

The Amoralist
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Abstract Ronnie de Sousa claims that moral philosophy is bogus and that we should ‘forget morality’. In this response I come to morality’s defence.

I need to make it clear, right off the top, that I have a vested interest in the outcome of this discussion. I have spent my entire career researching, writing, and teaching moral philosophy, both theoretical and applied. But now in his essay ‘Forget Morality’, Ronnie de Sousa tells me that the field is ‘bogus’.¹ So have I been wasting my time, and that of my students? Worse, have I been corrupting them? I have known de Sousa for a long time—right back to grad school—and long ago learned to take his ideas and opinions seriously. So I have to take seriously the possibility that he is right about this. But I don’t think he is.

With his customary trenchancy, de Sousa lists five complaints with morality:

First, most systems of morality are inherently totalising. Adhering to them consistently is impossible, and so each system is forced into incoherence by setting arbitrary limits to its own scope. Second, our preoccupation with morality distorts the force of our reasons to act, by effecting among them a triage that results in some reasons being counted twice over. Third, the intellectual acrobatics invoked to justify the double counting commit us to insoluble and therefore idle theoretical debates. Fourth, the psychological power of moral authority can promote deplorable systems of evaluation as easily as good ones. And fifth, the emotions cultivated by a preoccupation with morality encourage self-righteousness and masochistic guilt.

Quite the charge sheet. In what follows, I will consider all of these allegations, though not in the above order.

But first we need to ask what de Sousa means by ‘morality’. Expressions with moral or ethical content frequently (though not invariably) use ‘ought’ as an indicator of what is to be done. However, as de Sousa recognizes, not all oughts are moral in character, so we need some way of delineating those that are. One suggestion he offers is that moral oughts are those that claim ‘overriding authority’ over all others. But that point is contentious, and I will return to it later. What he also says is that ‘morality’ refers to ‘the sort of rules the transgression of which common sense decries as “immoral”, “wrong”, or “evil”.’ The first point to note here is that de

¹ de Sousa 2021. All subsequent references to de Sousa’s views are to this source.

Sousa is identifying morality with (one sort of) rules that tell us what we ought to do. That certainly seems to cover one familiar part of the domain, but not the whole of it. Oughts express practical reasons (to do or not to do something) and reasons reflect values. But neither reasons nor values need be expressed in the normative terminology of ‘ought’ or ‘should’ or ‘must’. They can equally be captured with evaluative notions such as ‘good’, ‘bad’, ‘better’, ‘worse’, and their various cognates. These notions point us toward, not that which we must, or are obliged to, do, but that to which it would be praiseworthy or admirable to aspire—ideals which we may live up to or embody to a greater or lesser degree. This less imperative part of morality seems to escape de Sousa’s notice, and his censure. Perhaps he has no objection to it.

In any case, if we are going to talk about rules then we still need a way of distinguishing moral rules from nonmoral ones. Telling us that they are the rules whose transgression is deemed to be immoral seems disappointingly circular. ‘Immoral’ is also a little too narrow to cover the entire ethical territory; I seem to recall this same Ronnie de Sousa once explaining that morality applies largely to sex, while ethics has to do with money.² If so, then ‘immoral’ is out of place for a lot of ethical transgressions. ‘Wrong’, by contrast, is of much too broad extension. Using the wrong fork to eat your salad, or putting your recycling bin out on the wrong day, does not implicate morality. As for ‘evil’, it surely has its place, but you have to fall pretty far below normal moral standards to earn that epithet. For most moral or ethical transgressions it would be rhetorical overkill.

So we still don’t have a clear sense of what is distinctive about the realm of the moral. The cause is not advanced by claiming, as de Sousa does, that moral rules are unique in ‘obliging us without qualification’—that is, prescribing duties that attach to us not because of some special role or relationship but just ‘in virtue of our status as human beings’. This is doubly false. Many prudential oughts—especially those that tell us how to maintain or improve our health—apply to us just in virtue of our being human and do not vary with our roles or relationships. Contrariwise, many moral oughts do precisely take special roles or relationships into account: think of the professional responsibilities of doctors or the duties of parents toward their children. Philosophers mark these different sectors of morality by means of a distinction between general and special obligations. It would be a plain mistake to identify morality just with its general part.

How then should we delineate the moral? Here’s one suggestion. Moral reasons kick in whenever significant interests—that is, harms or benefits—are at stake as a result of someone’s actions. The interests at stake will typically be those of other persons, signaling things that it would be good or bad, right or wrong, to do to or for them, but they may equally be those of

² For the purposes of this paper, I am assuming that the domains of morality and ethics are congruent.

nonhuman subjects (such as sentient animals) or even just the agents themselves. (I am agnostic on this last point of whether the prudential can sometimes rise to the level of the moral.) It is this spillover effect that opens the door to ethical assessment of actions, practices, institutions, agents, or whatever.

If this is more or less correct, it leads us seamlessly into two of de Sousa's complaints about morality. (But it is worth keeping in mind from this point forward that he is really only talking about a part of morality: the legalistic part that consists in rules imposing duties or obligations.) One of them is that moral reasons claim 'overriding authority' over nonmoral ones. As de Sousa puts it: 'Some [reasons] take the form of rules claiming a special status in virtue of being *moral* reasons, which automatically outweigh other types of reasons.' [emphasis in original] And again: when a reason wears 'the special badge of morality then, most philosophers insist, it is "definitive, final, overriding, or supremely authoritative", in the words of William K. Frankena in 1966'.³ The date of that quotation is instructive. Some philosophers did once contend that moral reasons always trump nonmoral ones in this fashion, indeed that having this kind of overriding authority is what marks them as moral.⁴ But this idea has decidedly less currency nowadays, and it is certainly false that 'most philosophers insist' on it. It is now much more common to identify moral reasons, as I did earlier, in terms of their content—what they are about—rather than their dominance within the structure of practical reasoning.⁵ Morality's imperialistic pretensions have largely been abandoned.

That fact undermines de Sousa's double-counting complaint. He notes that you might have two different reasons against some course of action X: the fact that it will cause someone pain (reason A) and the fact that it will be too expensive (reason B). He then continues:

Moralists will tell you that your reason A, but not your reason B, also 'grounds' *another* reason not to do X, namely that it would be *immoral*. And on that basis, reason A but not reason B now gets to be 'inescapable', 'overriding' any reason you had in favour of X: that it would be exciting, say, or memorable. So now it seems that reason A, unlike reason B, gives you *two* reasons not to do X: reason A (that it will cause pain), plus *the fact that X is immoral*. But since this second reason was just grounded on reason A, what

³ The quote is from Frankena 1966, 688.

⁴ Frankena, *ibid.*, lays out the state of play in the mid-sixties, some prominent philosophers endorsing this kind of formal conception of morality and others advancing a more material conception similar to the one I articulated above. The formal view never commanded a consensus even back then.

⁵ A typical approach can be found in Deigh 2010, ch. 1.

can it possibly add to it? How can it suddenly make reason A override all other reasons?

It seems to be just a way of counting it twice. [emphases in original]

We can agree with de Sousa that this double-counting of reasons would be absurd. But it depends on the assumption that moral reasons are, by their very nature, supremely authoritative. Abandon that pretension and moral reasons are left to compete with nonmoral ones within the overall framework of practical rationality.⁶ There is no guarantee that they will always win; in some circumstances what you ought to do or at least are permitted to do, all things considered, may not be what morality recommends. But if moral reasons are identified as such in terms of the significant interests at stake—the harms and benefits that might result from your decision—then they are guaranteed significant weight against competing nonmoral reasons (such as the fact that your action might be exciting or memorable). So they will frequently, though not inevitably, outweigh the competition.

The alleged hegemony of morality also lies behind the complaint that ‘systems of morality are inherently totalising’, that they claim ‘total authority over every action and even every thought’. De Sousa is on to something here: there is no way to prevent moral or ethical considerations from applying to virtually everything we do, however private or inconsequential it might seem. You decide to purchase a new smartphone, replacing your current three-year-old model. This seems the very paradigm of a purely personal decision, perhaps balancing the cost of the new model against its improved features, until you stumble on an article in the *Guardian* that points out the enormous CO₂ emissions that result from mining the rare materials inside the phone.⁷ Buying this phone, you learn, will consume as much energy as operating and recharging your existing phone for an entire decade. Be kind to the environment, the author exhorts, and just persist with your current device.

You want to ignore this unwelcome intrusion, but you cannot, in good conscience, deny its relevance. Your decision now looks less private; now you need to weigh the impact of your intended purchase on greenhouse gas emissions (which we will assume to be an ethical matter) against your own personal needs. You might in the end decide that your needs are urgent enough

⁶ This idea is not new: the division, and possible opposition, between (what we would call) moral and prudential reasons was defended in Sidgwick 1907, Concluding chapter.

⁷ John Naughton, ‘Want to save the Earth? Then don’t buy that shiny new iPhone’, *The Guardian*, https://www.theguardian.com/commentisfree/2021/sep/18/want-to-save-the-earth-then-dont-buy-that-shiny-new-iphone?utm_term=7c3cd0f58209afc2afeff0ff8cdbca3b&utm_campaign=GuardianTodayUK&utm_source=esp&utm_medium=Email&CMP=GTUK_email. Accessed 19/09/21.

to prevail, so that it is OK, all things considered, to buy the phone. But you had to reason your way through the ethical considerations to get to this conclusion. And the same intervention of the ethical can, in principle, complicate virtually any decision you make. That's what de Sousa means by morality's totalising propensity: moral reasons can pop up pretty much anywhere.

He thinks that's a bad thing, but I don't. I think that we should not want it any other way. If moral reasons kick in whenever significant interests are at stake, then as conscientious agents we should want to know when that is. The fact that the scope of ethics or morality is pervasive in this way results directly from its nature. But it is a threat to our ability to conduct our everyday lives only if moral reasons are thought to automatically override all competing considerations. If we drop that idea and just give moral reasons their due weight on a case-by-case basis then morality need not be, as de Sousa claims, 'oppressively intrusive'. It will just be virtually always relevant, and we should want it to be.

It matters here that de Sousa is working exclusively with the legalistic part of morality: the part that consists in rules imposing exceptionless duties. It is easy to suppose that this is all there is to it. He points out, correctly, that where the law is concerned 'many things are neither legally compulsory nor forbidden'. But the same is true in any sensible system of morality, and most of moral life lies in the territory of the permissible: neither required nor prohibited. It is here where moral assessment stops taking a deontic form and trades instead in the evaluative language of better and worse. Your decision to buy a new smartphone resides in this territory: you don't have a duty not to buy it (and you certainly don't have a duty to buy it), but it might be better, from an ethical standpoint, if you didn't.

De Sousa argues that moral theories—the kinds of theories articulated and defended by moral philosophers—can accommodate permissions, in this sense, only at the cost of incoherence or inconsistency. But it is hard to see why this should be so. I will leave Kantian deontologists to defend themselves against this charge but, as an outsider, it seems to me that permissions can be willed to be universal laws just as readily as requirements and prohibitions.⁸ In any case, most deontologies these days are more moderate than the Kantian variety, with exceptions and overrides for their duties and plenty of space for the exercise of discretionary choice. Consequentialism might seem to have a harder task here, but only if you suppose that it

⁸ De Sousa also argues, against the Kantians, that the notion of a duty to oneself makes no sense. The only example he adduces is of the duty to keep promises, which is indeed problematic because, as de Sousa points out, it is waivable by the beneficiary. But Kantian duties to oneself are largely about self-harm (up to and including suicide) and are not waivable. Whether or not one thinks there are duties to self (I am, as I have indicated, agnostic on this point), the idea is not incoherent.

requires agents always to do whatever will have the best overall consequences. Any such requirement would be counterproductive, however, by virtue of being unreasonably demanding. If better consequences will result from counselling agents instead to adhere to a set of rules that accommodate permissions to do less than the best, then that is the direction the theory must take, on pain otherwise of disserving its own ultimate goal.⁹ It is not inconsistent for consequentialists to make room for permissions; rather, it would be inconsistent for them not to.

Even if de Sousa were right that moral theories cannot find space for permissions, that would be a point against the theories, and the philosophers who construct them, not against the institution and common practice of morality itself. Since common-sense morality clearly incorporates permissions, it would be a serious defect in any ethical theory not to be able to accommodate them. It is sometimes difficult to make out whether de Sousa's case is meant to be against morality itself (the institution) or against the practice of moral philosophy. However, one of his further complaints definitely crosses the boundary from the former territory into the latter.

Philosophers, he says, are in the business of finding foundations for morality, but the foundational principles they recommend are inevitably less credible than the more particular rules and instances they are meant to justify. That many moral philosophers (not all) are theory-builders in this way is undeniable, and the debates among adherents of rival theories can get pretty scholastic. (I will return later to other things that we moral philosophers do.) But it is easy to see where the theory-building impulse comes from. Whenever some action is claimed to be wrong it is always fair game to ask what is wrong with it or what makes it wrong. The answer to that question will identify some feature—that it causes suffering, or violates autonomy, or something else—that will equally explain what makes many other actions wrong. It is then difficult to resist the impulse to ask some further questions: How many such wrong-making features are there? Are some of them based on, or derived from, deeper and more ultimate values? Are these ultimate values many, or can they be resolved into one? Ask these questions and you are on your way to constructing a moral theory (there is more to that task than just identifying one or more foundational values, but we won't worry about the rest). The resulting theories can get pretty arcane, but they are always aimed at answering the why-questions that will occur to any thoughtful moral agent. Since the answers to why-questions are explanations, theory-building in ethics is really not very different from similar endeavours in other domains.

De Sousa has one final complaint—this time against morality itself rather than the grand designs of moral philosophers. Morality, de Sousa claims, 'licences ugly emotions. It encourages us to feel contemptuous of others who fail to share our principles, or superior to those who fail to

⁹ Cf. Railton 1984.

live up to them.’ While we can probably all agree that feelings of contempt or smug superiority are not attractive, they are not confined to the moral domain. Contempt for those whose aesthetic standards are deemed to be misguided or philistine is rife in the worlds of art criticism, literary theory, and wine-tasting, to name but a few. And there is no surpassing the smugness of fitness addicts when they look down on us couch potatoes. Morality did not invent these attitudes, nor are they necessarily uglier when they take a moral form.

De Sousa’s principal target, however, is guilt, which he calls the primary moral emotion.¹⁰ While he acknowledges the motivational power of guilt to induce us to raise our game, he says that ‘simple regret is no less apt to inform and guide future choices’. Regret is to be preferred, he says, because it ‘is not tied to the moral domain’. But neither is guilt. Feelings of guilt are occasioned by the recognition of having failed, in some conspicuous way, to live up to one’s own standards. Those standards need not be moral ones. The fitness addict, mentioned above, may feel guilty when skipping their daily workout; the workaholic may feel guilty about taking a break to watch some baseball. Moral guilt does not seem different in kind from nonmoral guilt. However, if there is typically more at stake in moral choices than in nonmoral ones, it may actually be easier to make a case for guilt in this domain. Regret for one’s failures is all very well, but guilt has a sharper sting. If we want people to raise their moral game—and we surely do—then we may need its additional motivational force.

For all of the foregoing reasons, I remain unpersuaded by de Sousa’s case against morality, and moral philosophy. But I am also left with a puzzle: What, exactly, is amorality? How, exactly, does an amoralist operate? I begin with a paradox: on de Sousa’s own characterization of morality, amorality is logically impossible. Recall that he attributes to philosophers (wrongly, in my opinion) the view that moral rules, by their very nature, trump all others. He implies that this supreme authority was an add-on which then allowed moral reasons to count twice over: we first identified morality independently and then gifted it with this overriding force. But in fact the reverse was true. The view was developed in its heyday as a way of determining which of the various rules or principles an agent espouses and acts on are their moral ones. The answer: whichever of them the agent treats as ‘definitive, final, overriding, or supremely authoritative’. This analysis makes morality inescapable for anyone who adheres to any action-guiding rules at all. Since that is all of us, there is no logical space to be an amoralist.

It should be clear by now that I reject this picture of the nature of morality, and de Sousa has to as well. So let’s assume that we characterize morality differently, as comprising the set of

¹⁰ Shame and blame, and possibly also remorse and resentment, would doubtless attract similar critiques.

rules or values that implicate significant interests, largely (if not entirely) the interests of others. Then the question becomes: what would it be like to operate without morality in this sense?

We need to distinguish operating *without* morality from operating *against* morality. The immoralist (if they exist) presumably sets out to do as much damage as possible to other people's interests by transgressing as many moral rules as possible ('Evil, be thou my good').¹¹ The immoralist therefore *needs* morality; otherwise they have nothing against which to transgress. If the moralist favours morality and the immoralist disfavors it, that suggests that the amoralist is indifferent to it, can get by just fine without it. One interpretation of this is that the amoralist is indifferent to the interests of others—does not care whether they are served or disserved. But that can't be right, at least if de Sousa is the exemplar of the amoralist. He has been my friend for nearly sixty years now, and no one who is indifferent to others' wants and needs could be capable of such friendship. So we need to look elsewhere. Perhaps we need to ask what the amoralist puts in the place of moral rules and moral reasons.

De Sousa's answer is: desires. He writes: '...to renounce morality is to wake up to the fact that in every choice we are governed by desires. Some desires are for something we just want for itself; others are for ways or means of satisfying those. All constitute or are grounded in reasons to act. Those reasons can be almost exactly those that move the moralist.' If I understand his point here, I think it is a bit misleading to characterize it in terms of desires. It seems to me better formulated in terms of reasons: those reasons that are constituted by desires and those that ground desires. Then I understand his point to be that he can have reasons to do all the things the moralist would do; he just doesn't need *moral* reasons—reasons that take the form of doing the right thing *because it is right*. De Sousa continues: 'I have perfectly good reasons for my desire not to cause harm, not to act unfairly, or to be kind. These reasons derive both from my first-order reasons and from my reflection on them. They matter not because of morality, but because I care.'¹²

We have some significant common ground here. For one thing, we now seem to share a conception of the moral as having to do with how we deal with others: not harming them, not treating them unfairly, being kind to them, etc. We also agree on the importance of caring. As I

¹¹ Note that the immoralist is also logically excluded by the view that identifies moral rules as those the agent treats as overriding. The immoralist may have a bad morality, but they have (on this view) a morality.

¹² I have omitted the following sentence between the two quoted passages: 'I merely forgo that added layer of pseudo-reasons that lets some of them count twice.' I have already dealt with the double-counting objection and do not plan to return to it.

would put it: moral reasons are beliefs about what one ought to do (or not do) that are by themselves causally inert. Beliefs require desires in order to result in actions. I can believe that I ought to be kind to my friend but nothing will flow from that belief unless I care about doing what I ought. So where do we differ? As far as I can see, for de Sousa what is necessary (and sufficient) is that I care about my friend, whereas I would add to this my caring about doing what I ought for them *because I ought*.

Let's explore this a bit more carefully. Suppose that Ronnie has had a setback and is feeling down. I decide to drop by and bring along a small gift to cheer them up. This is something I have a first-order reason to do, just because I care about him and don't like to see him so dejected. But I also think that this is what I ought to do, because it is the kind or decent thing. Now I also have a second-order reason for doing the same thing. I'm not sure why we would want to reject this picture: aren't two reasons for a good thing better than one? The added moral reason might seem redundant here (which I take to be de Sousa's point), but it might not be. I might have to fight busy peak hour traffic to get to Ronnie's house, something I hate doing. If my only care is for Ronnie, that might not be sufficient by itself to get me into my car. But if I also think that this is something I really ought to do, and care about doing the right thing, then the added motivation may get me over the threshold.

The important, nay indispensable, role of moral reasons comes into clearest view when we lack the corresponding first-order desire. A lot of things we ought to do are just not independently appealing to us. I know I ought to volunteer at the polling station on election day, but I also know that the day will be long and boring and I just don't want to. I am not going to end up there unless I care about doing my civic duty just because it is my duty. Being a moralist presumably means, among other things, caring about being moral. That kind of caring may sometimes be all we've got.

I applaud the fact that de Sousa independently wants to do all the things that moral norms would tell him he ought to do. But not all agents are in this fortunate position, and some will need the added push provided by moral reasons. We could also ask how he got to this point where his desires are nicely aligned with moral reasons without ever engaging in any moral reasoning. Not all moral questions have easy answers; many, perhaps most, require adjudicating conflicts among competing norms or values and deciding hard questions like whether it is always worse to do harm than to allow it to happen, or worse to intend harm than merely foresee it. (And, anyway, what exactly constitutes harm?) Besides engaging in the theory-building that de Sousa so disparages, trying to find a way through these complex ethical issues is what moral philosophers actually spend most of their time doing. I have written extensively about some controversial moral issues, including both abortion and medically-assisted death. I cannot imagine how I could have done this without engaging explicitly with the moral reasons on both

sides of these debates. If de Sousa knows a shortcut to the right answers that avoids this kind of intricate ethical argumentation, I sure wish he would share it with me. Meanwhile, I'll just carry on doing moral philosophy.

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