Wrongdoing by Results:
Moore's Experiential Argument (2012)

by John Gardner
Professor of Jurisprudence
University of Oxford
http://users.ox.ac.uk/~lawf0081

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Wrongdoing by Results: Moore's Experiential Argument

JOHN GARDNER*

Much of Michael Moore's awe-inspiring book *Causation and Responsibility*[1] is concerned with the questions of what causation is, and how it figures in morality and morally defensible law. To the questions of *whether* and *why* causation figures in morality and morally defensible law he devotes just one early chapter.[2] This is understandable. Moore has written about these 'whether' and 'why' questions in some detail before, notably in a well-known essay included in his earlier book *Placing Blame*.[3] With this detailed work behind him, he is fully entitled to take a more robust attitude in *Causation and Responsibility*. Nowadays, he shows limited patience with the view that morality and morally defensible law have no place for causal attributions. He draws attention to only a couple of sample defences of that view, and

* University of Oxford. Early versions of this comment were presented at an author-meets-critics panel at Oxford University in May 2009, and at a HumTec International Book Symposium at RWTH-Aachen University in March 2010. Of the many points raised on those occasions that helped me to turn my rough notes into something resembling a paper, none were more generous, helpful, and penetrating than those of Michael Moore himself.

[1] Michael S. Moore, *Causation and Responsibility: An Essay in Law, Morals, and Metaphysics* (Oxford 2009). Hereafter CR.

[2] CR ch 2, 'Causation and Moral Blameworthiness'.

[3] Michael S. Moore, *Placing Blame* (Oxford 1997). Hereafter PB. The essay I have in mind is ch 5, 'The Independent Moral Significance of Wrongdoing', which originally appeared in *Journal of Contemporary Legal Issues* 5 (1994), 1.

dispatches them quite briskly. He does, however, advance, or reiterate, one positive argument for the opposite view. He says that it is his favourite argument, the one that carries most weight for him in his thinking about the subject. That argument is the main subject of this brief and friendly comment.

I say 'friendly' because Moore and I agree about a great deal in this neighbourhood. We agree, in particular, that:

(a) The results and consequences[4] of our actions are often relevant to their moral assessment. Good moral judgment depends very extensively on good causal judgment.

(b) The primary moral assessment to which the results of actions are relevant is the assessment of their wrongfulness. Moral wrongs are often part-constituted by their results, and different moral wrongs are often differentiated, at least in part, by their part-constitutive results.

(c) The consequences of wrongs as well as their part-constitutive results may be relevant to their moral assessment, but this is a secondary relevance, a relevance mainly to their justification.[5]

(d) When the results or consequences of our wrongs are relevant to the assessment of our blameworthiness in performing those wrongs, this is because of (b) or (c) or both. But the assessment of our blameworthiness is not the same as the assessment of the wrongfulness of our actions under (b), or the assessment of their justification under (c). Blameworthiness also depends on other factors, notably excuses.

(e) Those who deny that the results or consequences of our actions are *ever* relevant to their moral assessment, a revolutionary brigade who form the main opposition to (a), are vulnerable to a *reductio* argument.

[4] The contrast between results and consequences is explained by G.H. von Wright, in his *Norm and Action: A Logical Enquiry* (London 1963), 39. In what follows, for simplicity, I will lump the results and consequences of our actions together using the expression 'the way our actions turn out.'

[5] This is the topic of CR ch 3, 'Causation and the Permissibility of Consequentialist Justification within Agent-Relative Morality and the Law'.

(f) Those who express their opposition to (a) by denying the existence of 'moral luck' are conceptualising the problem in an unhelpful way that clouds judgment, thereby often giving their view a false allure.

Moore and I are drawn to different *reductio* arguments against the revolutionary brigade mentioned in (e). In *Placing Blame*, Moore restates and sharpens an argument most famously associated with Tom Nagel.[6] He points out that the revolutionary brigade, often aided by their judgment-clouding talk of 'moral luck', insinuate into the conditions of moral agency an extreme and probably incoherent requirement of absolute control by the agent. This requirement is admittedly inconsistent with counting the results or consequences of our actions as morally salient features of them. But if applied across the board, as Nagel and Moore both note, the absolute control requirement is inconsistent with counting *any* features of our actions as morally salient features of them. In Nagel's famous words, '[t]he area of genuine agency, and therefore of legitimate moral judgment, seems to shrink under this scrutiny to an extensionless point.'[7]

I have embraced a slightly different *reductio*, one that was first hinted at by Tony Honoré. Honoré wrote that 'outcome allocation is essential to our identity as persons'. Without it, 'having decided nothing and done nothing [we] would hardly be people.'[8] Elaborating, I suggested that anyone who denies the existence of moral reasons to bring about results or consequences also denies the existence of (normal) moral reasons to try to bring about results or consequences. So if one will not assess actions morally according to their results or consequences, one should

[6] PB 233-46.

[7] Nagel, 'Moral Luck', *Proceedings of the Aristotelian Society Supplementary Volume* 50 (1976), 137 at 146. Moore rightly observes that much the same argument was made earlier by Joel Feinberg in 'Problematic Responsibility in Law and Morals', *Philosophical Review* 71 (1962), 340.

[8] Honoré, 'Responsibility and Luck', *Law Quarterly Review* 104 (1988), 530 at 543.

not assess them according to their intentions either. If our successes don't count, then neither do our endeavours. With no inputs or outputs, there is nothing left of us as moral agents.[9]

This small (you may think vanishingly small) difference of approach between Moore and me will not, however, occupy our thoughts here. For the *reductio* argument that he shares with Nagel is not Moore's favourite, and not the one that he rehearses in *Causation and Responsibility*. Rather, he says with emphasis: '*The* argument that has convinced me in the past, and convinces me still, is an experiential argument.'[10] We may be reminded here of the discussion between Nagel and Bernard Williams that famously gave birth to the 'moral luck' debate. Because their agreed conceptualisation of the problem as one of 'moral luck' lent disastrously false allure to the opposite view, it is often forgotten that both authors rejected attempts to deny moral attention to the way that our actions turn out.[11] While Nagel advanced his *reductio* sketched above, Williams instead encouraged us to reflect on our emotional reactions to our own decisions and actions, and in particular to give credence to the variations in emotional register that accompany differences in the way our actions turn out - even, added Williams, when we are admittedly not blameworthy for performing them.[12] Moore thinks that both Nagel and Williams succeeded in their arguments against the revolutionaries that, by their talk of 'moral

[9] Gardner, 'Obligations and Outcomes in the Law of Torts' in Peter Cane and John Gardner (eds), *Relating to Responsibility: Essays for Tony Honoré on his Eightieth Birthday* (Oxford 2001).

[10] CR 29

[11] Forgotten, it seems, even by Moore, who paints Nagel as if he were embracing the conclusion of his own *reductio*: PB 216-7; CR 24n16.

[12] Williams, 'Moral Luck', *Proceedings of the Aristotelian Society Supplementary Volume* 50 (1976), 115.

luck', they unwittingly[13] helped to recruit. But he is more moved by the Williams argument than the Nagel one.

True, Moore is less interested than Williams in blameless actions that turn out badly, and therefore less interested than Williams in the distinct emotional reaction to such actions on the part of their agents that Williams dubbed 'agent-regret'. Moore is more interested in full-blooded guilt, a reaction which, in spite of the self-blaming thoughts that figure in it, he finds no less sensitive to the way that our actions turn out. There are those – Moore mentions Susan Wolf[14] – who are prepared to accept Williams's point about agent-regret, but resist any extension of the same point to guilt. They say that the apparently amplified guilt that we experience in cases in which our actions turn out badly can best be explained away as a mingling of guilt for our endeavours (which are indeed capable of being blameworthy) with agent-regret for the way they turn out (this having, thinks Wolf, no possible bearing upon blameworthiness). Moore denies, I think rightly, that we are particularly prone to get agent-regret confused with guilt in interpreting our emotions. Yet he finds common cause with Wolf (and through Wolf with Williams) on the question of argumentative strategy. Wolf's, he says, is 'the right kind of attack on my inference from differential guilt feelings. It takes the phenomenology seriously.'[15]

So what does it mean to 'take the phenomenology seriously'? What counts as an 'experiential argument' for the moral

[13] Altgough in Williams' case it may not have been entirely unwitting. He later said that '[w]hen I introduced the expression *moral luck*, I expected it to suggest an oxymoron.' On the other hand, he didn't expect the birth of the expression to do quite as much philosophical damage as it did. '[T]here are some misunderstandings,' he understatedly wrote, 'that I now think my formulations in *Moral Luck* may have encouraged.' Bernard Williams, 'Moral Luck: a Postscript' in his *Making Sense of Humanity* (Cambridge 1995), 241.

[14] Wolf, 'The Moral of Moral Luck', *Philosophical Exchange* 31 (2000), 5.

[15] CR 32.

relevance of the way our actions turn out? Here are (what I take to be) the essentials of Moore's own 'experiential argument':

> [W]e experience greater guilt when we have caused some harm that we either tried to cause, or unreasonably risked, than we experience when we have been equally culpable but we have not caused such a harm. ... The inference I drew (and draw) from this experience is that we *are* more blameworthy when we cause some evil, than if we merely try cause it, or unreasonably risk it. The reason we *feel* so guilty in such cases is because we *are* so guilty.[16]

One oddity of these remarks I will disregard. They entail that, when comparing two situations, I can be 'equally culpable' in both of them but 'more blameworthy' in one than in the other. Most people, including me, think that culpability is the same as blameworthiness, and so would not be able to make sense of this contrast. Moore may not share this view,[17] but for present purposes that is an irrelevant wrinkle. We can replace the words 'been equally culpable' with the more neutral 'done the same trying or risking', and preserve Moore's main point.

Two other oddities, however, go to the heart of Moore's main point, and cannot so easily be ignored. First, it is hard to work out what is supposed to be the premiss and what is supposed to be the conclusion of his argument. To judge solely by the last sentence of the remarks that I just quoted from *Causation and Responsibility*, the argument runs like this:

[16] CR 30.

[17] Elsewhere he distinguishes 'culpability ... in a narrower sense', which does not vary between the two situations, from 'overall blameworthiness' which does: PB 403. I doubt whether his 'narrower sense' makes sense; there is no blameworthiness or culpability except the 'overall' kind.

Argument 1
We are guiltier (more blameworthy) when we cause an evil.
So we feel guiltier when we cause an evil.

But the rest of the passage suggests the opposite:

Argument 2
We feel guiltier when we cause an evil.
So we are guiltier (more blameworthy) when we cause an evil.

Clearly, it is the second inference that Moore needs, because it is the second conclusion that Moore is trying to defend. So where is the first inference, *Argument 1*, supposed to fit in?

The other unignorable oddity is that, on either reading of the inference, there must be a suppressed premiss. There must be something that links feeling guilty, inferentially, to being guilty. What exactly is that something? It is easy enough to supply a single extra premiss that makes both inferences valid:

Argument 1a
We are guiltier (more blameworthy) when we cause an evil.
If and only if we are guiltier (more blameworthy), we feel guiltier.
So we feel guiltier when we cause an evil.

Argument 2a
We feel guiltier when we cause an evil.
If and only if we are guiltier (more blameworthy), we feel guiltier.
So we are guiltier (more blameworthy) when we cause an evil.

But this is clearly not the extra premiss we are looking for.[18] This proposed premiss only restates the puzzle that we are trying to solve. It spells out the thought that is in need of an explanation,

[18] I'm grateful to Helen Beebee for impressing on me that the arguments could be made valid without yet being made helpful to Moore's cause.

but it does not steer us towards an explanation. Why, we still want to know, should feeling this way make it so (or *vice versa*)?

These two oddities are closely connected. So far as I can see, the inverted inference in *Argument 1* is supposed to supply the missing premiss in *Argument 2*. Look again at the final quoted sentence: 'The reason we *feel* so guilty in such cases is because we *are* so guilty.' Moore is not stating his own (as we might call it, 'philosophical') inference here. This is not a summary statement of what he means by his 'experiential argument'. In this sentence, rather, Moore is reporting the rational position of those of us who feel guiltier when we cause an evil. Our reason for feeling guiltier is that, as we see it, we are guiltier. Our extra guilty feeling is, to our guilt-laden eyes, appropriate. Moore's own inference, his 'experiential argument', depends on his granting that we guilt-feelers are right about the appropriateness of our extra guilty feeling. We have the reason to feel guiltier that we see ourselves as having. Granting this much supplies the extra premiss that Moore needs to complete his argument:

> *Argument 2b*
> We feel guiltier when we cause an evil.
> That feeling is appropriate: we feel guiltier because we are guiltier (more blameworthy) [cf *Argument 1*].
> So we are guiltier (more blameworthy) when we cause an evil.

This is valid, and it runs in the right direction. It also adds some explanation of how its first premiss is meant to support its conclusion, namely through an assessment of the appropriateness of the guilty feeling. But does the argument indeed support the conclusion? Surely not. The truth of the conclusion is already assumed in its second premiss. By granting to us that our guiltier feeling when we are more blameworthy is an appropriate one, the argument already assumes that we are more blameworthy when we feel guiltier. So the premisses entail, but do not in the process lend any support to, the conclusion.

The objection would be more obvious, perhaps, if Moore were relying on what people believe rather than what they feel. Imagine an argument along the following lines:

> *Argument 3*
> We believe that we are guiltier (more blameworthy) when we cause an evil.
> That belief is truth-warranted: we believe that we are guiltier (more blameworthy) because we are.
> So we are guiltier (more blameworthy) when we cause an evil.

This is a valid argument, in the sense that its conclusion follows from its premisses. But it is not an argument in the sense that Moore needs, because it does not lend any support to its conclusion. And that is because the truth of its conclusion is patently assumed in the second premiss.[19] It's true that, if we had an independent argument for the truth of the second premiss, the conclusion would be supported. But that support would owe nothing to *Argument 3*. *Argument 3* is not argument so much as assertion. It says: we are more blameworthy because we are.

Variations on *Argument 3* are very common in moral philosophy. Some philosophers do not regard them as supporting their conclusions, but only as exposing aspects of our thinking, moral hypotheses, that are fit for argumentative testing. Others, however, treat variations on *Argument 3* as if they were conclusion-supporting, even without any independent argument for the second premiss. We commonly believe it, they say, so it must be true(ish). Can one imagine Moore falling into this trap? No. He clearly does not think the truth of our moral beliefs can be taken for granted, even *prima facie*, in moral philosophy. He

[19] Arguably what I call 'truth-warranted belief' is the same as knowledge. It is not just warranted true belief but belief that I hold on the warrant of its truth. So arguably *Argument 3* can be simplified into the form: 'We know P, so P.' That makes both its validity and its conclusoriness even more patent.

thinks that we are capable of systematic moral error, and that moral philosophers need to remember this.[20] It is hard to imagine him trying to run *Argument 3*. So why does he take a different view about *Argument 2b*? Can our emotions, in his view, be trusted more than our beliefs? Does the second premiss of *Argument 2b* have more independent appeal, for him, than that of *Argument 3*? Presumably it does, but it is not clear why.

Here is one possible explanation. Our emotions are less susceptible to modification by rational reflection than our beliefs. Of course, emotions do have a cognitive component, but it may fall short of a belief. Seeing two men in a romantic embrace in the street, or even in a movie, I might entertain the fleeting thought (I was brought up in the pre-Enlightenment Glasgow of the 1970s) that there is something unnatural or unsuitable about this behaviour, even though I don't believe that to be the case. So I might experience a certain unease, including a glimmer of negative affect and some negative inclinations (e.g. to look away) in spite of my regarding these negativities as unwarranted. This shows that I can reflect enough on my own thoughts to excise them from my beliefs without always being able, in the process, to excise them from my emotional life.[21] According to a familiar therapeutic worldview, my emotions somehow make up a more honest, less self-deceptive, picture of myself, than my beliefs. The 'real me' (we can imagine some therapist saying) is insecure in my own sexuality, covering up my insecurity with a rationalizing veneer of civilized (non-heterosexist) opinion. But

[20] Remember the revolutionary brigade who deny the moral salience of how our actions turn out? They have, according to Moore, fallen into precisely such systematic moral error, often but not always because they have thought about the problem under the judgment-clouding heading of 'moral luck'. Nor are they rare outliers. On the contrary, they hold what Moore once dubbed the 'standard educated view', which is 'concurred in by a majority of respectable criminal law theoreticians' (PB 194).

[21] I owe the example, or at least it's structure, to John Tasioulas.

the philosophical basis of this worldview is obscure. Why is the 'real me' thought to be the 'me' of my emotions, and their constituent thoughts, rather than the 'me' of my beliefs?[22] It is true that the process of rational exposure by which my thoughts are tested for their beliefworthiness adds extra room for me to fall into rational error. Sometimes one does better, epistemically as well as practically, by sticking with one's gut reactions. ('Don't get in that car; something's not quite right about this guy!') But only sometimes. The example of the misguided thought (and hence inappropriate unease) that I might have about a gay couple's kiss just goes to show that the opportunity for rational scrutiny that belief brings to thought is not only a potential source of new error but also our main daily weapon against the familiar old errors of superstition, gullibility, and prejudice, traces of which we all sometimes find in our emotional lives.

Our lives as rational beings proceed on the assumption that, by responding to reasons, we excise error more often, or more effectively, than we perpetuate or introduce it. We take it for granted, most of the time, that following (trying to conform to) reasons is a good way to conform to those same reasons. It is not always true. Sometimes we may be disappointed in ourselves or others, and have to suspend the assumption. Some people may even be so poorly equipped in their rational faculties that their beliefs, perhaps *a fortiori* their considered beliefs, are typically even more deranged than their unchecked thoughts, and hence their emotions. But if so, that is a contingent feature of certain

[22] In resisting this therapeutic worldview it is possible to lean too far the other way and to think that thoughts which I do not endorse are alien, not really me. This is where Harry Frankfurt's thinking tends to lead. See especially his 'Identification and Externality' in Amelie Rorty (ed), *The Identities of Persons* (Berkeley 1977). A better-balanced view, according to which some but not all of my unendorsed thoughts would count as pathological, is found in Joseph Raz, 'When We Are Ourselves: The Active and the Passive', *Proceedings of the Aristotelian Society Supplementary Volume 91* (1997), 211.

benighted people. It gives us no reason to think that, in their beliefs, people generally are more prone to error than they are in their emotions. So there is no reason here to distinguish *Argument 2b* from the parallel *Argument 3*.

Moore's own remarks on the moral importance of our emotions suggest that he would draw a very different contrast between *Argument 2b* and *Argument 3*. Roughly, he would deny the analogy that I draw between the appropriateness of emotions and what I called the 'truth-warrant' of beliefs. Consider the following summary of his views about the moral importance of emotions that Moore offers in *Placing Blame*:

> I rely on two propositions: (1) our emotions, like our judgements, sometimes respond to objective moral features of the world; and (2) that the touchstone of our epistemically reliable emotion ... is the virtue of feeling such an emotion. ... [I]t would be an extraordinary morality that considered an emotion like compassion to be virtuous to feel and at the same time considered the judgement of distributive justice to which such compassionate feelings lead to be false; a coherent morality should make its theory of virtuous emotion fit, at least roughly, its theory of just actions.[23]

I have, of course, just accepted Moore's point (1). Anyone who denies it is a long way *hors-jeu*, and need not detain us here. But that reflects the fact that it is a very modest point. Thanks to the 'sometimes', and thanks to the fact that it openly draws no distinction between beliefs ('judgements') and emotions, it gets us nowhere in helping to distinguish *Argument 2b* from *Argument 3*, and hence in helping to find the special attraction that *Argument 2b* is supposed to hold. But what about Moore's point (2)? That seems to introduce a new and more promising line of inquiry. It suggests that the question of the appropriateness of an emotion resolves, for Moore, into a question of the virtue, or perhaps more broadly the value, of experiencing it.

[23] *PB*, 228-9. Similar remarks appear in more cryptic form in CR at 33.

If that view were right, then emotional appropriateness would not be analogous to what I called the truth-warrant of belief. Even a valueless belief can be truth-warranted. Right now I believe that the wall in my office is painted in an off-white shade just a fraction less pink than Dulux 08B15 Magnolia. I also believe that rail service 1M46 operated by Cross Country Trains was scheduled to leave Oxford for Manchester Piccadilly just over four minutes ago (as of the moment at which I typed 'ago'). These beliefs are truth-warranted but there is no value that I can think of in my holding them.[24] Does Moore take the view that something similar can never be said of appropriate emotions? Does he think that they can never be valueless, and more specifically that there must be some virtue in our having them? If so, his version of *Argument 2b* may go a bit more like this:

> *Argument 2c*
> We feel guiltier when we cause an evil.
> That feeling is appropriate: it is virtuous to feel that way.
> So we are guiltier (more blameworthy) when we cause an evil.

This is clearly incomplete as it stands. To make it run there must be at least one further premiss. To judge by the last sentence in the passage I just quoted from *Placing Blame*, Moore would want to add a further premiss along the following lines:

[24] Unless you count the value of my being able to report them here in order to make my point. If you insist on counting that, let me assure you that I have many other valueless truth-warranted beliefs that I will not bore you with.

Argument 2c'
We feel guiltier when we cause an evil.
That feeling is appropriate: it is virtuous to feel that way.
Virtuous feelings yield true moral verdicts.
So we are guiltier (more blameworthy) when we cause an evil.

Now we clearly have a valid argument, with a conclusion that follows. But once again the truth of conclusion seems to be assumed. Or – to put it another way – the appeal of the second and third premisses, taken together, is not independent enough of the conclusion to which they are supposed to lead.

To see why, consider Moore's suggestion that 'it would be an extraordinary morality that considered an emotion like compassion to be virtuous to feel and at the same time considered the judgement of distributive justice to which such compassionate feelings lead to be false.' I agree. Extraordinary to say the least. But Moore's formulation fails to reveal how deep the extraordinariness goes. Moore's formulation suggests that, when one's moral emotion is virtuous, one notices the morally salient feature of a situation thanks to one's moral emotion. The emotion 'leads' one to the moral truth. In reality it is the other way round. One has the moral emotion, when it is virtuous to have it, because one already notices the moral feature. Emotions, as I put it before, all have constituent thoughts. True, the fact that a given thought is emotion-constituting may lead us to focus or dwell more on the content of that thought, so that it may crystallise into belief. The fact of a thought's emotion-constitutingness may also increase that thought's motivating force, its power as a spur to action. So there is certainly a possiblity of an emotion 'leading' to a belief, and there can certainly be a question of the emotion's moral value.

Yet clearly the fact that an emotion rests on a true moral thought is not *sufficient* to give it that moral value. Even when one has something to be angry about, it is possible to be too angry, and not only too angry relative to the object of one's

anger, but also too angry for one's own or anyone else's good, moral or otherwise.[25] Nevertheless, the fact that the emotion rests on a true moral thought is always *necessary* to give it moral value, and thus to make it virtuous. If one has nothing to be angry about, no rightful object of anger, then there is no moral virtue in getting angry, or in acting in anger, or in expressing anger, etc. (There can still be non-moral value such as the therapeutic value of letting off steam, having a good rant, etc.)

In another rendition of his point, elsewhere in *Placing Blame,* Moore says that it is 'the virtuous nature of an emotion that tells us whether it has epistemic import,' i.e. whether we should trust it as a source of moral insight.[26] The reverse, I am claiming, is true. We need to know whether we should trust an emotion as a source of moral insight – we need to know whether its thought-basis is true - in order to work out whether it is a virtuous emotion. That being so, whether an emotion is 'appropriate' in the value-bearing sense relevant to *Argument 2c'* (I will say 'appropriate$_V$') depends on whether the emotion is 'appropriate' in the different truth-tracking sense (I will say 'appropriate$_T$') that I had in mind in formulating *Argument 2b*.[27] And in that case *Argument 2c'* is really just *Argument 2b*, but with a big digression in the middle. Here it is, showing the digression (indented):

[25] I have discussed these sometimes conflicting dimensions of emotional rationality and their relationship to moral virtue in more detail in 'The Logic of Excuses and the Rationality of Emotions', *Journal of Value Inquiry* 43 (2009), 315. There you can also find copious citations to a large literature.

[26] PB 128.

[27] In 'The Logic of Excuses', above note 25, at 329, I contrasted these two kinds of appropriateness in terms of a more general contrast, afflicting the whole of rationality, between 'service reasons' and 'tracker reasons'.

Argument 2c"

We feel guiltier when we cause an evil.

> That feeling is appropriate$_V$: it is virtuous to feel that way.
>
> Feelings are virtuous only when they proceed from (I would say: are part-constituted by) true moral verdicts.
>
> So our feeling guiltier when we cause an evil is appropriate$_V$ only because that feeling is appropriate$_T$.
>
> So ...

That feeling is appropriate$_T$: we feel guiltier when we cause an evil because we are guiltier (more blameworthy).

So we are guiltier (more blameworthy) when we cause an evil.

The indented premisses can be dispensed with straightforwardly to leave us with the simpler argument:

Argument 2b

We feel guiltier when we cause an evil.

That feeling is appropriate$_T$: we feel guiltier because we are guiltier (more blameworthy).

So we are guiltier (more blameworthy) when we cause an evil.

The subscripted 'T' is the only addition here to our earlier formulation of *Argument 2b*, and it appears only to disambiguate. We need to remind ourselves that the kind of appropriateness we have in mind here is the one that is analogous to truth-warrant. And when *Argument 2b* relies on this kind of appropriateness, as we already know, it assumes the truth of its own conclusion. No 'taxonomy of the virtues'[28], nor any other call upon the theory of value, makes the slightest difference to this.

Moore has heard all this before. If he has not heard it from others, he has certainly heard it from himself. Moore is his own most exacting critic, and many pages of the earlier *Placing Blame* were taken up with anxious reflections on the possible

[28] CR 32.

'circularity' of what he now calls the experiential argument.[29] Although he believes that he 'dealt with' the circularity problem back then, the attendant anxiety has not entirely gone away. The passage I already quoted from *Causation and Responsibility*, summarising the experiential argument, continues in this vein:

> Some no doubt are troubled by the shortness of the inference chain here – although the longer one stays in philosophy, the shorter seem to be the inference chains one finds acceptable. (I suppose at some point I will just have unsupported *views*).[30]

But the problem with Moore's experiential argument is not in the shortness of its inference chain. In fact the inference chain in *Argument 2c*" is of rococo elaborateness. Yet if I am right, the problem remains that it is not, in the sense that Moore needs it to be, an argument. It lends no support to its conclusion. So if the experiential argument were the only one in his armoury – if he didn't also have the Nagelian *reductio* up his sleeve – Moore would already be trading 'unsupported views'. My friendly advice, as one who shares those views and wants to see them supported: stick to the Nagelian *reductio*, which is decisive.

Moore's slightly anxious reflections on the experiential argument do not end there. He continues:

> Others no doubt reject *feelings* as a basis for moral argument, although I cannot see how to do moral philosophy if one puts aside the emotions. Some also might object to the use of *guilt* feelings as the basis of any inference even if they do not object to the relevance of feelings in general; these are the Nietzcheans and others who doubt that guilt (or other backward-looking emotions) is ever a decent response to anything. ... Anyone who wants to live the academic moral philosophy

[29] Notably PB 127-52, 226-7.
[30] CR 30.

they write about, and who has felt the compelling power of deep guilt feelings for harm caused, will brush such arguments aside.[31]

I am not among those 'Nietzcheans and others' who have a special sniffiness reserved for the backward-looking emotions. On the contrary, I have worked hard to defend their central role in rationality in general, and morality in particular.[32] And that is probably because I have, indeed, 'felt [their] compelling power' in my own life. Still less am I inclined to 'put aside the emotions' more generally in moral argument. In my view, they deserve the same measure of rational scrutiny and criticism deserved by actions and beliefs and desires and so on. That certainly includes moral scrutiny and criticism. Like Moore I bemoan the silence of much moral philosophy on the subject of emotional propriety, and I don't think that the soft-focused nostalgia of self-styled 'virtue ethicists' has so far helped much to put this right. Plainly I would, however, differ from Moore in rejecting the emotions as a *basis* for moral argument. And that is for precisely because I want the emotions to be central to moral philosophy. Emotions, as I said, deserve the same rational scrutiny and criticism as do actions and beliefs and desires and so on. By contrast, Moore's earlier responses to the 'circularity' challenge in *Placing Blame*, all seem to rest on the privileging of our emotional life, not, of course, as *un*amenable to rational scrutiny and criticism, but as somehow *less* amenable.[33] In spite of many years of revisiting

[31] CR 30-31.

[32] See most recently my 'What is Tort Law For? Part 1. The Place of Corrective Justice', *Law and Philosophy* 30 (2011), 1, in which I stand shoulder to shoulder with Bernard Williams against anti-backward-lookers, taking particular aim at Rüdy Bittner, 'Is It Reasonable to Regret Things One Did?', *Journal of Philosophy* 89 (1992), 262.

[33] In extracting that message I am thinking principally of his long discussion in PB ch 3, which is his famous essay 'The Moral Worth of Retribution', reprinted from Ferdinand Schoemann (ed), *Responsibility, Character, and the Emotions* (Cambridge 1987).

them, I have not got to the bottom of these responses. It seems to me that it is one thing for us, as agents, to rely on our emotions, to a greater or lesser extent, in charting the morally rocky waters of our own lives. Such reliance makes us more vulnerable to some errors and less vulnerable to others. Trust in our emotions gives us a potentially decent course through life, depending – of course - on how decent our emotions turn out to have been. In living that way, like everyone else, we take our moral chances. But it strikes me as quite another thing, and quite a mistake, for a *moral philosopher* to take the same moral chances: to trust our emotions – meaning the emotions of human beings generally - as a privileged source of moral insight. When he or she does so, it seems to me, he or she ignores the key point I just made, that whether it is decent for us, as agents, to rely on our emotions in the daily conduct of our lives depends on how decent our emotions turn out to have been. And to that question the emotions themselves can provide no answer. That is the main point that, no doubt too laboriously, I have tried to reaffirm in this comment.