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What is morality?

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Abstract In "Modern Moral Philosophy," Anscombe argued that the moral vocabulary does not correspond to any concept in Aristotelian ethics, that it derives from a confused response to the ethics of divine command, and that it is literally meaningless. This essay contends that Anscombe was wrong. Morality corresponds to Aristotle's general sense of "justice," which is complete virtue in relation to others. But Anscombe's question remains: what is it for an action to be morally wrong, not merely something one should not do? The answer is not that wrongness warrants blame or that an action is wrong when it wrongs another person, but that an action is morally wrong when it is something one should not do that one has no right to do. In the absence of rights, Anscombe's question has no answer.

Keywords Morality · Ethics · Directed duty · Wrongness · Rights

I have always been uncomfortable with the epithet "moral philosopher"—not because I doubt that we should care about other people, or respect the rights they have against us, but because I've never been sure I understand the distinctive moral vocabulary. When I deliberate about my actions, I ask what I should do and why; I don't tend to think in explicitly moral terms. There are uses of "moral" with which I have no problem, as when "moral philosophy" just means ethics, concerned with how we should live, or when "moral virtue" means virtue of character. But when we come to "moral obligation," "moral wrongness," and "moral reasons," I feel lost.

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Perhaps it's not my fault. In a notorious essay published in 1958 Elizabeth Anscombe indicted the moral vocabulary as nonsense. She concluded that the "the concepts of … *moral* obligation and *moral* duty … and of what is *morally* right and wrong … ought to be jettisoned if this is psychologically possible" (Anscombe, 1958: 1). In what follows, I argue that Anscombe was wrong. Despite my doubts, I have come to believe that we can make sense of morality as a distinctive normative order. Moral obligation is closely related to blame and to the idea of directed duty. But it cannot be reduced to either of them. We should turn instead to a suggestion made by John Stuart Mill, about rights against interference. What is morally wrong to do is what we should not do and have no right to do, in that others could simply prevent us without infringing our rights. The upshot is a partial vindication of moral concepts. We can allow for moral obligation and moral wrongness, as distinct from what one should and should not do, just in case we believe in corresponding rights. What we cannot do in these terms is to make sense of supererogation, of distinctively moral virtues or moral reasons, or of claims about the deliberative role of moral obligation that many philosophers accept.

1 Modern moral philosophy

There is a lot going on in "Modern Moral Philosophy": along with her critique of morality, Anscombe sketches an alternative, Aristotelian view, makes a plea for the moral psychology of the virtues, and objects to what she calls "consequentialism." We will focus on the first part of her argument, which turns on a question and two theses.

Anscombe's Question is what content the moral vocabulary has, if it has any. What is meant by "moral obligation" and "moral wrongness"? I put the point in terms of moral words, not moral concepts, because Anscombe's position is radical. As used in modern moral philosophy and ethical life, these words fail to express concepts at all. They are literally meaningless.[1]

Anscombe's Negative Thesis is that the moral vocabulary does not correspond to any of the concepts of Aristotelian ethics. "If someone professes to be expounding Aristotle and talks in a modern fashion about 'moral' such-and-such," she writes, "he must be very imperceptive if he does not constantly feel like someone whose jaws have somehow got out of alignment: the teeth don't come together in a proper bite" (Anscombe, 1958: 2). The central concepts of Aristotelian ethics are the concept of *eudaimonia*, or the most desirable life; the concept of *aretê* or virtue, which applies to both ethical and intellectual virtues, traits that make us good as human beings; concepts of specific virtues such as temperance and theoretical wisdom; and the concept of *eupraxia*, or acting well. None of these maps on to moral virtue, moral obligation, or moral wrongness.

To begin with, there are things that one should do that one is not morally obligated to do, in the allegedly distinctive sense, and things one should not do that

[1] Here I follow Doyle (2017): Part One.

would not be morally wrong. I should relax more at the weekend; but I am not morally obligated to do so. And when I am trying to fix a leaky faucet, I should persist in the face of minor setbacks, but it would not be morally wrong to call a plumber. The concept of *eupraxia* corresponds to the generic notion of what one should do, all things considered, that operates here. The concept of *eudaimonia* is similarly generic: it points to the life one should most want to live, all things considered.

The concept of virtue is not a moral concept, since it includes the virtues of theoretical reason. Nor, despite a common translation, is the concept of ethical virtue, or virtue of character, which applies to virtues that are not distinctively moral. The virtue of persistence I display, in my trivial way, when I fix the faucet, is ethical but not moral, in the modern sense of "moral," as is the temperance I routinely fail to manifest when I have one drink too many.

What about particular ethical virtues? There are some likely candidates, none of which stands out. The domain of justice, for Aristotle, is much narrower than the domain of morality as it is now understood. For instance, justice is distinguished from generosity, which is a moral virtue if anything is. Nor does Aristotle mark a class of specially moral, as opposed to non-moral virtues among the virtues of character; and it is hard to see how he could. Where to put courage, for instance, which we can exhibit in the face of personal misfortune and social injustice alike?

According to Anscombe's Positive Thesis, the putative content of the moral vocabulary, absent from Aristotle, originates in a confused attempt to preserve the character of divine command, and the reasons associated with it, in concepts that are wholly secular. The result is that the vocabulary is senseless.[2]

Anscombe's historical narrative is thinly sketched, but we can trace its outlines. It begins with the persistence of Aristotelian ethics as the framework for Christian thought in the medieval period. Anscombe is presumably thinking of Aquinas, but her point is meant to be more general. Shifting conceptions of human nature, and of our relation to God, produce a changing roster of virtues, but the basic ethical concepts have not changed. Within this framework, God's commands are seen as a source of uniquely authoritative reasons. But again, the account of why they are reasons is Aristotelian: respecting them is a condition of virtue, and so of what it is to be good as a human being.

Morality emerges from this intellectual environment as an attempt to secularize divine command. The process by which this happened would have been gradual and messy. But we can get a feel for Anscombe's interpretation if we imagine it happening explicitly, all at once. For Anscombe, it is as if we tried to fix the meaning of "moral obligation" by saying that it stands for reasons that are just like divine commands, except that they are not commands and have no relation to God. Just as this imagined stipulation fails to give sense to the words at issue, so the moral vocabulary failed to gain sense in its historical emergence.

Anscombe's narrative is no doubt controversial. But the force of her Question is partly independent of her historical claims. Even if she is wrong about Aristotle, or

[2] Again, my account of Anscombe agrees with Doyle (2017): Part One.

about the origins of the distinctively moral vocabulary, we can imagine doing ethics without appeal to moral concepts—moral obligation, moral wrongness, moral reasons—using only the generic concepts of reason and virtue. We can ask what there is most reason for us to do and what makes us good as human beings.[3] When others say that an action is morally wrong, we look through its wrongness to the facts that make it wrong, which we treat as reasons not to do it. If we do ethics in this way, what, if anything, are we missing? Do we have the resources we need to explain what moral obligation is? Notably, views that treat moral obligation and moral wrongness as primitive properties struggle to answer these questions, at least in any satisfying way.[4] Those who advocate such views will say that we are missing the facts about moral obligation and moral wrongness. But how does that impair our ethical life, if it does not prevent us from knowing what we should do and why?

Although Anscombe's Question can be detached, in part, from the history of ethics, her account of the history matters. It is no good answering her Question by giving an account of moral obligation, or what it is to be morally wrong, that changes the subject. It is not plausible that the moral vocabulary started out as nonsense but acquired an interpretation over time. If we hope to make sense of morality, we should hope to make sense of it in terms that would apply to the moral thought of the early modern period. In order to do that, we need to go back much earlier, to Aristotle's ethics.

2 Justice in general

According to Anscombe's Negative Thesis, the moral vocabulary does not correspond to any of the concepts of Aristotelian ethics. This is true of the concepts mentioned so far. But it ignores a subtlety in Book V of the *Nicomachean Ethics*, where Aristotle presents his theory of justice.

Most of Book V is concerned with justice as a particular virtue, one among others, with two branches: distributive justice, which is a matter of fairness or equity, and corrective justice, which deals with rectification. Both aspects of "particular justice"—as we will call it—are grounded in reciprocity. Yet Book V begins with another sense of "justice," sharply distinguished from this one. Justice in the more general sense Aristotle associates with lawfulness. "Since the lawless man was seen to be unjust and the law-abiding man just," he writes, "evidently all lawful acts are in a sense just acts; for the acts laid down by the legislative art are lawful, and each of these, we say, is just."[5] The word translated "law" in this

[3] Or we could make do with the concept of virtue alone, following David Hume (1739–1740: Book Three). Note that Hume's virtues are not distinctively moral: he includes among the virtues of character prudence, industry, assiduity, and enterprise.

[4] See, for instance, Parfit (2011). The problem may extend to other views, as Kamm argues of Scanlon's Contractualism (Scanlon, 1998; Kamm, 2002: §1.3).

[5] Aristotle, *Nicomachean Ethics*, 1129b11-4, translated by W. D. Ross and Lesley Brown (2009); henceforth cited in the main text as *NE*.

context is "*nomos*," which would include social conventions as well as positive laws.

There are tricky questions about how closely Aristotle means to align the general sense of justice with the conventions that happen to obtain in a given society, how far he is thinking of ideal or sufficiently good conventions, and whether his assumption—that the person who is just in general conforms to social conventions—is meant to be true only for the most part or as a rule, permitting just acts that defy conventional norms.[6] For our purposes, what matters is the broad association with convention or law, and the fact that justice in general is distinct from particular justice. Aristotle ends his brief treatment of the polysemy of "justice" with a second account of justice in general: "This form of justice, then, is complete virtue, although not without qualification, but in relation to another" (*NE* 1129b26-28).[7] Instead of being a particular virtue, justice in general comprises aspects of the many particular virtues, the aspects that involve our "relation to another."

Aristotle does not elaborate on this suggestive phrase, but the context indicates two likely readings. The first picks up on the reference to social convention or law, treating justice in general as the aspect of ethical virtue for which we are socially accountable. On the second interpretation, virtue in relation to another can be understood in terms of directed duty or obligation and the correlative notion of wronging another person.[8] It is not a coincidence, I think, that these two readings correspond to ways of explaining what morality is, the first pursued by Stephen Darwall, among others, the second by R. J. Wallace.[9] Against Anscombe, the moral vocabulary does correspond to a concept of Aristotelian ethics: morality is justice in general. Modern moral philosophers may differ from Aristotle in their conceptions of virtue and practical reason; they do not differ from him in having the concept of morality as a specifically interpersonal normative order.

This is as good a point as any at which to address a third potential reading of "virtue … in relation to another": Scanlon's Contractualism. According to Scanlon, "[an] act is wrong if and only if any principle that permitted it would be one that could reasonably be rejected by people moved to find principles for the general regulation of behavior that others, similarly motivated, could not reasonably reject" (Scanlon, 1998: 4). Whatever its interest, Contractualism does not offer a distinctive answer to Anscombe's Question. Despite the sentence I have just quoted, for Scanlon the domain of Contractualism, or what we owe to each other, constitutes only *part* of morality, as such:

> Various forms of behavior … are often considered immoral even when they do not harm other people or violate any duties to them. … What I have presented is … most plausibly seen as an account not of morality in this broad sense in

[6] For a helpful discussion of these issues, on which I have relied, see Kraut (2002: Chap. 4).

[7] "For this same reason justice, alone of the virtues, is thought to be 'another's good', because it is related to another; for it does what is advantageous to another, either a ruler or a co-partner" (*NE* 1130a3-5, responding to Plato's *Republic*).

[8] For this reading of Aristotle, see Thompson (2004: 5–6).

[9] See Darwall (2006, 2017); Wallace (2007, 2012, 2019).

> which most people understand it, but rather of a narrower domain of morality having to do with our duties to other people, including such things as requirements to aid them, and prohibitions against harming, killing, coercion, and deception (Scanlon, 1998: 6).

As this passage indicates, Scanlon's topic, "the morality of right and wrong" is the domain of directed duty not, for instance, "the broader sense [in which] conduct that leads to the destruction of animal species is wrong" (Scanlon, 1998: 6). The Contractualist formula identifies those who are wronged by actions that violate it as those to whom principles permitting these actions could not be justified, in that they could reasonably reject them.[10]

One might contend that the domain of directed duty *is* the domain of morality, explaining away the broader use of "right and wrong." But then Contractualism would collapse into the second reading of justice in general above: the interpretation of morality, as such, in terms of directed duty. An alternative Contractualism, due to Parfit (2011), treats moral wrongness as primitive and reads the Contractualist formula as a theory of that in virtue of which an action has the further property of being morally wrong. But again, this gives no account of morality, as such. Contractualism is not directly relevant to Anscombe's Question.

I have argued against Anscombe's Negative Thesis. While modern moral philosophers may differ from Aristotle in many ways, they do not differ from him in having the concept of morality. Morality is justice in general, complete virtue in relation to another. To put things informally: sometimes acting as you should is no-one's business but your own; but when it is other people's business, acting as you should is required by morality and failing to do so is morally wrong. The concept of what you should do, all things considered, is ethical but not distinctively moral.

This leaves us with two puzzles. First, even if he has the concept of morality, Aristotle gives it little thought. Why does he treat in so perfunctory a way a phenomenon to which we attach so much significance? Second, there is the task of explaining what morality is, taking up the two interpretations of virtue in relation to another.

3 Accountability and directed duty

When contemporary philosophers are pressed to explain the distinctive nature of moral normativity, they often reach for a passage from John Stuart Mill. In the chapter of *Utilitarianism* that deals with justice, Mill writes:

[10] This identification has been disputed. Scanlon defends journalistic freedom and free speech on grounds of public interest. But there is no reason to expect that the strongest complaint against illiberal principles will be that of the speaker, as opposed to his or her audience. Contractualism appears to misidentify who is wronged when a speaker is silenced. On this point, see Wenar (2013: 392–393, 395). More generally, insofar as it appeals to the social effects of a principle's adoption, Contractualism makes the facts about right and wrong implausibly sensitive to irrelevant features of our environment; see Rosen (2009).

> We do not call anything wrong, unless we mean to imply that a person ought to be punished in some way or other for doing it—if not by law, by the opinion of his fellow-creatures; if not by opinion, by the reproaches of his own conscience (Mill, 1861: 48–49).

Inspired by Mill, Stephen Darwall has proposed an account of moral obligation and moral wrongness that appeals to sanction, and in particular, the internal, attitudinal sanction of blame. Adapting his view, we arrive at the following claim:

> Moral Wrongness as Accountability: For an action to be morally wrong is for it to warrant blame, should the agent lack an adequate excuse.[11]

Darwall understands blame as addressing an agent with distinctive second-person reasons, grounded in a relation of authority between addresser and addressee "in which each reciprocally recognizes the other as a 'you' to whom she is a 'you' in return" (Darwall, 2006: 256).

I have stated Moral Wrongness as Accountability in metaphysical terms, as an "identification" in the sense of Cian Dorr's "To Be F is to Be G" (Dorr, 2016). Such claims are pervasive in philosophy, purporting to give the nature of some disputed phenomenon, as in "To know that *p* is to have a safe belief that *p*" or "To act intentionally is to act on the basis of a suitable intention." Identifications are stronger than necessary biconditionals, but they need not be analytic or conceptual truths, or have any particular epistemic status. When we try to answer Anscombe's Question, we are trying to identify moral obligation and moral wrongness in this metaphysical sense.

The problem for Moral Obligation as Accountability, in my view, is not extensional but explanatory. The objection is that, when an action is blameworthy, it is blameworthy *because* it is morally wrong and the agent lacks an adequate excuse. Its being wrong in part explains, and so cannot consist, in the fact that it warrants blame. This turns on a general point about identifications: if being F is being G, something's being F cannot explain or ground its being G.[12]

Moved in part by similar concerns, R. J. Wallace argues that the mistake is to focus on second-person relations of blame; we should explain morality, instead, though relations of directed duty.[13] The idea of directed duty or obligation, and the correlative idea of directed wrongdoing, can be introduced with examples.[14]

[11] See Darwall (2017: 5), building on the theory in Darwall (2006).

[12] For discussion and further argument, see Dorr (2016: 43–45). Note that this does not preclude a "fitting attitude" theory of any ethical property whatsoever. For instance, to be blameworthy *is* to warrant blame. Such theories are ruled out only when the relevant explanatory claim is true, as it is not in this case: you can't explain why an action is blameworthy by appeal to the fact that it warrants blame, or the reverse. The problem I am raising is specific to the case of moral wrongness, which does explain why an action warrants blame.

[13] Wallace (2019); see Wallace (2007) for an earlier critique of Darwall.

[14] The claim that directed obligation and wrongdoing are correlative has been challenged by Nicolas Cornell, who argues that we can wrong other people without violating a right they have against us or a duty that is owed to them (Cornell, 2015; see the discussion of Hart, 1955 at Cornell, 2015: 115–119). I am not persuaded by Cornell's arguments, which turn on an unduly circumscribed conception of rights, but discussing them here would take us too far afield.

Ordinarily, when you promise to read my essay by Friday, you *owe it to me* to follow through. And if I push you off a bridge for no good reason, I not only act wrongly, but *wrong you* in doing so.

Many authors add, in further clarification of directed duty, that there are cases of acting wrongly that don't wrong anyone. They point to egregious failures of charity in which there is no fact of the matter about who would benefit if the charitable act had been performed. Or they point to cases of "non-identity," in which an action affects the identity of those who will exist. Suppose that, if I gratuitously waste resources, people in the further future will have middling but still decent lives. If I conserve them at minimal or no cost to myself, the future will go differently; different people will exist, living wonderful lives. If it is wrong to waste the resources, it is difficult to say who is wronged by my wasteful action: the people who exist in its outcome would not have existed otherwise. The corresponding duties are undirected.

In the present context, though, we cannot lean on these examples, in which moral wrongness and directed wrongdoing are alleged to come apart. For Wallace defends the following claim:

> Moral Wrongness as Directed Wrongdoing: For an action to be morally wrong is for it to be performed in disregard of a directed moral obligation.[15]

Wallace responds to the extensional objections to his view, arguing that beneficence is owed to all of those in need, and conceding that, in the non-identity case, while one should conserve resources, it is not morally wrong to waste them.[16] I find the latter claim implausible, but I won't pursue that here.[17] We'll focus instead on theoretical problems.

Wallace does not rest the notion of directed obligation simply on examples. He presents a positive theory. Directed obligations, he argues, are distinctive in that they "function as 'presumptively decisive' reasons for action and response," not to be weighed against other reasons (Wallace, 2019: 26). We lack discretion to act against such reasons, as we have discretion elsewhere.[18] Wallace goes on to compare the role of directed obligations in practical reasoning to the role of intentions and of promissory commitments.[19] When you make a decision, deliberation is presumptively over, and your commitment to action is not a *pro tanto* reason to be weighed against others, including the ones on which it was based. Likewise when you make a promise: breaking the promise is presumptively off the

[15] See Wallace (2019: 173). The complication about disregarding (not just violating) moral obligations is explained at Wallace (2019: 10–11, 73–75); it will not be relevant to us. For what seems to be an earlier endorsement of Moral Wrongness as Directed Wrongdoing, see, ironically, Anscombe (1967). She infers from the premise that an action wrongs no particular individual that it is not wrong.

[16] On beneficence, see Wallace (2019: 205–208), and on the non-identity problem, Wallace (2019: 211–215).

[17] Niko Kolodny (forthcoming: §14) offers a response: a way to identify those who are wronged in the case of gratuitous waste.

[18] Wallace (2019: 27).

[19] Wallace (2019: 28, 49–51).

table. This is not to say that you cannot reconsider, revisiting a past decision or wondering whether to break a promise in an unexpected circumstance. But the default position is that you'll do what you intend and what you have promised; you lack the discretion to do otherwise that persists in the face of mere reasons. Finally, directed *moral* obligations are distinctive in being "cosmopolitan": "they do not rest on specific exchanges or transactions with other individuals, but … specify what we owe to people just in virtue of the fact that they occupy a world in common with us" (Wallace, 2019: 53).[20]

I am wary of this explanation. For someone who is truly in the dark about morality, the final step is reminiscent of Anscombe's Positive Thesis. It is as if we tried to fix the sense of "moral obligation" by saying that it stands for reasons that are just like those involved in promissory commitment, except that they have no relation to any exchange or transaction between us. While it may not be as hopeless as the appeal to reasons that are like divine commands, except that they are not commands and have no relation to God, it is not clear that this explanation works.

The obvious alternative would connect directed obligations with *pro tanto* rights: A has a directed obligation to ϕ, owed to another individual, B, just in case A should ϕ because B has a right against A that A ϕ; in not ϕ-ing, A would violate B's rights.[21] (I follow Judy Thomson in distinguishing rights-violations from actions that merely infringe or go against a right.)[22] Claim-rights of the sort invoked here seem to me to call for external relations between A and B, if not "specific exchanges or transactions"; it is not enough that A and B are "persons" in the philosopher's sense. Why should a single obligation have correlative significance for two parties, A and B, unless the basis of the obligation is shared? When A has an obligation to ϕ, owed to B, A's reason to ϕ and B's reason to demand that A ϕ must have a common ground.[23] If this is right, the "moral nexus" that joins A to B cannot simply be the fact that A is a person and B is a person, in the neo-Kantian sense of personhood as an intrinsic power of reason. For then *B*'s personhood would be the ground of A's reason while *A*'s personhood would be the ground of B's. It is a task for a theory of rights to specify the basis on which A is obligated to B in a way that explains both

[20] See also Wallace (2019: 63–64), which contrasts moral obligations with obligations of love and friendship, which are the subject of Wallace (2012).

[21] The proposal is schematic: it would take some work to specify the kind of explanation involved in the "because." Does it simply mean that the right or its ground is among the reasons in virtue of which A should ϕ? That threatens to be too expansive. Others may object that there are directed obligations without corresponding rights, as when I have an obligation to save a drowning child at little cost and would wrong the child if I refused. If we think of claim-rights as protecting our autonomy, not as demanding positive aid, my refusal is a case of directed wrongdoing that does not violate a right. But I see no reason to accept this limited conception: the child has a right against me that I save her at little cost.

[22] See Thomson (1990: Chap. 3).

[23] To establish this would take more argument, but it strikes me as a the germ of truth in a point that is framed by Michael Thompson (2004) in unhelpfully epistemic terms. Roughly speaking, Thompson argues that, when A is obligated to B, both A and B must be in a position to know that they are joined by this obligation, and that such knowledge is possible only if it has a common ground for each. Hence the need for an external relation between them. For objections to the epistemology behind this argument, see Wallace (2019: 119–121). The point in the main text drops the epistemic framing, the need for a common ground of knowledge, in favour of a practical one: the need for a common ground of practical reasons.

its unity and its correlative significance for each. I take no stand on how that explanation goes, except to say that it must allow for directed obligations "in the state of nature." As we meet on the proverbial desert island, in the absence of a social contract, it is still true that I would wrong you if I killed you for no reason. I have an obligation not to do that, owed to you; and you have a correlative right against me.

On the rights-based approach, the lack of discretion that comes with directed obligation is understood quite differently from the lack of discretion Wallace cites. It has less to do with weighing reasons or their presumptively decisive force than with the fact that, when A is obligated to B, it is someone else's business what A does. Whether or not to ϕ is not at A's discretion because it now depends on B. This is not to say that every claim-right can be waived, but when a right is waived, it is waived by the rights'-holder, not by the subject against whom the right is held: it is not up to them.

Wallace rejects this whole approach; he denies that directed duties always rest on external relations and that they always implicate rights.[24] Once we see this contrast, I think there is reason to be prefer the rights-based view. But this is not main objection I want to raise. The deeper problem for Moral Wrongness as Directed Wrongdoing, even in a rights-based version, is whether it properly accounts for blame.

Wallace agrees that a theory of moral wrongness should explain why it warrants blame and he thinks it is a virtue of his approach that it can do so. After all, it makes perfect sense for B to respond with resentment when A ϕs in disregard of a moral obligation not to ϕ that is owed to B.[25] But this does not address the crucial question, which is why third parties may respond with indignation when A ϕs. The directed moral obligation is between A and B alone. How is it any of C's business?

Ironically, Wallace makes a parallel objection to a divine command theory of moral obligation on which moral obligations are distinctive, among directed obligations, in being owed to God. "The worry, in a nutshell," he writes, "is that it isn't really anyone's business whether other people live up to the requirements that are owed by them, individually, to God" (Wallace, 2019: 80). The same worry applies to Moral Wrongness as Directed Wrongdoing.

Wallace may respond that, unlike other directed obligations, moral obligations do not rest on external relations or interactions but on mere personhood, which C shares with A and B. A is morally obligated to C in just the same way he is obligated to B and on the same ground. But it is hard to see how this helps to justify blame or vicarious resentment. It is B who has been wronged, not C. At most, it predicts the kind of response one friend is entitled to have when I betray another friend: concern about the sort of friend I have shown myself to be, a negative appraisal that registers a reason to be wary of me going forward. C has reason for concern about the sort of person A has shown himself to be, and to be wary of him going forward. This falls short of indignation or blame.

[24] Wallace (2019: 112, 115–116, 157–158, 170–175).

[25] Wallace (2019: 81–85).

I conclude, then, that moral wrongness is not simply directed wrongdoing whose ground is cosmopolitan. We have yet to capture the sense in which it is other people's business when an action is morally wrong.

4 Moral wrongness as the absence of a right

The previous section began with a well-known passage from Mill, relating moral wrongness to blame. What is less well-known is how the passage goes on:

> It is a part of the notion of duty, in every one of its forms, that a person may rightfully be compelled to fulfill it. Duty is a thing which may be *exacted* from a person, as one exacts a debt. … Reasons of prudence, or the interest of other people, may militate against actually exacting it, but the person himself, it is clearly understood, would not be entitled to complain (Mill, 1861: 59).

The suggestion here is quite different from the appeal to blame as a retrospective attitude to wrongdoing; it is about prospective interference. The pivotal question is whether the agent has a right not to be made to act as he should or to be prevented from acting as he shouldn't.

This way of understanding the moral domain requires some care. As Mill suggests, we need to set aside reasons not to interfere with another's agency that turn on irrelevant features of the means to, or extraneous effects of, interference. What matters is whether interference infringes someone's autonomy rights, not whether it involves additional harms or has adverse effects on others. Suppose that, in some unusual circumstance, the only means by which I can prevent you from pinching a stranger's nose would cause you terrible pain; or that they would inflict grievous harm on someone else. Though I should not prevent your action, it is still wrong.

By the same token, it is not enough to make an action morally wrong that one should not do it and that others could prevent one from doing it, without infringing one's rights, by means that affect one's environment, not one's agency. If I have eaten too many blueberries from a wild blueberry bush and now feel sick, I should not eat the blueberries that remain. You could pick them for yourself, preventing me from doing so, without infringing my rights. But it would not be wrong for me to eat the blueberries and you *would* infringe my rights if you were to interfere with my will—my power to form intentions and to have them guide my actions—to prevent me from doing so.

In order to capture these facts, we need a term for minimal but direct intervention in another's agency to prevent an action, without any side-effects. I'll call this "simple prevention." It may help to imagine a device that painlessly inhibits the execution of an agent's will, short-circuiting the wire that connects intention with action. In the unusual circumstance above, I would not infringe your rights if I used this device to prevent you from pinching the stranger's nose. On the other hand, I would infringe your rights if I used it to prevent you from eating more blueberries, as opposed to picking and eating them myself.

The device may seem artificial but it helps us to focus on the right question: do the autonomy rights of the agent, rights that safeguard the exercise of her will, protect the action we are considering? Where they do—where simply preventing an action would infringe the agent's rights—that action is not morally wrong. Conversely:

> Moral Wrongness as the Absence of a Right: For an action to be morally wrong is for it to be something one should not do that one has no right to do—if others could simply prevent one from doing it, that would not infringe one's rights.

The second clause of this account spells out what is meant by saying that one "has no right" to do something: one has no right against others not to be simply prevented from doing it.[26]

The background assumption of Moral Wrongness as the Absence of a Right is that we have a right to autonomy, in general, a right that others not short-circuit our attempts to execute our will, even if doing so would have no adverse effects. But our autonomy rights are not unlimited: there are things we should not do and have no right to do, in that others could simply prevent us without infringing our rights. "Others" means third parties, with whom we have no special relationship or interaction. The domain of morality is the domain of what we should not do that is other people's business, in this sense: it exceeds the bounds of our autonomy rights against them.

This view can be clarified in three ways. First, it is not enough to make an action morally wrong that it is something one should not do and that others could simply prevent one from doing without *violating* one's rights. Suppose, for instance, that I am about to risk my life in some imprudent way while hopelessly intoxicated. I should not take the risk, and others could prevent me from doing so without violating my rights: they would not wrong me if they intervened. Paternalistic intervention is warranted. It does not follow from this that it would be morally wrong for me to risk my life. Moral Wrongness as the Absence of a Right agrees. Intervention here would be a justified infringement of my rights. A symptom of the infringement is that the intervention calls for apology: "I am sorry I had to restrain you, but you were taking a terrible risk, and you were completely drunk." The simple prevention of wrongdoing, by contrast, does not infringe a right; it calls for no apology.[27]

[26] It is possible that, when you should not do something and others could simply prevent you without infringing your rights, they *should* prevent you if they have no reason not to. I am not sure if this follows, but even so, it does not follow that we are morally obligated to simply prevent wrongdoing, whenever we can. For it does not follow that others could simply prevent us from simply preventing wrongdoing without infringing our rights.

[27] What does this imply about children's autonomy? At a very young age, children are unable to respond to reasons and are not truly subject to "shoulds." We may address "should"-claims to them proleptically, but no more. Suppose, however, we are past that point. Your child should not eat any more Halloween candy, perhaps, but it would not be morally wrong for them to do so. It follows from my view that you would infringe their rights, perhaps justifiably, by simply preventing them. In other words: as soon as a child is subject to reasons, they have autonomy rights of the same sort we do, and deserve apologies in

Second, in giving an account of what it is for an action to be wrong in terms of rights, Moral Wrongness as the Absence of a Right conflicts with any account of what it is to have a right that appeals to moral obligation or moral wrongness. Traditional "will" and "interest" theories can be read as aiming to identify who holds a right under a given duty. For A to have a right against B, on such theories, is for B to have an undirected duty over which A has discretion, or for B to have an undirected duty that is suitably grounded in A's interests. It would be circular to combine a will or interest theory, understood in this way, with Moral Wrongness as the Absence of a Right, since the former say what it is to have a right in terms of undirected duties while the latter says what it is to have an undirected duty in terms of rights. Beyond this commitment, Moral Wrongness as the Absence of a Right is neutral on the nature of the rights. It is compatible with reductionism, including other forms of will and interest theory, and with taking rights as primitive—though as we'll see, its implications are a function of what rights we actually have.

Finally, Moral Wrongness as the Absence of a Right is not the implausible view that when an action is morally wrong, it's wrong *because* others could simply prevent it without infringing one's rights. In fact, it's inconsistent with that view, since *what it is* for an act to be wrong is for it to be something one should not do that one has no right to do, in the relevant sense. As we've seen before, when being F is being G, something's being F cannot explain or ground its being G.[28] What makes an action wrong is the collection of reasons that explain both that one should not perform it and why one has no right to do so.

It may help to work through some examples. Start with the case in which I kill you for no reason, on the desert island. I should not kill you in part because you have a right against me not to be killed. It is not a trivial consequence of this fact that I have no right against third parties—not just you—not to be simply prevented from doing so, that it is their business, too. Still, it is plausible to make that further claim. The reasons that explain why I should not kill you ground the absence of a claim-right against others not to be simply prevented from killing you. Moral Wrongness as the Absence of a Right does not explain why my autonomy is limited in this way: that is a substantive ethical question. But given that it is, killing you is not just something I should not do, but morally wrong.

Contrast the case in which I should relax more at the weekend or the case in which I should persist with the leaky faucet. I am not morally obligated to relax or persist and it would not be wrong to do otherwise. Why? Because the reasons that explain why I should do these things leave the alternative—not doing them—within the bounds of autonomy protected by my rights. You would infringe those rights if you simply prevented me from working or from calling a plumber. Again, this is a substantive ethical fact, not a consequence of Moral Wrongness as the Absence of a

Footnote 27 continued
much the same way. If paternalism is more routine in relation to children, that is not because they lack such rights but because we are more often justified in breaching them.

[28] Again, see Dorr (2016: 43–45).

Right. That principle relates an action's being wrong, or not, to rights that protect autonomy. It is not supposed to tell us what rights we have.

One last family of examples. On Wallace's theory, moral wrongness is directed wrongdoing: for an action to be morally wrong is for it to be performed in disregard of a directed moral obligation. I argued that this view cannot explain third-party blame and I suggested, but did not argue, that some duties are undirected. Examples might include a duty not to waste resources, where doing so affects the identity of those will exist, so that it is hard to say who is wronged by my wasteful action; or a duty not to ruin the environment that does not turn on how that action affects human life. Unlike Moral Wrongness as Directed Wrongdoing, Moral Wrongness as the Absence of a Right allows for undirected duties and for actions that are wrong but do not wrong anyone in particular. What is required is only that the reasons why I should not waste resources or ruin the environment ground the absence of a claim-right against others not to be simply prevented from doing so. Whether that is true is, once more, a substantive question, which the theory leaves open: it does not tell us where the limits of autonomy lie. But there is nothing incoherent in the claim that I have no right not to be simply prevented from doing something that does not violate anyone's rights.

It is worth underlining this point, as a final clarification. According to Moral Wrongness as the Absence of a Right, when you act wrongly, your action is anyone's business, in that others could simply prevent it without infringing your rights. It does not follow that your action wrongs *them*, or infringes their rights. The view is not that everyone has a claim-right against anyone's wrongdoing, but that prospective wrongdoers have no right not to be simply prevented from doing what they should not do.

5 We have no right to do wrong

According to Moral Wrongness as the Absence of a Right, we have no right to do what is morally wrong. Like the principle itself, this claim requires some care. We sometimes have a right to do what we should not do, as I have a right to work this weekend even though I should relax instead, and a right to call the plumber when I should fix the faucet myself. It is only when an action would be wrong that one has no right to do it, and then only in a quite specific sense. If "have no right" means have no liberty-right, and liberties are defined in terms of what it would not be wrong to do, as they sometimes are, it is trivial that one has no right to do what is morally wrong. But that is not how the claim is to be understood. "Have no right" means have no claim-right against others not to be simply prevented from acting. Taken this way, the implication is not trivial.

The idea that one has no right to do what is wrong, in that one has no right not to be simply prevented from doing it, is the subject of longstanding controversy. It has

powerful advocates, such as William Godwin and Joel Feinberg: "There cannot be a more absurd proposition than that which affirms a right of doing wrong" (Godwin, 1798: 88); "If I have a right to do *X*, then I cannot also have a duty to refrain from doing *X*" (Feinberg, 1973: 58).[29] (These quotations could be read as affirmations of the trivial thesis about liberties, but I think it's plausible, in context, that they are concerned with claim-rights against others.) At the same time, it has influential critics, including Ronald Dworkin, Joseph Raz, and Jeremy Waldron: "Someone may have a right to do something that is the wrong thing for him to do" (Dworkin, 1978: 188); "To show that one has a right to perform [an] act is to show that even if it is wrong he is entitled to perform it" (Raz, 1979: 274); "If we take rights seriously … it is necessary to insist that wrong actions as well as right actions and indifferent actions can be the subject of moral rights" (Waldron, 1981: 37).

The cases that support a right to do wrong take various forms, but the following are representative.

> Charity: If you are affluent, it is morally wrong not to use at least some of your wealth to help those in dire need, but it would infringe your rights if others took the money without your consent.
> Voting: It is morally wrong to support a racist political party, but to prevent you from voting would infringe your rights.
> Betrayal: If you have made a promise to a friend, it is morally wrong to break that promise without an adequate reason, but to prevent you from doing so would infringe your rights.

There is a lot to say about these cases and I will say only some of it here—enough, I hope, to show that that the cases are not conclusive.

To begin with Charity: I doubt that others would infringe your rights by simply taking the money—not the rights invoked by Moral Wrongness as the Absence of a Right.[30] The rights in question are what some call "moral" as opposed to "legal" rights. Such rights do not depend for their existence—as opposed, perhaps, for their determinate content—on social convention. They are in that sense "natural" rights.

The case of Charity is difficult because its resolution turns on the existence and character of natural property rights, a much-disputed issue. I believe that there are such rights, though I don't have a worked-out theory of property in the state of nature. If we are living comfortably on opposite sides of a desert island, and I have onerously gathered fruit for my family to eat, you would wrong me by taking our food. When we enter society and establish laws, these laws may afford us positive legal rights to property, rights whose existence turns on social convention. On a simple view, our natural rights have determinate content, independent of convention. We can then compare the content of our natural and legal rights, assessing how far the latter reflect the former, as waived or alienated by those who hold them. On a

[29] See also White (1984: 59): "the presence of a duty (or obligation) not to V implies the absence of a right to V".

[30] My treatment of Charity and Voting is indebted to Renée Bolinger (2017: 45–46); she also replies to Waldron's theoretical argument for a right to do wrong, which I do not take up here; see Bolinger (2017: 46–51) on Waldron (1981: 35–37).

more subtle, broadly Kantian view, our natural rights are "provisional" and indeterminate; their determinate content must be supplied by social convention, and there are many legitimate ways of doing that.[31] We can then ask whether established legal rights to property do or do not reflect a legitimate determination of our provisional property rights.

What does this mean for Charity? On Moral Wrongness as the Absence of a Right, to say that it is morally wrong not to use at least some of your wealth to help those in dire need is to imply that no legitimate determination of your natural property rights, and the property rights of others, waived or alienated by them, protects that share of your wealth. That implication is not, I believe, implausible. In that sense, others would not infringe your rights if they took the money without your consent. This is, however, consistent with your having a positive legal right to that share of your wealth, under existing law, and with the claim that others should respect that legal right. They should respect it, for instance, because they have good reason to cooperate with the laws as they stand, even if those laws are not ideal, or because breaking them would have adverse effects, damaging the social order. Still, if it is morally wrong for you to keep the money, others should not permit you to do so out of respect for a natural right you do not have. To paraphrase Mill: reasons of prudence, or the interest of other people, or of society, may militate against taking part of your wealth to help those in need, but you yourself would not be entitled to complain. The case of Charity is thus impossible, as described.

I don't suggest that this account is uncontestable or obviously right, only that it is defensible, so that Charity is not an objection to my view. The same is true of Voting, where others would not infringe your moral or natural rights by simply preventing your vote. No legitimate determination of your natural autonomy rights protects the promotion of racism. What may be true is that you have a legal right to vote under established law, and that others should respect this right. These reasons turn on the social value of a democratic system that permits such votes and the authority of the state to enforce that system. They don't reflect a moral right.

The situation with Betrayal is somewhat different. Suppose you have made a promise to a friend about something neither trivial nor momentous: you'll meet them for dinner, perhaps. If the promise is binding, they have a right against you that you meet them for dinner. (This is a natural or moral right in that it does not depend for its existence on social convention: we can make binding promises on desert islands, as in a joint agreement that you will guard my camp while I'm asleep.)[32] Many of us would say that it is morally wrong to break a binding promise without an adequate reason. But it's not clear that third parties are entitled to intervene. Would they infringe your rights if they simply prevented you from skipping dinner to stay home and read a book? In my view, cases vary and the devil is in the details.

Sometimes, when the stakes are much higher, I would say you have no right not to be simply prevented from breaking a promise. If others should not intervene, that

[31] For a nuanced development of this idea, in relation to Kant, see Ripstein (2009), though the suggestion in the text is not committed to the details of his account.

[32] For versions of this claim, see Gilbert (2018) and de Kenessey (2020).

is not because they would infringe your rights by doing so but because intervention would make things worse, or out of deference to your friend, or because there is a social norm of not policing the relationships of others, a norm that has social value.

Still, I don't think we can rule out as impossible an instance of betrayal in which your rights would be infringed by others' intervention. We might reach the same conclusion on theoretical grounds. Why can't there be a directed obligation that is between two people only and is no-one's business but their own?[33] As I noted in Sect. 4, it is not a trivial consequence of the fact that doing something would violate your rights—as when I kill you for no reason—that I have no right against others not to be simply prevented from doing it. Your rights against me are one thing; my rights against third parties are another. In the case of killing, they are connected: the reasons that explain why I should not kill you, including your right not to be killed, ground the absence of a claim-right against others not to be simply prevented from killing you. But in principle, the two may come apart. Is it an objection to Moral Wrongness as the Absence of a Right that this can happen?

On balance, I think not. In order to discuss the issue, we have to stipulate a case in which your promise is binding but you have a right against others not to be simply prevented from breaking it. It is not merely that they should not intervene for other reasons; doing so would infringe your rights. Still, you are obligated to your friend and you wrong them when you break the promise, violating a right they have against you. Fill in the details of the promise, its content and context, as you like, so as to make this story plausible. In cases of this kind, Moral Wrongness as the Absence of a Right implies that it would not be morally wrong to break your promise, even though it would wrong your friend. It's not enough that the friend could prevent you from betraying her without infringing your rights, since she is merely enforcing her own; the others who matter are third parties, and they have no right to intervene.[34]

Awkward though it may seem at first, this consequence tracks a real distinction, the distinction between things you should not do that are, so to speak, anyone's business and things you should not do that are not just your business—since they wrong someone else—but are not just anyone's business, either. It's not implausible that some acts of betrayal fall in the second class, though some fall in the first. If so, they are importantly different from one another. Moral Wrongness as the Absence of a Right marks this distinction by saying that the first kind of betrayal is morally wrong, while the second merely wrongs your friend.

There is, however, room for a more concessive view, one that recognizes both as forms of moral wrong:

[33] Hart suggests that this is true of promissory obligation, in general: only the promisee may determine how the promisor shall act (Hart 1955: 184).

[34] Why not adopt the more inclusive view that an act is morally wrong when *someone* could simply prevent it without infringing your rights? Because you can give someone permission to prevent you from doing what you should not do without making it morally wrong to do it, as when you give me permission to stop you from drinking too much. What if you give *everyone* permission to prevent you from drinking? Would you then meet the condition in Moral Wrongness as the Absence of a Right? No: because it is impossible to give permission to an arbitrary individual or third party, as opposed to the particular individuals with whom one interacts.

Moral Wrongness as the Absence of a Right *or* Directed Wrongdoing: For an action to be morally wrong is for it to be something one should not do that one has no right to do—if others could simply prevent one from doing it, that would not infringe one's rights—or for it to be performed in disregard of a directed moral obligation.

Though disjunctive theories are often frowned upon, this one registers a genuine contrast between two kinds of deontic failure. This contrast is confirmed by reflection on blame.

Unlike Moral Wrongness as Accountability, Moral Wrongness as the Absence of a Right distinguishes being wrong from warranting blame, should the agent have no excuse. It can thus allow that, when an action warrants blame, it does so *because* it was morally wrong and the agent had no excuse. What is more, it makes sense to respond with blame to actions that are wrong, on Moral Wrongness as the Absence of a Right. In doing so, we register the fact that the action was anyone's business: they would not have infringed your rights if they had simply prevented it. Blame is the retrospective, attitudinal correlate of the prospective intervention that others were entitled to make. If a stranger could have compelled you not to perform the act, beforehand, that would not have infringed your rights; blame is the residue of that fact, in the absence of an adequate excuse.

There is further work to do, explaining what counts as an excuse and why; that is a topic for another essay. What matters here is the prediction that blame operates differently when third parties *would* infringe your rights by simply preventing your action, as in the stipulated instance of betrayal. In that case, while your friend is warranted in blaming you for your action, having been wronged by it, others are not. They may disapprove of what you did or make a negative assessment of your character. But they have no standing to blame you in the further sense of warranted indignation: it's none of their business. In general, a stranger is entitled to be indignant that you broke a promise only if it was the sort of promise they would have been entitled to enforce. It is an advantage of the disjunctive view over Moral Wrongness as Directed Wrongdoing that the former predicts this contrast where the latter does not.

6 Conclusion

Let's go back to Anscombe, and to Aristotle. Moral Wrongness as the Absence of a Right provides an answer to Anscombe's Question. The answer meets the challenge posed by her historical narrative, since it identifies morality with justice in general: "complete virtue … in relation to another" (*NE* 1129b26-28). "Complete virtue" corresponds to what one should or should not do; "in relation to another" means what is other people's business, what they could simply prevent one from doing without infringing one's rights.

I am not proposing an interpretation of Aristotle, or not exactly: his brief remarks are under-specified and their meaning indeterminate. But I don't believe it is anachronistic to appeal to rights in explaining what he could have meant. Though he has no single word for "rights," scholars have found the notion of a natural right at work in Aristotle's *Politics*.[35] The difference between us and him is that he is much less interested in rights, which play a less important role in his ethical theory.

The relative neglect of rights in Aristotle answers the other question we left hanging at the end of Sect. 2: why does he treat in so perfunctory a way a phenomenon to which we attach so much significance? The concept of a right is central to post-Enlightenment moral philosophy. We have a robust conception of autonomy and the domain of things we should do that are no-one's business but our own: if we were simply made to do them, that would infringe our rights. Though he seems to have acknowledged certain rights, Aristotle did not share this vision.[36] That is why it was less urgent for him to ask where the force field of autonomy can be breached: to ask what it is morally wrong for us to do.

Perhaps the most striking implication of Moral Wrongness as the Absence of a Right is that, if there are no moral rights, rights whose existence does not depend on social convention, one is morally obligated to do whatever one should do. Those who deny the existence of such rights are forced to conclude that, since I should not give up on that leaky faucet, and since you would not infringe my rights if you simply prevented me from doing so, it would be morally wrong to call the plumber. Alternatively, critics may reject the notion of a natural right as unintelligible, Bentham's "nonsense upon stilts," and say the same of "moral obligation" and "morally wrong." This result would vindicate Anscombe, though in an unexpected way: moral philosophy would rest on a mistake.

Conversely, we can argue from the distinction between what one should do and what one is morally obligated to do, via Moral Wrongness as the Absence of a Right, to the existence of rights that protect our autonomy. Discerning the contours of these rights, and thus the extension of moral right and wrong, is a project for moral theory.

This approach to morality has significant limits, which I address in closing. Notably, to make sense of moral obligation and moral wrongness is not to make sense of all of the ways in which the adjective "moral" is used. The present theory allows for things one should do that one is not morally obligated to do, as when I should fix the faucet. But it provides no obvious way to make sense of moral supererogation, the idea of an action that is *morally* better or more virtuous than the mere fulfillment of one's moral obligations. More generally, it gives no purchase to the notion of moral virtues or moral reasons as a subset of ethical virtues and practical reasons. When it comes to these idioms, used by many contemporary philosophers, I remain as lost as I was. There is room for qualified versions of Anscombe's Negative and even her Positive Thesis: "supererogation" does not correspond to any of the concepts of Aristotelian ethics; and it may originate in a

[35] See Miller (1995) and Cooper (1996).

[36] See Cooper (1996) on the legacy of Hegel's "principle of subjective freedom".

confused attempt to preserve ideas from religious ethics—in particular, the Christian idea of a saint—in concepts that are wholly secular.[37]

Finally, we can ask whether facts about moral obligation and moral wrongness provide us with reasons to act. I have taken for granted throughout that, when it is morally wrong to ϕ, you should not ϕ, all things considered. The debate about "internal reasons" has made this controversial; but I have addressed that debate elsewhere.[38] What I am asking now is whether the fact that it would be wrong to ϕ is itself a practical reason. The answer is mixed. On the one hand, I don't think the fact that moral wrongness is defined in terms of other reasons, which explain why one should not ϕ, prevents it from providing a reason, too. In general, the fact that you should not ϕ is a reason not to ϕ in being a premise for sound practical reasoning that issues in a desire or motivation not to ϕ.[39] The same point holds for moral wrongness.

On the other hand, someone who is moved to act by moral obligation, or deterred by moral wrongness, is responding not just to facts about what they should or should not do, but to the fact that they have no right against others not to be simply prevented from acting otherwise. This may be a reason, too, but one who acts on it is acting with an eye to what others can make them do. That is a less than ideal form of motivation, at best a fallback or failsafe for those who are not sufficiently moved by the reasons why they should or should not act, or by the fact that that there are such reasons. When philosophers assume that moral obligations play a vital role in practical reasoning, they valorize this defect. On Moral Wrongness as the Absence of a Right, morality is primarily a spectator sport: it is about what others should do and what we can do to stop them; it does not figure in the deliberation of the virtuous themselves.

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[37] For data that would bear on these historical conjectures, see Wolf (1982); Adams (1984).

[38] In Setiya (2007), Setiya (2012), and Setiya (2014b).

[39] I defend this claim in Setiya (2014a), rejecting Scanlon's view of "buck-passing" (Scanlon 1998: 11, 95–100).

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