort in the system, moral change is incomprehensible and would lack justification. The point is that justification of the new norm will require recourse to some unchanged norms or goals.8

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In principle, all moral norms in the common morality could change over time, but such change is extraordinarily unlikely. It is difficult to construct even a single actual or plausible hypothetical example of a moral principle in the common morality that has been valid only for some limited duration. Moreover, I do not believe that people do or will in the future handle problems of profound social change by altering norms in the common morality. Instead, they will do what they have always done: As circumstances change, they will find moral reasons for saying that there is a valid exception to a particular obligation. For example, people have never allowed prohibitions against killing to prevail in all circumstances. Particular moralities have carefully constructed exceptions in cases of war, self-defense, criminal punishment, martyrdom, misadventure, and the like. People do and will continue to handle social change through the structure of one or more norms in the common morality overriding one or more different norms.

However, there is one important respect in which moral change in the common morality has occurred and will continue to occur. Even if abstract principles do not change, the scope of individuals to whom the principle is deemed to apply has changed. Consider the previously mentioned norm “Treat all persons with equal moral consideration.” Imagine that we are able to teach both language and the norms of the common morality to the great apes. It is possible under these conditions that we collectively would come to the conclusion that all of the great apes, not just human apes, should be included in the category of “persons” and therefore be owed equal moral consideration. This would be a momentous change in the scope of individuals covered by the protections of the common morality. It seems unlikely to occur, as do other changes of this magnitude, but one can conceive the conditions under which such change would occur.

It is arguably the case that the common morality already has been refined in a conspicuously similar manner by changes in the way slaves, women, people of ethnicities, and persons from many groups have come to be acknowledged as owed equal consideration. Such change in scope of application constitutes a major—and actual rather than hypothetical—modification in the scope of moral rules. But are the changes that have taken place in recent centuries truly changes in the common morality? Changes in the way slaves, women, and people of various ethnicities are regarded seem more to be changes in particular moralities or ethical theories than in the common morality.

The most defensible view, I suggest, is that the common morality does not now, and has never in fact, included such a provision of equal moral
consideration for all individuals—although this scope change could become part of the common morality. I am confident that empirical investigation of rules determining who should receive equal consideration would show considerable disagreement across individuals and societies (even among people who could reasonably be said to be committed to the objectives of morality). Such a finding is perfectly consistent with the view that the common morality should include rules of equal moral consideration for slaves, women, people of ethnicities, and other relevant parties now excluded.

Descriptive ethics analyzes where we are (which rules people actually do accept); normative ethics states where we should be (which rules people ought to accept). Where we are in the common morality is not necessarily where we should be. By appeal to what I have called the objectives of morality, one can (arguably) justify the claim that rules of equal moral consideration ought to be applied to all individuals—not merely to limited groups of individuals, as has long been the custom in many societies. I will not attempt to justify this normative thesis, but I do wish to mark its importance. Among the most momentous changes to occur in the history of moral practice have been changes in the scope of groups to whom moral norms are applied. A theory of the common morality that deprives it of the capacity to criticize and evaluate existing groups or communities whose viewpoints are morally deficient would be an ineffectual theory. One profoundly important feature of the common morality is its provision of cross-cultural standards. To the extent that the common morality itself stands in need of improvement, one can hope to make those improvements by revising the normative guidelines necessary to achieve the fundamental objectives of morality. Here we need to think not merely in terms of what universally has been the case, but in terms of what universally ought to be the case.

NOTES

1. Although there is only one universal common morality, there is more than one theory of the common morality. For a diverse set of theories of the common morality, see Alan Donagan (1977); Bernard Gert, Charles M. Culver, and K. Danner Clouser (1997); and W. D. Ross (1939).

2. Compare the arguments in G. J. Warnock (1971, esp. pp. 15–26) and John Mackie (1977, pp. 107ff.). I have been deeply influenced on this subject by Warnock and Mackie, and no less by Thomas Hobbes and David Hume.

3. I concur that virtually all of the norms mentioned by Turner are not in the common morality and that we can differentiate societies by the different norms that each society accepts.
4. When I say that some persons are not committed to morality, I do not mean that they are not dedicated to a way of life that they consider a moral way of life. Religious fanatics and political zealots clearly have this self-conception even as they act against or are neglectful of the demands of morality. In my comments about moral commitment, I do not mean to invoke elitist notions of moral superiority, but I also do not back away from the conclusion that some people are morally better than others, that some people are morally extraordinary, and that some people are morally depraved.

5. For a recent overview of new and persistent problems and controversies, see the report of the Institute of Medicine’s Committee on Assessing the System for Protecting Human Research Participants (2002). In response to widespread concerns about the use of human subjects in research, the U.S. Department of Health and Human Services commissioned this comprehensive assessment of current systems of research protection. The Committee found pivotal weaknesses in virtually every aspect of the current system and also discovered dissatisfaction with the current system from every quarter of those involved in research involving human subjects.

6. For a once influential literature suggesting that moral norms are those that a person or, alternatively, a society accepts as supreme, final, or overriding, see G. Wallace and A. D. M. Walker (1970) and William Frankena (1976a & b). A criterion of supremacy would permit almost anything to count as moral if a person or a society is committed to its overriding pursuit.

7. As my comments in previous sections indicate, I agree with DeGrazia that there are many forms of “moral prejudice” and that “moral judgment can be distorted in many ways.” However, I disagree with him that these distorted judgments “reflect common morality 1.” These judgments do not reflect common morality in any sense or respect. They are distorted because they distort the common morality.

8. See the argument to this conclusion in Joseph Raz (1994).

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