

MORAL 'SHOULD'S AND 'MORALLY SHOULD'S, OR, RACHELS ON THE MORAL POINT OF VIEW

J. JOCELYN TRUEBLOOD

Department of Philosophy
Indiana University School of Liberal Arts
Indiana University–Purdue University Indianapolis (IUPUI)
425 University Blvd.
INDIANAPOLIS, IN 46202-5140
USA

jjtruel@iupui.edu

Abstract: In 1972 James Rachels published a challenging criticism of moral-point-of-view theories. It has never been answered. This is surprising, given that the species of theory to which it applies remains alive. In this paper I reply to Rachels' criticism. My reply refers frequently to the work of G. J. Warnock and employs three distinctions that have been overlooked in the literature on moral-point-of-view theories. These distinctions have relevance to more than Rachels' paper. As shown in Section 6, they undermine a contemporary argument for moral subjectivism.

Key-words: Rachels. Warnock. Moral judgments. Moral point of view. Moral-point-of-view theories.

Moral-point-of-view theories explicate key metaethical concepts with reference to the *moral point of view*. Such theories have a stable following, for they have features that many philosophers find attractive. For instance, they offer a way of avoiding moral skepticism on the one hand; moral rationalism on the other. And they do so without entailing a questionable moral ontology. But I must leave the discussion of these points for another time; my present task is not to sing the praises of moral-point-of-view theories, but to address a valuable and challenging criticism of them which, surprisingly, has gone unanswered for over thirty

years. I mean the one in James Rachels' 1972 essay "Evaluating from a Point of View".¹ I will defend moral-point-of-view theories against Rachels' criticism, and call attention to three distinctions that have been neglected in the literature on such theories. These tasks are related. By making the three distinctions, we can pinpoint the flaw in Rachels' argument. We also can extract valuable points from his argument, points that advance our understanding both of moral-point-of-view theories and of moral language and thought. The benefits do not stop there; the distinctions have wide application. As shown in Section 6, they undermine a contemporary argument for moral subjectivism.

§1

Six preliminaries are in order. First, Rachels' argument is not out of date. The theories it explicitly targets are still influential;² so too are many similar, more recent philosophical positions.³ In other words, al-

¹ Rachels (1972). Wherever parenthetical references are shorn of an author's name they refer to this paper, the fifth section of which contains Rachels' criticism of moral-point-of-view theories. There is much of value in the earlier sections, which makes it all the more surprising that the essay has received little notice. (A last minute correction: Recently – i.e., long after drafting this paper, including this footnote – I discovered a reply to Rachels' argument. It's in a little-known but useful paper by Curtis L. Carter [1973, p. 22f]. Carter's reply is remarkably brief [less than a page], consisting mainly of the assertion – a mistaken one – that Rachels' argument rests on a misunderstanding of the moral point of view. It concludes with this comment: "A fuller examination of the details of Rachels' arguments is warranted, but it cannot be done here" [fn. 34]. The present paper can be seen as providing the examination Carter recommends.)

² See Baier (1958), Frankena (1963), Frankena (1966a), Frankena (1966b), Nielsen (1960), Nielsen (1968), Pitcher (1970), Taylor (1961), Urmson (1968), and Warnock (1967). These works are cited in footnotes 1 and 5 of Rachels' paper.

³ Attfield (1995, chap. 14, especially pp. 237f, 241, 243), Baier (1996, particularly pt. 3), Brandom (1982, especially pp. 332f), Castro (2000), Foot (1970), Frankena (1973), Frankena (1980), Frankena (1983), Harsanyi (1982, pp. 39, 44f, 48), Milo (1974), Milo (1984, chaps. 6 & 7, especially pp. 165, 173ff, 194ff, 214f),

though the term 'moral-point-of-view theory' is no longer so prevalent, the type of theory for which it was coined is still alive.⁴

Second, I do not have, nor have I ever seen, a sharp definition of moral-point-of-view theories. Such theories are a diverse lot; perhaps the only tenets they share are the following:⁵ first, there is an evaluative perspective, stance, or point of view appropriately called the *moral* point of view; second, this perspective is set off from others by the criteria we adopt insofar as we take the moral point of view; and third, many questions of metaethics – in particular, What is the hallmark of judgments of *moral* right and wrong, good and bad, and so on, and how can we justify such judgments? – are to be answered with reference, direct or indirect, to the moral point of view. But I can easily forgo a definition; I need only do the reverse of what Rachels does. Rachels attacks an assumption which, in his view, is essential to any moral-point-of-view theory. The

Milo (1993, especially pp. 381, 383, 386, 387), Milo (2007), Nielsen (1999), Rescher (1997, chap. 9), Rescher (1989, chaps. 1-3), Singer (2000, pp. 14f), Taylor (1978), Warnock (1971).

⁴ For instance, although Rescher neither calls his position a moral-point-of-view theory nor uses the term 'moral point of view' with much frequency, he holds that owing to the function of morality it is essential both to moral judgments and to their validation that their justificatory rationale be of a restricted type, namely, one that focuses on the true interests of people in general (Rescher 1997, pp. 128, 129f, 132; Rescher 1989, pp. 22, 24, 27, 33, 49, 68f, 70, 73, 75f). This view falls squarely within the category of theories on which Rachels has his crosshairs. Indeed, we can (and Rescher sometimes does) easily translate Rescher's talk of "justificatory rationale" into talk about reasons that are relevant from the moral point of view.

⁵ And only if we are free to read the third tenet either *de re* or *de dicto*, depending on the case. I might add that sharp definitions of moral-point-of-view theories are absent even from the writings of William Frankena, who is justly famous for his clarifications of such theories and their near neighbors. The following of his papers are especially pertinent: Frankena (1963), Frankena (1966a), Frankena (1973), and Frankena (1983).

reverse strategy is to find a pristine example of a moral-point-of-view theory and show that it withstands Rachels' attack. I do this in Section 3.

Third, as preceding remarks suggest, the question 'What are the interests or criteria that define the moral point of view?' is answered differently by different moral-point-of-view theorists. Rachels does not say much about these answers, nor does he need to. His argument is designed to refute all moral-point-of-view theories, regardless of the content they give to the moral point of view.

Fourth, Rachels does not actually *say* that he aims to refute all moral-point-of-view theories. His explicit target is the claim that a judgment is a *moral* judgment only if it is made from the moral point of view. He challenges this by arguing that no matter what point of view we dub the moral point of view, we can find moral judgments that are made from outside of it (pp. 144f, 154ff). Nevertheless, he leaves plenty of evidence that he thinks he has refuted moral-point-of-view theories. For instance, he takes it to be a corollary of his argument that "there is no such thing as the moral point of view" (p. 154), implying that moral-point-of-view theories rest on a false assumption. Also, he sees himself as contesting the "view of the nature of morality" shared by "Kurt Baier, William Frankena, Paul Taylor, Kai Nielsen, G. J. Warnock, and J. O. Urmson" (p. 144). These are the six most prominent moral-point-of-view theorists;⁶ the view they share is simply that *some* form of moral-point-of-view theory is true.

At this point I can imagine someone saying: "Well *of course* Rachels thinks he has refuted moral-point-of-view theories. Obviously, to argue

⁶ Or so they were at the time of Rachels' essay. An updated list would include some of the authors in note 3, e.g., Milo (1984), who provides an indispensable defense of moral-point-of-view theories. Most of what I say in sections 3 and 5 about Warnock, especially my claim that his thesis withstands Rachels' criticism, is equally true of Milo (among others). I concentrate on Warnock's position because it was in print at the time of Rachels' paper and was an explicit target of that paper.

that some moral judgments are not made from the moral point of view is to challenge the central thesis of such theories". The second sentence in this reply is false, as I take pains to show in later sections. Nevertheless, the reply is natural, and this reveals something important: Even if it were false that Rachels thinks he has refuted moral-point-of-view theories, his argument would demand a reply on behalf of such theories. For his argument *seems* designed to refute such theories, and on a first reading seems to do just that. Thus, it's important to see that it does not refute them, that when interpreted as a challenge to all moral-point-of-view theories it leaves some of them standing.

Fifth, one of the virtues of Rachels' argument is that it does not equivocate on the word 'moral'.⁷ Arguably, 'moral' has both a broad and a narrow sense (Mackie 1977, p. 106; Griffin 1996, p. 167 n. 9). The narrow one concerns morality conceived as something *different* from law, prudence, custom, and so on. The broad one concerns any general, all-inclusive policy of conduct, and thus extends far beyond those policies that are 'moral' in the narrow sense. In claiming that some moral judgments are made from outside of the moral point of view, Rachels is not alternating between the broad and the narrow use of 'moral'. He is con-

⁷ Another is that it is simpler yet more ambitious than other, more recent, criticisms of moral-point-of-view theories. I have in mind Joseph Raz's (1996), which "offers some inconclusive reflections on [and arguments against] only one way of understanding the moral point of view" (pp. 58, 60), and Susan Wolf's (1999), which, charitably interpreted, aims only at moral-point-of-view theories that make it *essential* to the moral point of view that it be arrived at by a special process of abstraction and that it be highly unified, e.g., by the principle of utility. (I say "charitably interpreted" because Wolf sometimes speaks as if she were aiming at all moral-point-of-view theories. However, to read her this way would be implicitly to charge her with a misunderstanding. Ethical monism is not essential to moral-point-of-view theories; nor is any particular theory about how we arrive at the moral point of view.) Rachels' argument is simpler than these in that can be set out in a few brief steps; more ambitious because it is meant as a conclusive argument against all moral-point-of-view theories.

fining himself to the narrow one, the one with which modern moral philosophers, including moral-point-of-view theorists, are primarily concerned. I follow suit in this paper. At no point do I use ‘moral’ in its all-inclusive sense. Any distinctions I make regarding morality or moral judgments are distinctions *within* morality as narrowly conceived.

Sixth, Rachels’ argument focuses on judgments that contain evaluative *predicates* rather than, say, nouns or verbs. I will adjust my terminology accordingly. From here on, ‘moral judgment’, ‘normative judgment’ and the like extend to no judgments in which the evaluative term is anything besides a predicate. The only exception is ‘ethical judgment’, which I use in its usual sense.⁸

Now for Rachels’ argument. We can reconstruct it in four steps:

1. Let \emptyset stand for the criteria (aims, interests)⁹ that purportedly define (or furnish the content of) the moral point of view. These criteria, let’s assume, are indeed morally important, meaning that it’s morally important that our actions meet them. Now suppose the following. First, Zeke is considering whether to return some stolen money, the latter act being a dictate of the \emptyset ish point of view. His other option, which is to keep the money, is a dictate of, say, the professional thief’s point of view. Second, Zeke feels drawn to each of these points of view. For instance, he grants that \emptyset ish criteria are morally important – indeed, he treats ‘ \emptyset ish’ and ‘moral’ as equivalent terms – and he gives them substantial weight. Third,

⁸ Which is the same as that of ‘moral judgment’ when that term is used, unlike it is here, in its ordinary sense. A second comment: My focus on judgments that employ evaluative *predicates* is for simplicity only. This focus is crucial neither to Rachels’ argument nor to mine, both of which can be adjusted to accommodate other types of moral judgment.

⁹ Rachels’ explication of *taking a point of view* refers to interests rather than to criteria. But he has no objections to an explication in terms of criteria. See Rachels (1972, p. 151 n. 14).

Zeke asks: "Should the \emptyset ish point of view prevail over the professional thief's? That is, should I return the money, thereby acting in a way that meets \emptyset ish criteria?" He considers this question not from the \emptyset ish, the thief's, or any other *point of view*, but from every angle possible. He takes into account everything that might bear on the matter, including aesthetic, prudential, perhaps even masochistic considerations, and he does so without assuming in advance that some considerations (e.g., moral ones) are more relevant or more decisive than others.¹⁰

2. Given these assumptions, Zeke's question is a moral one, and whatever answer he gives to it is a moral judgment. To see this, note that one of Zeke's options is to heed the call of morality – that is, to heed the dictates of criteria which, as he acknowledges, have the distinction of being *morally* important. His other option is to turn his back on these criteria, to do what they rule out. Clearly, the question he faces is a moral one, and his answer to it is a moral judgment.

3. Therefore, some moral judgments are made from "outside" the \emptyset ish point of view. Zeke's judgment, though clearly a moral judgment, is not made from the \emptyset ish perspective. This is true no matter how we define \emptyset , provided we avoid the mistake of defining \emptyset so broadly that no deliberation can occur outside of it (see note 10). Thus, for any plausible content given to the moral point of view, a judgment can count as moral without being made from that point of view.

¹⁰ But isn't this simply to consider the matter from the point of view of rationality, or perhaps from that of impartiality? More generally, isn't every normative judgment, including the one Zeke must make, made from one or another *point of view*? The answer is no, as Rachels shows in the fourth section of his paper. The opposite answer stretches the notion of a point of view to the brink of triviality. For an argument congenial to Rachels' see Foot (1974, p. 56).

4. Clearly, moral-point-of-view theories stand refuted. But we can make an even stronger claim: *there is no moral point of view*. There is such a point of view only if there is a point of view from which all moral judgments are made, but we have seen that no such point of view exists. Zeke's judgment, although a moral one, is not made from any point of view, moral or nonmoral. So moral-point-of-view theories stand refuted at the most basic level.

This argument shows two things: that Zeke's judgment is a moral judgment; and that Zeke's judgment does not issue from deliberation in which moral considerations have an exclusive or special role. But as I will show, the argument fails for these reasons: Unless the "stronger claim" in step 4 merely repeats an earlier step, it is unestablished. So the view that all moral-point-of-view theories are false receives support only if it follows directly from step 3. (It clearly does not follow *directly* from 1 or 2.) But it follows from step 3 only if we interpret that step a certain way, a way that deprives step 3 of any support from steps 1 and 2. Thus, the claim that all moral-point-of-view theories are false is logically cut off from the first two steps of the argument.

§2

According to step 4, there is no moral point of view. If this simply rewords an earlier part of the argument, we can skip to the question whether step 3 rules out moral-point-of-view theories. But if step 4 does not reword an earlier part, it does not follow from step 3.¹¹ In the first

¹¹ Nor is step 4 plausible. For if it were true, the following statements would be equally false: 'From the moral point of view, the fact that my pulling this lever will cause someone excruciating pain is directly relevant to whether I should pull the lever'. 'From the moral point of view, the fact that my pulling this lever will cause a circuit break is directly relevant to whether I should pull the lever'. The first statement is true, the second false, indicating that something is amiss in step 4 of Rachels' argument.

place, we need not characterize the moral point of view as the perspective from which all moral judgments are made. Instead, we can characterize it as, say, the perspective from which all moral *deliberation* is done. To put this another way, if there is a point of view from which all moral deliberation is done, it warrants the label 'the moral point of view', in which case there *is* a moral point of view.

Now, recalling the first step of Rachels' argument, let's ask: Has Zeke morally deliberated about returning the money? That is, is the deliberation described in step 1 *moral* deliberation? Clearly it is not; hence it is no counterexample to the thesis that there is a point of view from which all moral deliberation is done. Thus, assuming that the claim in step 4 is nonredundant, it is unestablished by the argument preceding it. This is true even if we grant the assertion in step 3: that some moral judgments are made from outside the *ish* (moral)¹² point of view. Of course, if we grant that assertion, taking Zeke's judgment as an illustration of it, and if we also grant that Zeke's deliberations about returning the money are nonmoral, we must conclude that some moral judgments issue from nonmoral deliberation. This conclusion is surprising, but it is not absurd (I will return to it later). Certainly it is preferable to concluding that Zeke's deliberative process is an instance of *moral* deliberation.

In sum, we can reject the claim in step 4 – the claim that no moral point of view exists – even if we accept the conclusion in step 3: that some moral judgments are made from outside the *ish* point of view.

¹² From here on I will drop the parenthetical reminder that '*ish* criteria' always stands for the criteria (whatever they are, whether we can state them with full precision or not, and whether any philosopher has yet identified them) that furnish the content of the moral point of view. Similar remarks go for '*ish* considerations', '*ish* canons of reasoning', and so on. I will feel free to use '*ish*' and 'moral' interchangeably.

§3

Of course, the conclusion in step 3 – hereafter called RC (for ‘Rachels’ conclusion’) – is meant to rule out moral-point-of-view theories independently of showing that no perspective deserves the label ‘the moral point of view’. Let’s see if it does. Note first that moral-point-of-view theories typically address at least four questions: First, what is distinctive about moral deliberation? Second, what makes such judgments as ‘Returning stolen money is morally right’ true or justified? Third, if someone says “I ought to return (should return, must return) the money”, under what conditions can we construe her ‘ought’ as a moral ‘ought’? Fourth, what is the function of the word ‘morally’ in such judgments as ‘I morally ought to return the money’?

The answers below constitute a moral-point-of-view theory. They do not constitute a *complete* moral-point-of view theory, for they say little about the content of the moral point of view. All the same, they constitute a theory of the kind RC is meant to rule out.

- (A) To deliberate morally about whether to do *X* is to consider the question ‘Should I do *X*?’ from the moral point of view. That is, it is to treat certain considerations (e.g., the fact that *X* will cause someone pain), and not others (e.g., the fact that *X* is planned for a Friday), as directly and importantly relevant to the issue, and to treat certain canons of inference (e.g., the fact that if *X* will cause someone pain, this counts *against* doing *X*) as appropriate for resolving the issue.
- (B) The judgment ‘Returning stolen money is morally right’ is true just in case it is acceptable from the moral point of view – that is, just in case returning stolen money is justified by the considerations and canons of inference that define that point of view.

- (C) The judgment 'I ought to return (should return, must return, etc.) the money' can be construed as 'I morally ought to return (should return, ...) the money' just in case the speaker bases the judgment on moral considerations. By 'moral considerations' we mean considerations of the kind described in (A) – those which, from the moral point of view, are directly and importantly relevant to the issue. In saying that the speaker "bases" (or "rests") the judgment on such considerations we mean (*inter alia*) that the link between the judgment and the considerations is in line with the canons of inference that characterize the moral point of view.
- (D) In the judgment 'I morally ought to return the money' the word 'morally' indicates that the speaker bases her 'ought'-judgment on moral considerations, the terms 'bases' and 'moral considerations' having the same meanings here that they have in (C).

These answers have some rough edges,¹³ but they will do for what follows. And as already said, they constitute a moral-point-of-view theory. For instance, they reflect the theory of G. J. Warnock, one of the moral-point-of-view theorists Rachels cites. (More on this later.) So if RC does not rule out this theory, it does not rule out moral-point-of-view theories.

RC does not contradict (A), (B), or (D), for it says nothing about moral deliberation, moral truth, or the function of the word 'morally'. So the question is whether RC – the claim that some moral judgments are made from outside the *ish* point of view – contradicts (C). It does so depending on how we read 'moral judgments' and 'made from outside the *ish* point of view'. We must read the term 'moral judgments', as it appears in RC, to mean *moral predicate judgments*. By the latter I mean

¹³ For example, (B) could be improved by clarifying the word 'acceptable'; (C) and (D) could be improved by inserting 'first-hand' in front of 'judgment'.

moral judgments whose evaluative terms are moral predicates – that is, predicates that either are, or can be construed as, predicates containing the word ‘morally’.¹⁴ These are the judgments to which (C) refers. According to (C), judgments of the form ‘I ought to do X ’, ‘I should do X ’, and so forth are moral predicate judgments – their predicates can be construed as ‘morally ought’, ‘morally should’, and so on – just in case they rest on moral considerations.

Also, we must read the phrase ‘made from outside the *oish* point of view’, as it occurs in RC, to mean *not based on oish considerations*. A judgment can fail to be based on *oish* considerations in either of two ways. It can rest on non-*oish* considerations, or connect to *oish* considerations *via* non-*oish* canons of inference. My argument will go through no matter which of the two ways we consider; so let’s focus on the first one. In other words, for simplicity let’s assume that a judgment fails to rest on *oish* considerations just in case it rests on *non-oish* considerations.

So RC rules out (C) only if RC asserts that some moral predicate judgments rest on non-*oish* considerations. But then Rachels’ argument supports RC only if, for any plausible definition of θ , Zeke’s judgment is as an example of a moral predicate judgment. If, for some plausible definitions of θ , the assumption that Zeke’s judgment rests on non-*oish* considerations disqualifies it as a moral predicate judgment, Rachels’ argument fails to support RC.

¹⁴ Given my restrictive use of ‘moral judgment’, to contrast moral judgments with moral predicate judgments is not to contrast ethical judgments in general with ethical judgments in which the evaluative terms are predicates. Rather, it is to contrast ethical judgments in which the evaluative terms are predicates (these are what I mean by ‘moral judgments’) with ethical judgments in which the evaluative terms are not only predicates, but *moral* predicates (‘morally right’, ‘morally ought’, etc.). The latter judgments are what I call moral predicate judgments. As shown in the next section, they are not the only ethical judgments whose evaluative terms are predicates.

Suppose we define θ broadly enough that it includes all the criteria to which the label 'moral', as it is usually understood, can plausibly be affixed. (My argument will work for other, more restrictive, definitions of θ , but this one will keep things tidy.) The idea here is that θ is inclusive enough that if we wish to base the judgment 'Sue's action was right' on clearly non- θ ish considerations,¹⁵ we must base it on, say, the fact that Sue did what she did on the first Monday of the month, or on the fact that *we* were pleased with her action, never mind the feelings of others. These are facts we cannot call "moral considerations" unless we are using 'moral' in a bizarre way.

Given this assumption about θ , Zeke's judgment that he should return the money (supposing that's the judgment he makes) is based on non- θ ish considerations only if it is based on, say, selfish considerations. With this in mind, let's ask: Assuming that Zeke's judgment is based on non- θ ish considerations, is it a moral predicate judgment, and hence a counterexample to (C)?² Clearly it is not. Given the grounds on which it rests, we clearly cannot construe it as 'I *morally* should return the money'.¹⁶

In sum, RC rules out (C) only if we read RC to say that some moral predicate judgments are based on non- θ ish considerations. Once we read it this way, Rachels' argument supports RC only if, for every plausible way of filling out θ , Zeke's judgment is of the kind just mentioned: a moral predicate judgment based on non- θ ish considerations.

¹⁵ Here we have jumped from speaking of θ ish *criteria* to speaking of θ ish *considerations*. This transition is legitimate. To say that *X* meets θ ish criteria is to say, in effect, that 'X is right' is derivable, *via* θ ish canons of reasoning, from θ ish considerations.

¹⁶ Or if 'clearly' is too strong a word here, at least this is true: The claim that Zeke's judgment is not a moral predicate judgment – that is, that a 'should'-judgment based on purely selfish considerations is not a 'morally should'-judgment – is highly plausible; and furthermore, its plausibility is independent of any commitment on our part to this or that brand of moral theory, and is unscathed by anything we have seen in this paper, e.g., the criticism in Section 1. This is all I need for my purposes, both here and elsewhere in this article.

However, for at least one plausible way of filling out \emptyset , Zeke's judgment cannot be of that kind, for his judgment rests on non- \emptyset ish considerations only if it rests on considerations that disqualify it as a moral predicate judgment. So either RC does not rule out (C), or Rachels' argument does not support RC. In either case, (C) remains standing, and hence Rachels' argument does not refute moral-point-of-view theories.

§4

We can see where Rachels' argument goes wrong by making three distinctions, all of which have been neglected in the literature on moral-point-of-view theories. The first we have already encountered: the distinction between (1) moral judgments and (2) moral predicate judgments. Zeke's judgment is of the first sort, but not of the second. Although his 'should'-judgment is a moral judgment, his 'should' is not a moral 'should'. To put this another way, his judgment is a moral 'should'-judgment, but not a 'morally should'-judgment.

But how can a 'should'-judgment be a *moral* judgment if its 'should' is nonmoral? My point about Zeke's judgment does not stand or fall with the answer to this question, but I will hazard an answer nonetheless. It has three parts. First, among the many 'should'-judgments we make are those that express decisions. Actually, 'express' is misleading, for in the cases in question, the act of judging that we should do X is not easily distinguished from the act of deciding to do X . Indeed, it is in making the judgment that we should do X that we form the intention to do X ; we do not first form the intention and then register it by making the judgment. However, for want of an ideal word we can say that such judgments "express" decisions.

Second, unlike most normative judgments, these 'should'-judgments qualify as moral judgments in either of two ways: by containing a moral 'should' or by expressing a moral decision. In other words, even if the 'should' cannot be construed as 'morally should', the judgment is a

moral one if it expresses a moral decision. This is not surprising, given that the judgment is virtually inseparable from the decision.

Third, decisions differ from most other mental acts and processes (e.g., deliberation) in the way – or ways, rather – they come to be classified as moral or nonmoral. Although some decisions count as moral owing to the reasoning from which they derive, others do so owing to the *options* facing the decision-maker. To the extent that Zeke's choice can be described as a choice between heeding the call of morality on the one hand, and turning his back on morality on the other, his choice is a *moral* choice no matter which option he chooses and no matter how he reasons about it. Thus, its corresponding 'should'-judgment counts as a moral judgment, even if its 'should' cannot be construed as 'morally should'.¹⁷

The upshot is that among the judgments that express decisions, we can find some that are moral judgments in spite of containing no moral predicates. Zeke's judgment, as described in Section 1, is a moral judgment of this kind.

I said that I would hazard an answer to the question about moral 'should'-judgments that fail to be 'morally should'-judgments. Having done so, I cannot resist hazarding another. The one already proposed is that some 'should'-judgments are *involved in*, or *closely connected to*, decisions, and hence count as moral or nonmoral according to the same

¹⁷ Arguably, a similar point applies to our classification of decisions and of their corresponding 'should'-judgments as financial or nonfinancial, military or nonmilitary, and political or nonpolitical (to give just a partial list). Suppose that Warren, a wealthy investment wizard, undergoes a religious conversion. As a result, he is tempted to cease all financial dealings, give away all his wealth, and enter a monastery. He faces a choice between two things: continuing his lucrative financial activity; and renouncing the financial life altogether. Arguably, Warren's choice is a *financial* choice no matter which option he chooses and even if he reasons on purely religious grounds. Also arguable is that the relevant 'should'-judgment – the judgment by which Warren expresses his choice – is a financial judgment, even if its 'should' cannot be construed as 'financially should'.

conventions by which we classify decisions as moral or nonmoral. Another answer is that the latter conventions apply to some ‘should’-judgments because the judgments are *relevantly similar* to decisions. Among the things we call “judgments” are not only beliefs and statements but things that resemble decisions in three respects: first, they are mental acts; second, they occur in the face of multiple options, the options being courses of action open to agent; and third, they favor one of the options over the others. They do not “favor” the option the way a decision would, for they do not necessarily yield an intention to pursue the option. Instead, they favor the option by assigning the predicate ‘should’ or ‘ought’ to it. Many ‘should’-judgments, including Zeke’s, have these three features. This is the respect in which they are “relevantly similar” to decisions.

For our purposes, it matters little which of these answers we accept; so I will stick with the first one. The important point is that they yield the same result: Some normative judgments, including Zeke’s, are moral judgments though they contain no moral predicates. Not every moral judgment is a moral predicate judgment.

The next distinction is between (3) judgments that rest moral considerations and (4) judgments that not only rest on moral considerations but stem from moral deliberation. Here I use ‘deliberation’ in a broad sense, so that it covers not only our deliberations about what *we* should do, but our thinking about what *others* should do and about what is good or bad, right or wrong, and so on. And my point is that a judgment can be of type (3) without stemming from moral deliberation, and thus without being of type (4).

Suppose, for example, that Ruth deliberates about whether she should do *X*, and does so without ignoring nonmoral considerations and without assuming that they have less relevance or less weight than moral ones. Suppose, however, that moral considerations “win out”, meaning that when Ruth finally makes her judgment, she bases it on facts of the form ‘*X* has property *P*’, all of which, as it happens, are among the facts

that are directly and importantly relevant from the moral point of view. ("I considered the question from every angle, but in the end I decided that since anything other than *X* would cause pain to most of those concerned, *X* is what I should do".) Ruth's judgment is of type (3): it is based on moral considerations. But it is not of type (4), for it is not the product of moral deliberation.

It will not do to say: "But Ruth's judgment *must* be the product of such deliberation. Had her deliberation been of a different kind, moral considerations never would have won out". This is false. Often, the considerations that win out in our deliberations have no privileged role in the course of those deliberations. We discover their relevance and importance in the process of deliberating; we do not assume it in advance.

Given these two distinctions (and postponing, for a moment, the third), we must separate the following theses:

- (C) Judgments of the form 'I ought to do *X*', 'I should do *X*', and so forth are moral predicate judgments just in case they rest on *o*ish considerations.
- (C.1) Judgments of the form 'I ought to do *X*', 'I should do *X*', and so forth are moral predicate judgments just in case they not only rest on *o*ish considerations, but issue from *o*ish deliberation.
- (C.2) Judgments of the form 'I ought to do *X*', 'I should do *X*', and so forth are moral judgments just in case they rest on *o*ish considerations.
- (C.3) Judgments of the form 'I ought to do *X*', 'I should do *X*', and so forth are moral judgments just in case they not only rest on *o*ish considerations, but issue from *o*ish deliberation.

Rachels' argument is effective against most of these views, especially (C.3). Zeke's 'should'-judgment expresses a decision – a decision that counts as a moral one given the options Zeke faces. Thus, contrary to (C.3), Zeke's judgment is a moral judgment, regardless of the type of deliberation from which it issues.

Rachels' argument also refutes (C.1) and (C.2), depending on how we supplement it. For example, it refutes (C.2) if we supplement it the way we did in Section 3 – that is, by assuming that Zeke's judgment rests on non-*o*ish considerations. For then Zeke's judgment, although a moral one, does not rest on considerations of the kind referred to in (C.2). The argument refutes (C.1) if we supplement it the opposite way – that is, if we assume that although Zeke's judgment does not stem from *o*ish deliberation, it finally comes to rest on *o*ish considerations. For then Zeke's judgment is a moral predicate judgment – or so I would argue – but it does not result from a process of the kind to which (C.1) refers.

But Rachels' argument does not refute (C); nor, of course, does it refute (A), (B), or (D). So it does not refute all moral-point-of-view theories. This is easy to overlook if we neglect either of the distinctions made so far, for then (C) will seem equivalent to (C.1), (C.2), or (C.3).

The next distinction is between (5) moral-point-of-view theories and (6) moral-point-of-view theories that define, if only tacitly, one or more types of judgment as *made from the moral point of view*. This differs from the distinction between (3) and (4), but is related to it. If a moral-point-of-view theory defines a class of judgments as items of type (4) – that is, as judgments that not only rest on moral considerations, but stem from moral deliberation – it is a theory of kind (6). An example would be a moral-point-of-view theory containing (C.1) or (C.3) in place of (C). If Ruth deliberates as indicated in (C.1) or (C.3) we can describe her as *taking* or *adopting* the *o*ish point of view, and describe her judgment as *made from* that point of view. No such description is appropriate in the case of (C). A judgment can rest on *o*ish considerations even if the person who makes it does nothing usefully described as taking (adopting, deliberating

from) the *o*ish point of view, in which case the claim that her judgment is “made from” the *o*ish point of view is misleading. Thus, set (6) does not include the moral-point-of-view theory consisting of points (A) through (D).

Rachels' criticism is forceful against (6). Certainly it refutes the most natural examples of such theories. It is not so forceful against (5), for it is no threat to the theory consisting of (A) through (D). Thus, if we neglect the distinction discussed here, if we think that set (5) includes nothing outside of set (6), we are likely to see Rachels' argument as effective against all moral-point-of-view theories. This is true even if we make the distinctions discussed earlier, thereby disentangling (C) from (C.1), (C.2), and (C.3). For if we think that set (5) includes nothing outside of (6), we will see the combination of (A) through (D) as a *non*-moral-point-of-view theory, and see its immunity to Rachels' criticism as irrelevant to whether that criticism is sound. This point is not trivial; the distinction between (5) and (6) is easy to overlook. Some moral-point-of-view theorists, including Paul Taylor and William Frankena, defend theories of type (6).¹⁸

§5

I have argued that Rachels' argument fails to refute moral-point-of-view theories, and I have discussed three distinctions that help us see this. I must now address three possible objections. The first two aim to show that despite anything said so far, the combination of (A) through (D) is not a moral-point-of-view theory, and hence its immunity to Rachels' criticism is irrelevant to whether that criticism achieves its pur-

¹⁸ Frankena (1966a, pp. 120, 121, 122), Frankena (1973, p. 190), Taylor (1961, pp. ix, 109). Perhaps I should say “theories that appear to be of type (6)” rather than “theories of type (6)”. The cited authors do not clearly distinguish (4) from (3), and they occasionally say things that can be read either way. See, e.g., Frankena (1966a, p. 120). Lines 17 through 26 of that page suggest (3) but not (4); lines 30 through 35 suggest (4).

pose. The third objection is a natural comeback to my response to the second.

§5.1

The first objection is that if a theory is not of type (6), if it defines no class of judgments as judgments made from the moral point of view, it is not a *different type* of moral-point-of-view theory, it is simply a *non-moral-point-of-view* theory. Thus, theses (A) through (D) do not constitute a moral-point-of-view theory.

This objection requires two comments. First, it contains a grain of truth, namely, that in any moral-point-of-view theory worthy of the name, the “point of view” metaphor can be put to useful work. This does not mean, however, that it *must* be put to work – i.e., that no other language can be found for the jobs to which the metaphor is geared. And it certainly does not mean that the metaphor does work in *every* component of the theory. In the theory composed of (A) through (D), the metaphor does ample work in (A) and (B); it need not do any in (C). But (C) is the only one of the four components which, arguably, *defines* a class of judgments.

Second, the metaphor *does* do work in (C). It does not merely *appear* in our initial formulation of (C), but serves there, as it does in the first two components, to cancel any suggestion that the inference rules which govern moral judgment can be stated in a tidy list. Typically, the rules of inference that characterize a point of view – the farmer’s point of view, the taxpayer’s point of view, and so on – cannot be summed up with full precision. Hence to speak, as (C) does, of canons “that characterize the moral point of view” is to speak of canons for which a cook-book formulation is an unlikely prospect.

The metaphor is relevant to (C) in a second way. If we look back at (C), we see that it can be recast along the following lines:

Judgments of the form 'I ought to do X', 'I should do X', and so forth are moral predicate judgments – their predicates can be construed as 'morally ought', 'morally should', and so on – just in case they can be construed as 'From the moral point of view, I ought to do X', or 'From the moral point of view, X rather than not-X is what I'm justified in doing'.

This thesis makes profitable use of the "point of view" metaphor. For one thing, it illuminates a key respect in which (C) differs from (A), (C.1), and (C.3). Each of the latter explicitly or tacitly defines something as *done* or *made* from the moral point of view. Thesis (C), by contrast, defines something (a class of judgments) as *implying something about* the moral point of view, namely, that certain acts are justified from it.¹⁹

¹⁹ These remarks show that the second distinction in Section 4 – the distinction between (3) judgments that rest on moral considerations and (4) judgments that not only rest on moral considerations, but stem from moral deliberation – is roughly the same as the distinction between (7) judging that an act is justified from the moral point of view and (8) judging, from the moral point of view, that an act is justified from that point of view. This differs from the equally important distinction, made by Frankena and echoed by Urmson and Milo, between (9) saying "From the moral point of view, X is right" and (10) saying, from the moral point of view, "X is right". (See Urmson [1968, p. 107f]. From what Urmson says, it appears that Frankena made the distinction in conversation or in correspondence. The distinction is put to good use in Milo [1984, p. 178f].) One difference stems from how these authors understand (10). As they understand it, a person does (10) only if she *identifies* with the moral point of view, meaning that she has a pro-attitude toward the actions justified from it. Such a person *takes* the moral point of view, and her judgment is *made from* that point of view, in a strong sense. But there is weaker sense that need not involve a pro-attitude. This is the sense involved in (8); otherwise (8) would not line up with (4). A normative judgment about X, perhaps even the judgment 'I should do X', can issue from moral deliberation even if the speaker has no pro-attitude toward X. Still, it is not misleading to describe the judgment as "made from the moral point of view", given the process of thought from which the judgment derives.

§5.2

The next objection is that the theory composed of (A) through (D) does not address the question ‘What is the distinguishing mark of moral, as opposed to nonmoral, judgments?’ It would do so if we replaced (C) with (C.2) or (C.3), but as it stands it does not. It concerns merely a restricted set of moral judgments; it says nothing about moral judgments *simpliciter*. Thus, it fails to fulfill the role for which moral-point-of-view theories were intended.

This objection misrepresents the intentions of moral-point-of-view theorists. Some of the latter use ‘moral judgment’ in a restrictive way, a way that leaves Zeke’s judgment out of account. Consider the following statement (with italics added) by G. J. Warnock:²⁰

My own view ... is that morality has some at least roughly specifiable content.... It appears ... enormously plausible to say that one who professes to be making a moral judgment must at least profess that what is in issue is the good or harm, well-being or otherwise, of human beings – that what he regards as morally wrong is somehow damaging, and what he regards as morally right is somehow beneficial. (Warnock 1967, p. 57; see also Warnock 1967, p. 70; and Warnock 1971, pp. 1, 16, and 122ff)

To the extent that Warnock uses ‘moral judgment’ the way we are using it in this paper – that is, for ethical judgments in which the evaluative term is a predicate – he uses it for those in which the predicate is a *moral* predicate – for example, those in which ‘wrong’ means ‘morally

The case is otherwise with (3), (7), and (9), where the relevant judgments, although *about* the moral point of view, are not *made from* that point of view in any natural sense. This is why the theory made up of (A) through (D) – a theory which, *via* component (C), defines moral predicate judgments as items of type (3) – is not in class (6), the class of theories to which Rachels’ argument poses a threat.

²⁰ I have altered this passage slightly by removing Warnock’s italics on ‘has’ and ‘must’.

wrong'.²¹ This presents us with a choice. On the one hand, we can read Warnock as aiming to advance a credible view of moral judgments – that is, of moral judgments *simpliciter* – in which case he has fallen short of his goal by presenting a view which, if plausible, leaves some moral judgments, including Zeke's, out of account. His mistake lies in assuming that moral predicate judgments exhaust the category of judgments in which he is interested, namely, moral judgments in general. On the other hand, we can read him as aiming for a credible account of *moral predicate* judgments, in which case he has not necessarily fallen short of his goal; he simply has used a misleading label: 'moral judgments'. Here his mistake lies, not in thinking that moral predicate judgments exhaust the category of judgments in which he is interested, but merely in thinking that the judgments in which he is interested – moral predicate judgments – exhaust the category of moral judgments, and hence require no label that would distinguish them from other judgments in that category.

Even a weak principle of charity requires the second reading, unless we find textual evidence that speaks the other way. I find no such evidence in Warnock's writings. Thus, if we can fault Warnock for anything, it is only for using 'moral judgment' where another label would be more accurate, and for defending a metaethical theory that leaves some moral judgments out of account. These sins are venial at most. Indeed, they are not sins at all, for the items left out of account involve no *moral* terms or concepts and attribute no *moral* properties to any actions.

Warnock's use of 'moral judgment' reveals that he holds neither (C.2) nor (C.3). Also, it undermines the objection we are considering, for it shows that Warnock is not concerned with moral judgments *simpliciter*. Like most moral philosophers, he is concerned with moral judgments

²¹ Nor is he the only moral-point-of-view theorist who does so. Others are Attfield (1995, p. 237f), Milo (1984, pp. 44ff, 116, 140, 161, 173f, 176-180, 193, 195ff, 201, 214ff), and, in some passages, Taylor and Frankena. See Taylor (1961, p. 309f) and Frankena (1973, p. 188f).

that attribute *moral* properties to the deeds to which they refer. Zeke's is not such a judgment.

§5.3

But now another objection rears up, namely, that although Warnock does not hold (C.2) or (C.3), neither does he hold (C). Instead, he holds (C.1), according to which moral predicate judgments not only rest on moral considerations but issue from moral deliberation. This spells trouble for Warnock because, as we saw in Section 4, (C.1) is open to criticism.

We can handle this objection by returning to the quotation in Section 5.2; also by considering the following two:

What makes a view a *moral* view is ... primarily its content, what it is about, the range or type of considerations on which it is founded... Must it not surely be supposed, by anyone who claims to be propounding a moral principle, that observance of the principle he propounds would do some sort of *good*, and that breaches of it would do some sort of *harm*? (Warnock 1967, p. 54f)

Moral discourse can be characterized in general only by saying that it must be about morals... But how do we tell that some tract of discourse *is* 'about' morals?... We should need, I think, essentially some information as to the *grounds on which* things said in that tract of discourse were said. If you say to me that Smith ought not to have acted as he did, I cannot tell from your words ... whether or not you are making a moral comment; but it would become clear that you were, if you went on to back up your remark about Smith with appropriate reasons, that is, with moral reasons. (Warnock 1971, p. 131f)

Clearly, Warnock classifies judgments as moral according to whether they rest on moral considerations. Given this method of classification, he does not hold (C.1). And given what he means by 'moral judgment', he does not hold (C.2) or (C.3). This leaves thesis (C), which he indeed accepts.

Some might object by citing the following statements by Warnock:

[Let's] proceed to the interesting business of investigating moral evaluation... – enquiring, that is, what it is to appraise things 'from the moral point of view'.... (Warnock 1967, p. 68)

'Morality' can ... be regarded as a *particular* way, or ways, of looking at issues of character and conduct; these things can be looked at from what is called 'the moral point of view' – which is not just *any* point of view the adoption of which issues in practical judgments, but a particular point of view that can be positively identified and described.... Appraising character and conduct *morally* is, not just appraising them in any practical way, but in some *particular* way.... (Warnock 1971, p. 10)

Perhaps these statements seem at odds with (C). To describe someone as "appraising *X* from the moral point of view" is to suggest that he is treating moral considerations, and no others, as directly relevant to whether *X* is good. But a second look shows that (C) is not contradicted. Unlike (C), the two passages focus on the act or process of moral *appraisal*. They occur in Warnock's writings not because he rejects (C) but because he accepts this:

- (E) To appraise an action morally is to appraise it from the \emptyset ish point of view.

This view is not only consistent with (C) but untouched by the criticism in Section 1. We can see this by once again letting \emptyset stand for the criteria to which the word 'moral' can be affixed without oddity, and then imagining Zeke appraising his contemplated deed, that of returning the money, in view of whether it meets non- \emptyset ish (e.g., selfish or aesthetic) criteria. Such appraisal is not *moral* appraisal, even if the resulting judgment expresses a moral choice, and hence counts as a moral judgment. So Zeke's judgment is not a counterexample to (E).

Nor, by the way, is it a counterexample to this:

- (F) To *morally* judge that one should do *X* is to base that judgment (that one should do *X*) on \emptyset ish considerations.

Concerning this point, let's give θ the same meaning it had a moment ago, and assume that Zeke's judgment that he should return the money rests on non- θ ish considerations. This is to assume that Zeke's judgment rests on selfish or other considerations for which the word 'moral', as it is ordinarily used, is out of place. Now observe how silly it is to say: "Zeke has morally judged that he should return the money". To judge, on selfish grounds, that one should return some money is not to *morally* judge that one should return it. This is true even if one's judgment counts as a moral judgment. Thus, just as a person can make a moral judgment without doing any moral appraising, he can make a moral judgment without judging morally. He need only make a judgment like Zeke's – a judgment which, although stemming from a process of non-moral appraisal and from an act of nonmoral judging, counts as a moral judgment because it expresses a moral decision.

§6

I have shown that Rachels' criticism can be met; I have not shown that it lacks value. Indeed, it has value to the extent that we grant the very premises which undermine it – for instance, the premise that moral predicate judgments differ from moral judgments *simpliciter*. For if we grant those premises, Rachels' criticism leads to the following conclusions, some of which are surprising: First, some moral judgments result from nonmoral deliberation. Second, some moral judgments are based on selfish or other nonmoral grounds. Third, some moral judgments contain no moral terms. Fourth, a moral judgment can issue from non-moral appraisal. Fifth, we can make moral judgments without judging morally. Sixth, some moral judgments neither are, nor express, moral beliefs. Seventh, two people can assert conflicting moral judgments without morally disagreeing.

The first five points have arisen in earlier sections; the sixth and seventh require explanation. The sixth is true because given the options

Zeke faces, his judgment that he should return the money is a moral judgment even if it rests on nonmoral considerations. But if it rests on such considerations, the belief to which it corresponds is not a moral belief. To see this, suppose we discover both that Zeke has judged that he should return the money, and that his judgment rests on selfish and other nonmoral considerations. Suppose we announce this by saying "Zeke morally believes that he should return the money" or "One of Zeke's moral beliefs is that he should return the money". Clearly, we have misrepresented Zeke's belief. His belief is not a moral one, given the nonmoral grounds on which it rests.

To see that the seventh point is true, let's return to Rachels' argument and substitute, *mutatis mutandis*, 'Zeke and Ruth' for each instance of 'Zeke'. Suppose Zeke judges that he and Ruth should return the money, and Ruth judges that she and Zeke should keep the money. Zeke and Ruth have each made a moral judgment; so we have two moral judgments that conflict. But suppose that each judgment rests on non-moral beliefs. Then we have no *moral disagreement*, in either the usual sense of that term or (what amounts to the same thing) the sense in which moral theories aim to resolve or illuminate moral disagreements. Such disagreements occur only when there is disagreement over *moral* right and wrong. There is no such disagreement in this case, given the facts on which Zeke and Ruth rest their judgments. Their judgments are moral judgments, but not moral predicate judgments.

Rachels' argument is valuable in another way. The distinctions it spurs us to make have wide application. For instance, many metaethical arguments contain premises about what does or does not count as a moral judgment. Here the distinction between moral judgments and moral predicate judgments is often useful. To illustrate this I will discuss a tempting argument for moral subjectivism. It has roots in the work of Herbert Feigl (1952) and enjoys more recent support from Bruce Waller (1994) and Neil Cooper (1981, pp. 143-146).

The argument runs as follows. In making our first-order moral judgments we employ a set of normative criteria – call it S – that we rarely call into question. But whenever (if ever) we do – that is, whenever we pause to ask whether we should stick with S or abandon it for, say, S' – our answer has two properties. First, it is a *moral* judgment. That is, in making it we do not step outside of morality, we merely move to another plane within it and make the most basic of moral judgments. Second, because our answer is made at the most basic level, it is noncognitive in this sense: both its content (i.e., whether it favors S or S') and the grounds on which it rests are determined by subjective preferences. That is, neither the answer itself nor the set of considerations on which it rests is fixed by any rational standards. Each can vary from one fully rational agent to another.

These facts entail two things.²² First, a normative judgment can be a *moral* judgment no matter what its content or basis. Suppose our neighbor's first-order evaluations conflict with ours owing to his use of S' as opposed to S . We cannot dismiss his evaluations as nonmoral on the grounds that only S -based evaluations are moral evaluations. The view that being S -based is the distinguishing mark of the moral is ruled out by the fact that our judgment that we should adopt S is a fundamental *moral* judgment, even though it rests, not on S , but on subjective preferences.

Second, our first-order evaluations are at bottom noncognitive, and hence a person could reject them without necessarily being irrational. Even if our neighbor's evaluations differ entirely from ours, very likely they rest on criteria which, given *his* particular preferences, he was perfectly rational to choose. If so, his first-order evaluations are no less rational than ours.

²² It's the second thing that Feigl, Cooper, and Waller emphasize. But the first thing is implicit in their arguments, and when brought to the fore it strengthens their conclusion that moral judgments are at bottom subjective.

The upshot is that our first-order moral judgments are at bottom *subjective*. A person can hold radically different ones without being irrational or mistaken, and without ceasing to hold *moral* opinions.

Objections to this argument readily come to mind, but some are not so promising. For instance, we might contend that the argument trades on the ambiguity of 'moral', that the choice to adopt *S* rather than *S'* is a "moral" choice only in the broad sense mentioned in Section 1. This reply is unconvincing. Arguably, it is simply an *ad hoc* expedient.

Another reply is that the subjectivism to which the argument leads cannot account for the "objective" features of moral language – e.g., for the fact that moral sentences are declarative in form and that we comfortably speak of moral "truths" and the like. The proponents of the argument are ready for this reply (see Feigl 1952, pp. 673, 677; and especially Waller 1994, pp. 58, 72f). They claim that as long as our moral reasoning proceeds *within* system *S* the objective features of moral discourse are to be expected. For instance, it makes perfect sense to speak of moral truth, moral facts, and moral discoveries, and not simply by using 'truth', 'facts' and so on in a redundant (or similarly anemic) sense.²³ Indeed, the strength of the argument resides (so say its proponents) in its ability to accommodate most of what moral objectivists, and even moral realists, maintain. Yet it does so without renouncing the key idea of subjectivism: that rational, fully informed people can accept radically different moralities.

Nonetheless, the argument fails. We can see this by recalling the distinction between moral judgments and moral predicate judgments. Perhaps it is true that when we decide, at a basic level, that we should adopt *S* rather than *S'* we make a noncognitive judgment which, although moral, is not based on *S*. And perhaps this undermines the view

²³ This explains why, when describing this view, I prefer a term other than 'noncognitive'. (I realize that 'subjective' isn't perfect, but I prefer it nonetheless. Waller uses 'noncognitive'.) Most forms of noncognitivism either make no place for the notion of moral truth or do so only for a non-robust notion of truth.

that every genuine *moral* judgment is *S*-based. But it does not undermine the view that every *moral predicate* judgment is *S*-based. It would do so if we could be sure that our judgment to adopt *S* rather than *S'* is not just a moral judgment but a moral predicate judgment. For then, given the noncognitive nature of that judgment, we could be confident that a normative judgment can be a moral predicate judgment no matter what its content or grounds. But we can be confident of no such thing. On the contrary, we can be sure that our subjective judgment to adopt *S* is in the same category as Zeke's judgment to return the stolen money. It counts as a moral judgment owing to the kind of decision it expresses, not because its 'should' can be construed as 'morally should'. Imagine Ruth judging, on purely selfish grounds, that she should adopt *S* to govern her first-order evaluations. Now imagine Carl saying "Ruth has judged that she morally should adopt *S*". Clearly, Carl has misrepresented Ruth's judgment. Even if Ruth's judgment is a moral judgment, it is not a moral predicate judgment.

Thus, even if the subjectivist's argument refutes the view that 'should'-judgments are moral 'should'-judgments only if they rest on considerations of a special kind – for instance, on considerations of harm and benefit to human beings – it does not refute the thesis that 'should'-judgments are 'morally should'-judgments only if they rest on such considerations. But unless the latter view is ruled out, subjectivism is in trouble. We are not free to *choose* what is harmful or beneficial to human beings, and hence the thesis left untouched by the subjectivist's argument is bound to put limits on what we can accept in the way of 'morally should'-judgments.

CONCLUSION

For all the value in Rachels' argument, for all the things it brings to light, does not refute moral-point-of-view theories. We are unlikely to see this if we overlook three distinctions, all of which have been ne-

glected in the literature. The first is between moral predicate judgments and moral judgments *simpliciter*; the second is between judgments that rest on moral considerations and judgments that not only rest on such considerations but issue from moral deliberation; and the third is between moral-point-of-view theories in general and moral-point-of-view theories which define, if only tacitly, one or more kinds of judgment as “made from the moral point of view”. If we overlook the third distinction, we will see the theory consisting of (A) through (D) as a *non*-moral-point-of-view theory, and focus our attention on theories open to Rachels’ criticism. If we overlook the first two distinctions, then even if we see (A) through (D) as constituting a moral-point-of-view theory, we are unlikely to disentangle (C) from (C.1), (C.2), and (C.3), theses to which Rachels’ argument is damaging. If, however, we keep all three distinctions in mind, we see that for anything Rachels has shown, moral-point-of-view theories remain a plausible option in ethical theory.²⁴

REFERENCES

- ATTFIELD, R. *Value, Obligation, and Meta-Ethics*. Amsterdam: Rodopi, 1995.
- BAIER, K. *The Moral Point of View*. Ithaca, NY: Cornell University Press, 1958.
- _____. “Comments”. In J. B. Schneewind (ed.) (1996), pp. 210-286.
- BOWIE, N. (ed.). *Ethical Theory in the Last Quarter of the Twentieth Century*. Indianapolis: Hackett, pp. 39-79, 1983.

²⁴ I thank John Tilley for his remarks on an earlier draft, and Michael Burke for discussion of some of the topics addressed here. I also thank the Someday Cafe, in Somerville Massachusetts, for the nice atmosphere in which I drafted this paper.

- BRANDOM, R. "Points of View and Practical Reasoning". *Canadian Journal of Philosophy*, 12, pp. 321-333, 1982.
- CARTER, C. L. (ed.). *Skepticism and Moral Principles*. Evanston, IL: New University Press, 1973.
- _____. "Skepticism and Moral Theory in Contemporary Philosophy: An Introductory Essay". In C. L. Carter (ed.) (1973), pp. 1-42.
- CASTAÑEDA, H. N., NAKHNIKIAN, G. (eds.). *Morality and the Language of Conduct*. Detroit: Wayne State University Press, 1963.
- CASTRO, F. R. "How Should We Understand the Project of the Moral Point of View Theorists? Reply to Kai Nielsen". *Crítica*, 32, pp. 103-114, 2004.
- COOPER, N. *The Diversity of Moral Thinking*. Oxford: Clarendon, 1981.
- FEIGL, H. "Validation and Vindication: An Analysis of the Nature and the Limits of Ethical Arguments". In W. Sellars and J. Hospers (eds.) (1952), pp. 667-680.
- FOOT, P. "Morality and Art". *Proceedings of the British Academy*, 56, pp. 131-144, 1970.
- _____. "Is Morality a System of Hypothetical Imperatives? A Reply to Mr. Holmes". *Analysis*, 35, pp. 53-56, 1974.
- FRANKENA, W. K. "Recent Conceptions of Morality". In H. N. Castañeda and G. Nakhnikian (eds.) (1963), pp. 1-24.
- _____. "On Saying the Ethical Thing". *Proceedings and Addresses of the American Philosophical Association*, 39, 1966a. Repr. in K. E. Goodpaster (ed.) (1976), pp. 107-124.
- _____. "The Concept of Morality". *Journal of Philosophy*, 63, 1966b. Repr. in K. E. Goodpaster (ed.) (1976), pp. 125-132.
- _____. "On Defining Moral Judgments, Principles, and Codes". *Etycka*, 11, 1973. Repr. in K. E. Goodpaster (ed.) (1976), pp. 184-192.

- _____. *Thinking about Morality*. Ann Arbor: University of Michigan Press, 1980.
- _____. "Moral-Point-of-View Theories". In N. Bowie (ed.) (1983), pp. 39-79.
- GOODPASTER, K. E. (ed.). *Perspectives on Morality: Essays by William Frankena*. Notre Dame, IN: University of Notre Dame Press, 1976.
- GRIFFIN, J. *Value Judgement: Improving our Ethical Beliefs*. Oxford: Clarendon, 1996.
- HARSANYI, J. C. "Morality and the Theory of Rational Behaviour". In A. Sen and B. Williams (eds.) (1982), pp. 39-62.
- MACKIE, J. L. *Ethics: Inventing Right and Wrong*. Harmondsworth: Penguin, 1977.
- MILO, R. D. "Bentham's Principle". *Ethics*, 84, pp. 128-139, 1974.
- _____. *Immorality*. Princeton: Princeton University Press, 1984.
- _____. "Scepticism and Moral Justification". *Monist*, 76, pp. 379-393, 1993.
- _____. "Contractarian Constructivism". In R. Shafer-Landau and T. Cuneo (eds.) (2007), pp. 120-131.
- NIELSEN, K. "Appraising Doing the Thing Done". *Journal of Philosophy*, 57, pp. 749-759, 1960.
- _____. "On Moral Truth". In N. Rescher (ed.) (1968), pp. 9-25.
- _____. "Moral Point of View Theories". *Crítica*, 31, pp. 105-116, 1999.
- PITCHER, G. "Review of J. O. Urmson's *The Emotive Theory of Ethics*". *Philosophical Review*, 79, pp. 586-592, 1970.
- RACHELS, J. "Evaluating from a Point of View". *Journal of Value Inquiry*, 6, pp. 144-157, 1972.

- RAZ, J. "On the Moral Point of View". In J. B. Schneewind (ed.) (1966), pp. 58-83.
- RESCHER, N. (ed.). *Studies in Moral Philosophy*. Oxford: Blackwell, 1968.
- _____. *Moral Absolutes*. New York: Peter Lang, 1989.
- _____. *Objectivity*. Notre Dame: University of Notre Dame Press, 1997.
- SCHNEEWIND, J. B. (ed.). *Reason, Ethics, and Society: Themes from Kurt Baier, with His Responses*. Chicago: Open Court, 1996.
- SELLARS, W., HOSPERS, J. (eds.). *Readings in Ethical Theory*. New York: Appleton-Century-Crofts, 1952.
- SEN, A., WILLIAMS, B. (eds.). *Utilitarianism and Beyond*. Cambridge: Cambridge University Press, 1982.
- SHAFER-LANDAU, R., CUNEO, T. (eds.). *Foundations of Ethics*. Oxford: Blackwell, 2007.
- SINGER, P. *Writings on an Ethical Life*. New York: Ecco, 2000.
- TAYLOR, P. W. *Normative Discourse*. Englewood Cliffs, NJ: Prentice-Hall, 1961.
- _____. "On Taking the Moral Point of View". *Midwest Studies in Philosophy*, 3, pp. 35-61, 1978.
- URMSON, J. O. *The Emotive Theory of Ethics*. New York: Oxford University Press, 1968.
- WALLER, B. "Noncognitivist Moral Realism". *Philosophia*, 24, pp. 57-75, 1994.
- WARNOCK, G. J. *Contemporary Moral Philosophy*. London: Macmillan, 1967.
- _____. *The Object of Morality*. London: Methuen, 1971.
- WOLF, S. "Morality and the View from Here". *Journal of Ethics*, 3, pp. 203-223, 1999.