

How the Ceteris Paribus Principles of Morality Lie

Peter Shiu-Hwa Tsu
Australian National University

Abstract. This paper addresses the issue of how the ceteris paribus principles of morality lie. I discuss a recent attempt by Margaret Little and Mark Lance to cash out ceteris paribus principles of morality in terms of “nature” and “privileged conditions”. I argue that when the ceteris paribus principles of morality are so cashed out, they cannot be plausibly claimed to be true.

Key words: Margaret Little, Mark Lance, particularism, defeasibility, ceteris paribus.

In their recent co-authored articles, “Defending Moral Particularism” (2006) and “From Particularism to Defeasibility in Ethics” (2008), Margaret Little and Mark Lance argue for the truth of ceteris paribus moral principles and their indispensability for morality. In one of the passages, they contend that to say that “ceteris paribus, lying is wrong” is in essence “equivalent to asserting an *exceptionless* connection between lying and a milder moral property: lying may sometimes be morally justified, but it is *always* wrong-making” (2006, 306; emphases added). In another, they contend that “it is important to any adequate morality to recognize that [ceteris paribus], pain is [bad]” (2008, 68; all later paginations refer to Little and Lance’s 2008 article). I take it from these passages that they argue for the following two theses: (1) **The Thesis of Truth:** ceteris paribus moral principles are true in the sense that they are exceptionless; ceteris paribus, lying is always wrong; or equivalently, lying is always wrong-making. (2) **The Thesis of Recognition:** Any adequate morality has to recognize the truth of ceteris paribus moral principles. In this paper, I focus mostly on the assessment of (1) and argue that Little and Lance do not provide compelling arguments for us to accept it. If I am right about this, some doubts can be cast on (2), for there are no compelling reasons to believe that there are true ceteris paribus moral principles to be recognized.

I. TWO GENERAL CHARACTERISTICS

In order for us to determine whether a ceteris paribus moral principle is true or not, we have to get clear about what sort of creature it is. According to Little and Lance, ceteris paribus statements have the following two general characteristics (61-2):

(A) Non-empty claims about **the nature of things:** Although the ceteris paribus clause cannot be spelled out fully, ceteris paribus statements don’t seem empty. They don’t seem to be saying that they are true unless false. Rather, the ceteris paribus statements reveal something about the *nature* of things. For instance, the claim “ceteris paribus, fish eggs turn into fish” reveals, according to Little and Lance, something about the nature of fish eggs. Similarly, the claim “ceteris paribus, lying is wrong” reveals something about the nature of lying.

(B) Non-statistical claims about **privileged conditions**: Ceteris paribus claims are not statistical claims. They are not saying that in most cases, fish eggs turn into fish. Even if most fish eggs don't develop into fish, it is still true that ceteris paribus, fish eggs turn into fish. Rather, ceteris paribus claims are the so-called *lawlike* claims, sustaining a counterfactual statement between fish eggs and fish---for all x , if x were a fish egg, x would turn into fish. Little and Lance construes the lawlike claims in terms of what they call the "privileged conditions". To argue that "fish eggs turn into fish" expresses a lawlike connection between the two is to argue that in privileged conditions, fish eggs turn into fish. Similarly, it may well be contended that there is a lawlike connection between lying and the property of wrongness. In privileged conditions, lying is wrong. And the claim "ceteris paribus, lying is wrong" can be so construed.

In what follows, I have two respective points to make about (A) and (B). First, I will argue, contra (A), that ceteris paribus moral statements do not reveal the nature of a feature and that whether they are true depends on the context in which the specified feature is embedded in. Second, I will argue, contra (B) that there is no compelling reason for us to believe that ceteris paribus moral statements, when construed in terms of privileged conditions, are true. For the notion "privileged conditions" can be unpacked in such a way that in them lying is not wrong.

II. CRITIQUE OF (A)

Is it in the nature of the feature of lying that it has the property of wrongness-making? As we can tell from (A), Little and Lance give a "yes" answer by drawing an analogy to a biological case of fish eggs turning into fish. However, I believe that a dis-analogy exists between the biological case and the moral case. It is generally agreed it is not merely accidental that fish eggs turn into fish. There must be something in the nature of fish eggs that enables them to do so---such as the genetic make-up of fish eggs. But does the feature of lying have an intrinsic nature such that it always has the property of wrongness-making without exceptions? I think the answer is "no" due to the embedded character of the feature of lying:

Embedded Character: The feature of lying is always embedded in a context which involves at least the following factors: a liar, her motive for lying, a person being lied to and the consequences of the lie.

All of the above-mentioned factors can have an impact on the moral status of the feature of lying in some suitable circumstances. Whether the feature of lying has the property of wrongness-making depends on the context it is embedded in. If it is embedded in a context of a Taiwanese card game called "Bluffing", where telling a lie is part of the game, lying is not only not wrong but also not wrong-making at all. If "the nature of the feature of lying" conceptually requires that the feature of lying has to be always wrong-making, then the game "Bluffing" shows that the feature of lying cannot have such a nature.

It may well be contended here that only when a feature of lying is abstracted away from its embedded context, its true nature can be revealed. For only then can we be certain that the feature of lying is examined in its own light without the interference of other factors. Following these lines of thought, it may well be contended that when Little and Lance argue that lying is always wrong-making, they should be construed as endorsing

The Thesis of Abstraction: The feature of lying, when abstracted away from its embedded context, is always wrong-making.

Construing Little and Lance as endorsing the above thesis can line up with their view that it is in the nature of fish eggs that they turn into fish. For it is certainly not the case that fish eggs turn into fish in any context. Fish eggs might end up being in the bellies of big fish or they may well be destroyed by poisonous pollutants in the river. There are various sorts of contexts where fish eggs do not turn into fish due to the presence of some interfering factors. However, the claim that it is in the nature of fish eggs that they turn into fish still seems true. Why? I think this is because the claim has to be construed as holding in an “abstracting context”, in which fish eggs are abstracted away from the interfering factors. In a biological laboratory, we can create an “abstracting context” such that fish eggs can be abstracted away from predators and poisonous pollutants, etc. In this sort of context where the interfering factors are absent, fish eggs turn into fish. Can an “abstracting context” also be created in the moral case? I think the answer is “no”. There is no “moral laboratory” in which we can design a context such that the feature of lying can be abstracted away from the interfering factors. This is the place where the dis-analogy sets in between the moral case and the biological one. Fish eggs are still fish eggs when they are abstracted from their embedded rivers. They will turn into fish in well-controlled biological laboratories. By contrast, it is hard to imagine what a feature of lying would be like when it is shredded of its embedded context involving factors such as a liar, her motive for lying, a person being lied to, and the consequences of the lie. Namely, it is not clear such an abstracted feature of lying exists. Even if it does, it is not clear what it is that determines its moral status, given that it is now context-independent, not involving the above-mentioned factors. The claim that the feature of lying is always wrong-making is thus not warranted.

To sum up, given the dis-analogy between fish eggs and the feature of lying, I think that Little and Lance’s argument by analogy fails. Although it might well be in the nature of fish eggs that they turn into fish, it is not so clear that it is in the nature of lying that it always has the property of wrongness-making.

III. CRITIQUE OF (B)

In order to assess whether it is true that in privileged conditions, lying is wrong, we need to first of all have a good grasp of what “privileged conditions” mean. According to Lance and Little, it can mean the following two things (p. 62):

(1) conditions in which an item's nature is revealed.

(2) conditions in which an item has the specified property.

When construed in terms of (1), "in privileged conditions, lying is wrong" should be understood as saying "in conditions in which the nature of lying is revealed, lying is wrong". However, when thus construed, the statement suggests that there might be conditions in which the nature of lying is not revealed, the *unprivileged* conditions. In those unprivileged conditions, lying may not be wrong. In the Introduction, we have seen that Little and Lance argue that lying may not be wrong in all cases; however, even in those cases where it is not wrong, they think that it is still in the nature of lying that it is wrong-making. Here, we can rehearse our critique of (A) and contend that lying has no such a nature such that it is always wrong-making independent of the contexts it is embedded in. Hence, when the "privileged" claim is cashed out in terms of (1), its claim to truth is not warranted.

When construed in terms of (2), "in privileged conditions, lying is wrong" should be understood as saying "in conditions in which lying has the property of wrongness, lying is wrong." As we can tell immediately, this way of understanding "privileged conditions" will only make the "privileged" claim trivially true and rather uninformative. For we want to know in what sort of conditions, lying is wrong. So unless there is an independent way of telling the conditions in which an item has the specified property from those in which it does not, cashing out the "privileged" claim in terms of (2) is rather un-illuminating.

Little and Lance do think that there is an independent way of telling whether a condition is one in which an item has the specified property. They appeal to some practical understanding of a concept to distinguish those conditions in which an item has the specified property from the others (62). Namely, they endorse what I call

The Thesis of Practical Understanding: A good practical understanding of a concept involves a good practical understanding of the conditions in which an item has the specified property and those in which it does not.

The above thesis needs some explication. Let me illustrate by using an example provided by Little and Lance themselves. They think that a good practical understanding of the concept *match* involves a good practical understanding of the conditions in which it will light when struck and those in which it won't. However, they do not tell us which of these two sorts of conditions are the privileged ones. In fact, they claim that

"[A concept of] the artifact kind, where deployed, is circumscribed by marking some conditions---however frequent or rare they may contingently be---as privileged." (62)

According to the quoted passage, one can, if one will, mark the conditions in which matches don't light when struck as privileged, even if these conditions are rare. The fact that we don't mark them this way does not change the fact that we can do so. Similarly, one

might as well mark those conditions in which lying is right as privileged, even when such conditions are rare. When the privileged conditions of lying is so marked, then the claim “in privileged conditions, lying is wrong” is apparently falsified.

It might well be objected that when the privileged conditions are so marked, they fail to square with the following empirical fact: those who have a good grasp of the privileged conditions “generally succeed in their attempts to light matches, don’t waste their matches by making attempts when there is no hope of success” (p. 63). However, I think the objection is toothless due to

The Quinean Thesis of Underdetermination: The same empirical data might well be explained by various different and incompatible hypotheses.

To illustrate with an example Little and Lance used, they argue that the empirical data that denizens of watery Atlantis generally succeed in their attempts to light the matches when they relocate themselves to the Australian outback is explained by their grasp of the concept *match* and their marking as privileged those conditions in which matches light when struck. However, I think that the empirical data may well be explained by the hypothesis that being in the Australian outback they know that they are now in what they regard as *unprivileged* circumstances where matches light when struck. In other words, to explain their sensible practices, it is not necessary to mark as privileged those conditions in which matches light when struck. It will also do to mark those conditions as *unprivileged* and those conditions in which matches don’t light when struck as privileged. When the distinction between privileged and unprivileged conditions is thus made, their concept *match* can still be functional. When they relocate themselves again back to the watery Atlantis, which they regard as a *privileged* environment where matches don’t light when struck, they don’t waste their time striking matches as they clearly know “there is no hope of success”.

IV. CONCLUSION

In this paper, I have demonstrated that Little and Lance did not provide strong arguments for us to believe that *ceteris paribus* moral principles, when understood as expressing non-empty claims about the nature of things or non-statistical claims about privileged conditions, are true. If so, is it really the case that any adequate morality has to recognize the truth of *ceteris paribus* moral principles, as Little and Lance suggested? Until more compelling arguments for the truth of *ceteris paribus* moral principles are produced, I think we are justified in remaining skeptical.¹

tsu.shiu-hwa@anu.edu.au

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