

## Phil 176/276G: Historical Philosophers—American Philosophy

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### Handout #2: White on the Philosophy of the American Revolution

#### 1. The Causal Efficacy of Ideology

**Explanatory Sufficiency** (no one): The Revolutionaries philosophical ideas fully explain the revolution.

**Explanatory Primacy** (Bailyn): “The revolution was ‘above all else’ or ‘primarily’ an ideological, constitutional struggle.” (White, 1973, p. 6, fn. 1)

**Explanatory Relevance** (White): “The philosophy of the rebellious colonists was one causal factor in a conjunction that led to the Revolution...we shall not be able to explain the Revolution unless we understand that philosophy” (White, 173, p. 6).

Question: What role do philosophical ideas play in generating radical political, moral or social movements? Do philosophical ideas invariably rationalize behaviors that have other causes; or might they produce behaviors too? (To what extent do you “live by” a philosophy?) What role did ideas about fundamental human rights play in the revolution, or in the genesis of the civil war, or the fight against Jim Crow (and what became known as the “civil rights movement”) or the recent fight for marriage equality and racial equality in police conduct? What role do moral ideas play a role in how you date, how (or if) you will marry, raise your children, care for your aging parents? Do your morals (defined as those ideals that guide you in these situations) have any relation in your thought to your ideas about the origins of the universe and the evolution of humans on Earth? Do you have anything like the unity between metaphysics, epistemology and ethical code that Locke had? (Did Jefferson share this unity in conception and fail by his own lights by using people as slaves?)

#### 2. The Moral Ideology of the Revolutionaries was Derivative

“They did not invent a single idea that may be called philosophical in the philosopher’s sense of that word” (White, 1973, p. 3).

The key philosophical ideas in question: natural law, natural right, unalienable right, nature of man, self-evident truth, self-evident principles, liberty.

This is fair enough. We’ve been discussing the Lockean origins of the creationist biology and ethics of natural rights and natural laws embraced by the founders. White focuses on the founder’s epistemology or conception of knowledge and related matters. (*Epistemology*: a conception or theory of knowledge and related phenomena (such as evidence and argument).)

**White’s Epistemological Thesis**: The founding fathers “operated within a philosophical tradition according to which the power to see self-evidence was attributed to a restricted group and not to every person. Therefore, the American revolutionaries were working with a terminology that could sanction various forms of elitism even though some of the revolutionaries professed great admiration for the people” (1973, 7).

How “democratic” must a theorist be in thinking (with Dewey and White) that this is a criticism of Locke’s view? Surely nothing is so evident that everyone can know it directly. Even the colors of things are unknown to the color blind.

#### 3. Putative Forms of Non-Inferential Knowledge

*Radical coherentists* deny the existence of non-inferential knowledge.

Radical coherentism: *To know anything, a person must be able to articulate and defend it with an argument or inference.*

Notice that the claim is not that we only know what we have *actually* inferred from other things we know. We might call the claim that we only know what we have actually inferred from other things we know “insane coherentism.” Insane coherentism leads to a fairly obvious vicious regress. Insane coherentism means we can’t know anything, because we would have had to perform an infinite number of inferences to know the premises from which we infer anything.

Those who deny radical coherentism are “foundationalists,” if only in a weak sense. They believe in one of several different possible varieties of non-inferential knowledge or justified belief.

**Perceptual Judgments**: Basic knowledge of the size, shape and relative locations of the objects you can see, plus knowledge of tastes, sounds, textures etc.

Can you defend basic perceptual judgments with arguments or inferences? Do you need to have this capacity to know what you can clearly see?

Note that some philosophers (e.g. Susanna Siegel) have argued that the class of perceptual judgments extends beyond this to include judgments about pretty much anything with a characteristic or standard appearance. E.g. according to Siegel we have perceptual knowledge of certain “natural kinds”: so I might know without inference that there is an elm tree in front of me. And some philosophers (e.g. Sara McGrath) have even argued that certain moral/political “ought” judgments are perceptual in nature.

**Intuitions**: non-perceptual judgments that are not generated by conscious inference. Most philosophers would include standing memories (especially if you’ve forgotten where you’ve learned what you remember), expectations, automatic evaluations (as boring, pretty), etc.

Examples: I went to the store yesterday. That cup is going to fall. He’s mad. She’s beautiful. That is ungrammatical.

Can you defend these judgments with arguments or inferences? Do you need to possess this capacity to know what you can “just tell” is true (in an albeit non-sensory manner)?

**Self-Evident Principles**: A statement which can be known to be true merely on the basis of one’s understanding of its meaning. Understanding the statement provides sufficient justification for believing it (in the absence of conflicting evidence).

Lockean Examples: *Identity*: “Whatever is, is.” *Non-contradiction*: “It is impossible for the same thing to both be and not be.” *Phenomenal exclusion*: “White is not black.” *Geometric definition*: “A triangle has three internal angles.” *Arithmetic equalities*: “1+2=3” *Mereology*: “If x is inside y and y is inside z, then x is inside z.” *Conceptual truths*: “Every bachelor is unmarried.” *Modal truths*: “There can be no theft without property.”

### **Big Questions in Moral Epistemology:**

(1) Do we have non-inferential knowledge of what is good or bad, right or wrong, virtuous or vicious, just or unjust, moral or immoral? Or is moral knowledge (or justified moral judgment) invariably grounded in a capacity for argumentative or inferential support from value-neutral claims that we know?

(2) Are there any self-evident “is”-“ought” principles taking us from value-neutral premises to value-laden conclusions? How about those principles we might frame to describe the immorality (or wrongness) of intentionally causing other people to suffer? How about those principles we might frame to describe the injustice of enslaving someone or using their labor for one’s own profit without concern for their wellbeing?

(3) Suppose we do have non-inferential moral knowledge: is this ever knowledge of self-evident moral (i.e. is-ought) principles? **Are there any self-evident moral principles?**

Recall the language Jefferson used when declaring independence from the British:

“We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.”

**Questions:** Did Jefferson speak truly or falsely when declaring the self-evidence of rights to life, liberty and the pursuit of happiness? Did Locke think the natural rights of men were self-evident?

Principles Hamilton describes as Self-Evident in Federalist 23 when arguing for the necessity of a federal gov't with a power to raise revenues through taxation without limits set a priori:

“This is one of those truths, which to a correct and unprejudiced mind, carries its own evidence along with it; and may be obscured but cannot be made plainer by argument or reasoning. It rests upon axioms as simple as they are universal. The *means* ought to be proportioned to the *end*; the persons, from whose agency the attainment of any *end* is expected, ought to possess the *means* by which it is attained.”

Principles Hamilton describes as Self-Evident in Federalist 31:

“That there cannot be an effect without a cause; that the means ought to be proportioned to the end; that every power ought to be commensurate with its object; that there ought to be no limitation of a power destined to effect a purpose, which is itself incapable of limitation.” (see White, 83)

Hamilton on moral epistemology:

“Caution and investigation are a necessary armour against error and imposition. But this untractableness may be carried too far, and may degenerate into obstinacy, perverseness or disingenuity. Though it cannot be pretended that the principles of moral or political knowledge have in general the same degree of certainty with those of mathematics; yet they have much better claims in this respect, than to judge from the conduct of men in particular situations, we should be disposed to allow them. The obscurity is much oftener in the passions and prejudices of the reasoner than in the subject. Men upon too many occasions do not give their own understandings fair play; but yielding to some untoward bias they entangle themselves in words and confound themselves in subtleties.”

For discussion of how Hamilton uses Lockean epistemology to argue for the US Constitution and the strong federal powers it created see White (pp. 86-94).

Question: In his *Groundwork for a Metaphysics of Morals*, Kant asserts the analyticity of what we now call the Instrumental Principle:

“Whoever wills the end, also wills the means (insofar as reason has decisive influence on his actions) the means that are indispensably necessary to it that are in his control. As far as volition is concerned, this proposition is analytic. .”

Is this an is-ought principle?

**Instrumental Normativity:** If you will an end, then (on pain of irrationality) you ought to either will what you know to be the necessary means to this end or drop the end in question.

Or is it perhaps the following (modal) psychological principle?

**Instrumental Mentality:** It is impossible to will an end without willing what one knows to be the necessary means to that end. Failure to will the known necessary means implies (without further evidence) that one has abandoned the end in question.

Is either principle true? Consider an example: I decide to travel to NYC from SB by the end of the day and know I must fly to get there in time. Must I then decide to fly or give up my plan to travel to NYC by the end of the day? Is it possible for me to decide not to fly but retain my plan to travel to NYC by the end of the day without forgetting (or hiding from myself) the fact that I must fly to get to NYC by the end of the day?

Is either formulation of the instrumental principle self-evident in the Lockean sense? How do these articulations of Kant's instrumental principle relate to those principles Hamilton describes as self-evident in Federalist 23 and Federalist 30 when arguing that if the federal gov't is tasked with defense of the nations borders, etc., it must be given the powers necessary to raise the revenues and soldiers that might be needed for this purpose?

**A Claim About Locke's Moral Epistemology:** Locke thought the instrumental principle is the only self-evident "is"- "ought" principle. We ought to obey the laws of nature's God (by respecting each other's natural rights and discharging all of our natural obligations) because we all want happiness and respect for the laws of nature is a necessary means to that happiness because God punishes those who violate his plans (if not in this life then in the next).

### **Locke's Rejection of "Innate" Morality**

Locke first argues that there are no innate moral truths on the grounds that none are wholly self-evident. But he then gives examples of moral truths that do look to be self-evident and he gives an account of moral knowledge that gives demonstrative reasoning or proof center-stage. It is difficult to see how all of these elements can be reconciled with one another. But perhaps they can be.

The following material is drawn from Locke's *An Essay Concerning Human Understanding (1690)*

#### Logical Principles (See **Locke, Book I, Chapter 3, sect 1**)

"What is, is."

Exists(x) → Exists(x) (If x exists then x exists.)

$\exists x(x=a) \rightarrow \text{Exists}(a)$  (Take an arbitrary object a: If a is something, then it exists.)

Most generally:  $P \rightarrow P$  (If P, then P.)

"It is impossible for the same thing to be and not be."

$\neg \text{Pos}(\exists x(x=a) \& \neg \exists x(x=a))$

Most generally:  $\neg \text{Pos}(P \& \neg P)$

Locke: (1) These truths are known to all mankind (i.e. universally accepted). (2) These truths are self-evident in that someone's grasping the propositions in question (i.e. understanding the ideas and their mode of combination) provides that person with justification for believing those propositions sufficient to establish knowledge of their truth.

Locke seems to regard (1) and (2) as necessary conditions on a truth's being innate.

The Lockean Condition on Innateness: No truth is innately known unless it is universally known because self-evident.

Question: What notion of innateness could account for Locke's endorsing this condition?

**Lockean characterization of innateness:** P is innate to S (or innately known by S) iff P is known by S without her having learned it (innate=unlearned).

Notice that this allows lots of *a priori* (or wholly conceptual) *non-innate* knowledge. Our knowledge of mathematical theorems will be *a priori* but not innate: “[That these truths are not innate] is no derogation to their truth and certainty, nor more than it is to the truth and certainty of the three angles of a triangle being equal to two right ones, because it is not so evident, as *The whole is bigger than a part*; nor so apt to be assented to at first hearing” (Locke, *Essay*, Book I, Chapter 3, sect 1).

At any rate, Locke initially argues that there are no innate moral principles from “the ignorance wherein many men are of them, and the slowness of assent, wherewith others receive them” (ibid.)

#### Locke’s “Internalistic” Rejection of Universal Moral Principles

1. If there are any universally accepted moral principles, one of them is: “One ought to keep contracts and obey the rules of justice [by respecting the property of others].”
2. The actions of bands of robbers and thieves are only in partial compliance with this principle—they keep contracts with one another and treat each other justly, but prey upon others.
3. Internalist Conception of the Relation between Acceptance or Knowledge of a Moral Principle and Moral Motivation or Action: Acting in the way that bands of robbers do is incompatible with their acceptance of “One ought to keep contracts and obey the rules of justice [by respecting the property of others]” and incompatible with their knowing the proposition this principle expresses.

“I have always thought the actions of men the best interpreters of their thoughts...it is very strange and unreasonable to suppose innate practical principles, that terminate only in contemplation. Practical principles derived from nature, are there for operation, and must produce conformity of action, not barely speculative assent to their truth, or else they are in vain distinguished from speculative maxims” (Locke, *Essay*, Book I, Chapter 3, sect 2).

Questions: If (3) true? Are robbers moral skeptics? Are they ignorant of morality? Don’t they know that they aren’t doing what they ought to do? Can we distinguish speculative from practical maxims, principles or truths without endorsing such a radical internalism? How can we square this kind of “motivational internalism” (according to which one must act on a moral principle to be said to know it) with what Locke goes on to say: namely, “Let a man be never so well persuaded of the advantages of virtue, that it is necessary to a man, who has any great aims in this world, or hopes in the next, as food to life; yet till he hungers and thirsts after righteousness; till he feels an uneasiness in the want of it, his will will not be determined to any action in pursuit of this confessed greater good; but any other uneasiness he feels in himself, shall take place, and carry his will to other actions” (Locke, *Essay*, Book II, Chapter 21, sect 35).

#### Locke’s Second Argument

(1\*) An innate principle is one that is known but not learned.

(2\*) If one can know p without learning it, then p must be self-evident—understanding or grasping p must give one justification or warrant for believing p sufficient to supply one with knowledge that p.

Therefore, (3\*) Innate principles needn’t be universally known, but must be known by all who grasp them.

(4\*) No moral principles have this property—we can always reasonably ask for evidence for the truth of a moral principle that is distinct in nature from whatever is involved in grasping the principle.

Therefore,

(5\*) There are no innate moral principles.

Argument for (4\*): “He would be thought void of common sense, who asked on the one side, or on the other side went about to give a reason, *Why it is impossible for the same thing to be, and not be*. It carries its own light and evidence with it, and needs no other proof: he that understands the terms, assents to it for its own sake, or else nothing will ever be able to prevail him to do it. But should that most unshaken rule of morality, and foundation of all social virtue, *That one should do as he would be done unto*, be proposed to one, who never heard it before, but yet is of capacity to understand its meaning: might he not without absurdity ask a reason why? And were not he that proposed it, bound to make out the truth and reasonableness of it to him? Which plainly shows it not to be innate; for if it were, it could neither want

nor receive any proof: but must needs (at least, as soon as heard and understood) be received and assented to, as an unquestionable truth, which a man can by no means doubt of" (Locke, *Essay*, Book I, Chapter 3, sect 4).

Questions: Does Locke just pick a bad example here (given the falsity of the golden rule)? Are there any moral principles such that understanding them is sufficient to justify one in believing them? Are there any moral truths such that understanding them itself provides justification sufficient to establish knowledge?

Consider the examples Locke goes on to give: "Where there is no property, there is no injustice." (Compare with Hume.) "No government allows absolute liberty." Locke compares our knowledge of the truth of these statements to our knowledge of the truth of "a triangle has three angles equal to two right ones." Once we have the concepts involved and have understood the relation between them and the sentences used to express them (i.e. "the names annexed to them") we can discern the truth of the sentences. (Locke, *Essay*, Book IV, Chapter 3, sect 18) How are the proofs supposed to go? How are these ethical or moral propositions different from those grounded in God's executive and legislative functions?

#### **4. Locke's Positive Moral Epistemology**

Though Locke denies self-evident moral truths, he clearly thinks that at least some moral truths can be demonstrated or proven in the same way that somewhat complex mathematical truths can be demonstrated. Indeed, he compares certain knowable moral principles with Euclid's theorems. How is this supposed to work?

##### Good Argument 1?

(P1) S's failing to X would constitute ingratitude, i.e. it would constitute his failing to acknowledge and return kindness received.

Therefore,

(C1) S's failing to X would be bad; or

(C2) S ought to X.

Locke says that knowledge of (P1) is not sufficient to give one knowledge of (C1) even if one fully grasps all the concepts or ideas that these words signify. But Locke does think we can infer moral claims from non-moral ones.

##### Good Argument 2?

(P1) S's failing to X would constitute ingratitude, i.e. it would constitute his failing to acknowledge and return kindness received.

(P2) There is a good, just (but firm) all-powerful god, who (because of his justice, power, and wisdom) punishes ingratitude and rewards gratitude either in this life or in the afterlife.

Therefore,

(C1) S's failing to X would be bad; and

(C2) S ought to X.

Question: Does (P1)-(P2) entail (C1)?

##### Good Argument 3?

(P1) S's failing to X would constitute ingratitude, i.e. it would constitute his failing to acknowledge and return kindness received.

(P2) There is a good, just (but firm) all-powerful god who (because of his justice, power, and wisdom) punishes ingratitude and rewards gratitude either in this life or in the afterlife.

(P3) PRUDENCE: For all S: S ought to X if X-ing is necessary to S's long-term interests or overall wellbeing.

Therefore,

(C1) S's failing to X would be bad; and

(C2) S ought to X.

Question: (P3) is a principle of prudence. Is it self-evident? Is it true? Is it known? If so, how?

“Good and evil are nothing but pleasure or pain, or that which occasions or procures pleasure and pain in us. Morally good and evil then, is only the conformity or disagreement of our voluntary actions to some law, whereby good and evil is drawn on us, from the will and power of the law-maker; which good and evil, pleasure or pain, attending our observance, or breach of the law, by the decree of the law-maker, is what we call reward and punishment” (Locke, *Essay*, Book II, Chapter 28, sect 5)).

#### Good Argument 4?

(P1) S's failing to X would constitute ingratitude, i.e. it would constitute his failing to acknowledge and return kindness received.

(P2) There is a good, just (but firm) all-powerful god who (because of his justice, power, and wisdom) punishes ingratitude with eternal damnation and rewards gratitude with the pleasures of heaven.

(P4) For all S: S wants the rewards of heaven or at least wants to avoid the punishment of eternal damnation more than she wants whatever it is that she can get by refraining from showing gratitude.

Therefore,

(C2) S ought to X.

Argument (4) Assumes as hidden premise (or principle of inference):

(P5) For all S: If S wants X more than anything else, and she can only get X by Y-ing then S ought to Y.

Question 1: Is (P5) self-evident? (Kant thought so; see above.)

Questions 2: If this is how we ordinarily gain knowledge of morality, then atheists should ordinarily lack moral knowledge. Is this true? If moral knowledge is positively related to moral action, atheists should be less moral than religious people. Is this true? Might morality be “grounded in” prudence or self-interest even if there is no god? (Might our core moral knowledge be “grounded in” considerations of prudence or self-interest even if there is no god?) If morality is not grounded in prudence or self-interest what makes it, say, bad or wrong to be an ingrate? If moral knowledge is not grounded in knowledge of prudence or self-interest what leads us to believe or know that it is bad or wrong to be an ingrate?

### **5. The Political Use of Self-Evident Principles and Intuitive (Non-inferential) Knowledge**

According to White, “J.S. Mill and J. Dewey thought that appealing to self-evidence and intuition was hardly compatible with being prepared to defend one’s views to all mankind...both Mill and Dewey identified the appeal to intuition and self-evidence as conservative, undemocratic, and authoritarian because it implied the existence of a faculty which was employed by a few who might seek to impose their views on the many” (White, 1973, 14).

Question: Despite the non-democratic nature of the appeal to self-evidence, is some such myth necessary to ground or justify the assertion of natural rights once we abandon Locke’s story of the humankind’s creation for a more thoroughly Darwinian biology?

White quotes Locke’s famous *Essay on Human Understanding* where a similar accusation is leveled against the doctrine of innate principles.

A contemporary epistemological distinction: intuitive truths vs. indefensible knowledge (cf. White, 99-100)

Intuitive truths are things that **can** be known independently of argument and evidence.

Indefensible knowledge (if it exists) would be knowledge that you cannot defend with arguments or evidence.

An illustration of the distinction: Suppose that I’m in horrible back pain but you don’t believe me when I say I’m in pain. (You think I’m a faker or a hypochondriac.) But suppose that I’m then able to convince

you that I'm in pain by showing you an x-ray of my broken back. Even though I know that I'm in pain directly through my sensations, that doesn't prevent me from using arguments and evidence to convince people who don't have the same access to the pain that I do. So I can have non-inferential knowledge (of my pain), which is nevertheless discursively or argumentatively defensible.

**Question:** Even if we have non-inferential moral knowledge provided by intuition or understanding, mightn't we also be able to defend this knowledge with arguments or evidence? If so, why would admitting the existence of non-inferential knowledge have the consequences drawn by Mill and Dewey? Why wouldn't those who claim self-evidence for a moral principle nevertheless have to defend the claim in question to those of their fellow citizens in a democracy who don't find the principle self-evident?

Relevant here are Locke's claims that "common people" are better off with simple biblical commands (or commands plus examples of paradigmatically moral behavior provided by the story of Jesus); commands which only scholars know to be provable from self-evident principles or observations of natural law. "And were all the duties of human life clearly demonstrated [from first principles or observations of natural law], yet, I conclude, when well considered, that method of teaching men their duties would be proper only for a few, who had much leisure, improved understandings, and were used to abstract reasonings. But the instruction of the people were best still to be left to the precepts and principles of the Gospel" (Locke, *The Reasonableness of Christianity*, in his *Collected Works*, 1823, reprint edition London, 1963, Vol. 7, pp. 146-7; see White, 1973, 32).

**Questions:** Do people need a morality grounded in basic commands or examples? (E.g. "Don't covet your neighbor's wife" "Do what Jesus would do.") How does this relate to the demands parents make of children, which are moral in character (E.g. "Don't hit your sister.") When do you need a justification before you are willing to follow a command? When do you feel the need to provide justification when you order others? Do these justifications have "foundational" premises that you are at a loss to defend? Do they bottom out in claims about God or human nature? What is the relationship between (a) theoretical ethics of the sort Locke grounds in fully general self-evident principles and observations of nature when arguing for his political philosophy, and (b) the kind of moral instruction appropriate to utilize when training children and reforming criminals?

## 5. Aquinas and Locke On Conceptual Analysis and Natural law

According to Aquinas, **analytic truths** result when a predicative concept is contained within the concept of the subject about which the claim is made. But someone who doesn't understand such a truth may not realize that it is self-evident.

**Example:** Suppose "triangle" means *enclosed 2-D figure with three internal angles*. So the concept of having three angles is contained within the concept of a triangle. So the sentence "triangles have three angles" really means "an enclosed 2-d figure with three internal angles has three angles" which is a logical truth if anything is. But if someone doesn't know what "triangle" means, she might not realize that "triangles have three angles" is true. In such a case, she will fail to believe some truth that is nevertheless self-evident: that triangles have three internal angles.

Aquinas, "To one who does not know the definition of the subject, such a proposition is not self-evident. For instance, this proposition, *Man is a rational being*, is, in its very nature, self-evident, since who says *man*, says *a rational being*; and yet to one who does not know what a man is, this proposition is not self-evident" (quoted from White, 1973, 20-1).

**Questions:** What does "rational" mean? If you set high standards for rationality there probably are none and thus (were we to accept Aquinas' Aristotelian definition of "man") no men. (This is a bad definition because "rational" is a thin evaluative term and "mankind" is a species term: i.e. this is not a properly "scientific" definition of humanity.)

Though he allows that a failure of understanding can prevent knowledge of an analytic truth, Aquinas also posits universally understood self-evident propositions. These are conceptual or logical truths that are



already obvious: i.e. they don't need to be analyzed into obvious truths by “unpacking” or defining the concepts involved. To continue with our example: Maybe a person who doesn't understand that “triangle” means “enclosed 2-D figure with three internal angles” might not see the self-evidence of “a triangle has three interior angles.” But she will still see the self-evidence of “an enclosed 2-D figure with three internal angles has three internal angles.”

**Key Questions:** Are there any universally accepted self-evident truths? Are there any moral ones? Are there any is-ought principles that have the requisite status? Do analyses of “creator,” “right,” “life,” “liberty,” “happiness,” and so on reveal the self-evidence or logical status of the claim that all men are endowed by their creator with rights to life, liberty and the pursuit of happiness? Did Locke really think he could provide the requisite analysis and therein prove the self-evidence of those moral claims Jefferson would go on to assert as self-evident? (These are rhetorical questions: I think the obvious answer is “No” given what Locke says above the golden rule as quoted above.)

**Aquinas’ “intra-moral” universally self-evident principle: “Good is to be done and promoted, and evil is to be avoided.”**

Though Aquinas asserts the self-evidence of this principle, it is important to note that Aquinas argues for this principle on the basis of natural law: i.e. he provides evidence for it. I.e. he observes that all creatures desire what is good for them, he infers the creator’s plan from this, and draws as a conclusion that we ought to pursue “the good” so understood (so that it includes survival and reproduction among the goods). According to Aquinas, to fail to do what you know to be good for human beings on the basis of your observation of life on Earth is to thwart God’s plan for you and that is both ungrateful and foolish.

**Locke seems to follow Aquinas in this by inferring natural rights from natural laws that can be gleaned from observation of nature using “reason.”** And this doctrine—that basic moral principles are inferred from observations of animal behavior—has an easier time of explaining moral disagreement. It can allow that someone who has a minimal grasp of a moral truth might still fail to believe it because she fails to adequately or accurately observe nature or draw the appropriate conclusions from her observations of it.

“I admit that all people are by nature endowed with reason, and I say that natural law can be known by reason, but from this it does not necessarily follow that it is known to any and every one. For there are some who make no use of the light of reason but prefer darkness and would not wish to show themselves to themselves. But not even the sun shows a man the way to go, unless he opens his eyes and is well prepared for the journey. There are others, brought up in vice, who scarcely distinguish good and evil because a bad way of life, becoming strong by lapse of time, has established barbarous habits, and evil customs have perverted even matters of principle... Who, as I might almost say, is there in a commonwealth that knows the laws of his state, though they have been promulgated, hung up in public places, are easy to read and to understand, and are everywhere exposed to view? And how much less will he be acquainted with the secret and hidden laws of nature? Hence, in this matter, not the majority of people should be consulted but those who are more rational and perceptive than the rest” (Locke, *Essays on the Law of Nature*, W. von Leyden (ed.), Oxford: UP (1954), pp. 114-5.)

**Questions:** How can one marry the epistemology of natural law with the epistemology of self-evidence? Did Locke just think that some truths are known via understanding alone and others inferred (and therein “confirmed”) through observation of the behavior of humans and other animals? How do these two sources of knowledge combine to give us knowledge of moral principles?

## **6. Integrating Inferences from Nature with Self-Evident Principles**

There is a natural and intuitive way to understand how Locke uses the concept of self-evidence when deriving normative principles from a thoroughly theistic interpretation of biology in general and man’s nature in particular. Perhaps **observation is necessary to record nature’s operation and the use of general explanatory principles is necessary to divine God’s plan from these observations** (e.g. with an

argument from design of the sort Locke gives in *The Two Treatises*). But once these forms of cognition provide us with an understanding of life on Earth, we can formulate principles “conditioned” on them, which principles are self-evident.

How does this work? Consider “**God... has made men similar in nature and faculties, therefore they are to be regarded as mutually independent**” (Sidgwick, *Outlines of the History of Ethics*, p. 178 paraphrasing Locke, 2<sup>nd</sup> Treatise, Ch. II, section 4).

(A) Relatively *Observational* Premise: (1) Men are similar in nature and faculties.

(B) *Inference to the Best Explanation* (grounded in the argument from design pre-Darwin): (2) God has made men similar in nature and faculties.

(C) Purportedly *Self-Evident* (Is-Ought) Bridge Principle: (3) If God has made men similar in nature and faculties, then they ought to be regarded as mutually independent in the sense defined.

Therefore,

(D) *Normative Conclusion*: (4) Men ought to be regarded as mutually independent—no man ought to be given power over another without some important cause or reason.

**(1) Men are similar in nature and faculties.**

**(2) God has made men similar in nature and faculties.**

**(3) If God has made men similar in nature and faculties, then he must have intended them to be similar in social power, so that no one is subjected to the will of another without due cause.**

**(4) No one should stymie or block God’s intentions.**

**Therefore,**

**(5) No one ought to subject another to his will without due cause.**

Why introduce “due cause” as an exception to the normative principles that no man ought to subject another to his will? Two reasons, which demonstrate the “bottom up” constraints placed on his moral theory by intuitions about particular cases or commitments to particular judgments: (a) Locke thinks imprisonment is an appropriate response to certain crimes. (Indeed, as we’ve seen, he thinks the enslavement of a murderous assailant is an appropriate response to her aggression.) So the freedom due one as a human is not inalienable. (b) Locke thinks various “qualitative” differences between humans can warrant conditional inequalities of power. The least controversial would be the partial power of parents over children, which, as we saw, is conditioned by parental obligations and runs out when children grow up, on Locke’s liberal view of the matter. More controversially, he thinks some people are more virtuous than others and that those with greater virtue should be elected into positions of political power as legislators, magistrates, mayors and the like. Recall”

“Though I have said above “That all men by nature are equal,” I cannot be supposed to understand all sorts of “equality.” Age or virtue may give men a just precedency. Excellency of parts and merit may place others above the common level. Birth may subject some, and alliance or benefits others, to pay an observance to those to whom Nature, gratitude, or other respects, may have made it due; and yet all this consists with the equality which all men are in respect of jurisdiction or dominion one over another, which was the equality I there spoke of as proper to the business in hand, being that equal right that every man hath to his natural freedom, without being subjected to the will or authority of any other man” (Locke, 2<sup>nd</sup> Treatise, §54).

Questions: Do (A)-(D) above provide the best interpretation of Locke’s and (following him) Jefferson’s moral epistemology? If so, why does Jefferson say “all men are created equal” (our premise 2) is among the self-evident truths? How could premise (2) be self-evident? Don’t we need observations of the faculties and natures of men to verify it? Wasn’t this contingency exposed by Darwin when he effectively established his theory of the descent of man from other apes?

Further questions: Putting the claim to (2)’s self-evidence to the side as misspeaking on Jefferson’s part (a bit of misspeaking incorporated into our founding ideology!?!): **How plausible is Jefferson’s Lockean claim that (3) is a self-evident is-ought principle?**

**(3) If God has made men similar in nature and faculties, then he must have intended them to be similar in social power, so that no one is subjected to the will of another without due cause.**

Further questions: If Locke really thought that the instrumental principle is the only self-evident “is”-“ought” principle (as I have suggested above), then we haven’t really unpacked his reasoning in full. Instead, the finished or logically complete case for natural rights would look like this:

**(1) Men are similar in nature and faculties.**

**(2) God has made men similar in nature and faculties.**

**(3) If God has made men similar in nature and faculties, then he must have intended them to be similar in social power, so that no one is subjected to the will of another without due cause.**

**(4) If someone stymies or thwarts God’s intentions he will either suffer in this world at the hands of those of us who enforce God’s laws or he will be made to suffer by God. Respecting the laws of nature is the only way to get what one wants (i.e. happiness).**

**(RIP) If one stymies or thwarts God’s intentions, one fails to take the necessary means to one’s end.**

**(IP) One should take the necessary means to ends one is unwilling to abandon.**

Therefore,

**(5) No one should stymie or block God’s intentions.**

Therefore,

**(6) No one ought to subject another to his will without due cause.**

“RIP” here stands for “religious instrumental principle.” Notice that the existence of God is not supposed to be self-evident. Nor is it supposed to be self-evident that God intends for us to take care of our children and respect the property of others. Instead, the claim that Locke regards as self-evident is highly conditional. It is the claim that if there is a God who will insure that you do not get what you want if you do not respect his laws, then you ought to respect his laws.

Still further questions: Is the doctrine of natural law, and the moral epistemology it requires, anti-democratic? **Is there such a thing as moral expertise gleaned from careful observation of human nature?**

If in matters that relate to the practice of ordinary life we meet few who are directed by reason, since men only seldom delve into themselves in order to search from thence the condition, manner, and purpose of their life, then it is not to be wondered at that of *the law of nature, which is much less easy to know*, men’s opinions are so different. For most people are little concerned about their duty; they are guided not so much by reason as either by the example of others, or by traditional customs and the fashion of the country; or finally by the authority of those whom they consider good and wise....It does not therefore follow that the law of nature cannot be known by the light of nature because there are only few who, neither corrupted by vice nor carelessly indifferent, make a proper use of that light” (Locke, *ibid.*, 133-5).

White concludes, “Although [Locke] was so politically hard on the doctrine of innate principles because he thought it could be used by ‘dictators of principles,’ the political potentialities of his own doctrine of rational principles [i.e. natural law] do not seem very different” (1973, 27).

Criticism: This isn’t fair to Locke. He’s saying that knowledge of biology is necessary to know what is good for people and that not everyone has the time or interest needed to discern the conditions in which humans flourish or languish, study health, or assess the conditions necessary for social stability. Those who don’t engage in these intellectual endeavors are at a cognitive disadvantage on issues of policy. This is different than positing self-evident moral principles without argument or treating the theological principles with which one reasons from biology to morality (like 3 above) as self-evident by refusing to justify them with argument. After all, the biological observations from which Locke infers natural law are supposed to be accessible to all, even those who don’t have the time or interest to make these observations or reason from them.

“If the people were identified as those who possessed the intellectual capacity to see the truths of natural law, then those who held that natural law was an instrument of the people so identified, avoided a problem that is hard to avoid when one identifies the people with all of the people. For if it takes intellectual qualifications that not all of the people possess to know the moral truths upon which the argument for government by all the people rests, then some, and perhaps the majority, of the people must be asked to accept that argument on trust. They must trust the few who allegedly know moral truths that they, the majority of the people, do not know. But if the majority of the people do not know the truths allegedly known by their leaders, by what signs will they know which dictator of principles is to be trusted?”

Question: Does this help explain the election of an illiberal President of the United States in 2016? Is it because liberals didn't adequately justify, explain and teach their reasons for insisting on a more or less Lockean morality of equal rights founded in equal humanity that over 60 million Americans voted for someone who rejects these ideals in speech and action?

“We have become accustomed to the idea that all of the people cannot be authorities in nuclear strategy and that they must rely in great measure on so-called experts in that area. But we are not accustomed to hear that according to our founding fathers, many, and perhaps a majority, of the people are incapable of seeing the self-evidence of moral truths upon which our Revolution and the formation of our government supposedly rested” (1973, 51-2).

Questions: Let us suppose that White is right and the founding fathers didn't think the majority of the population would ever come to understand the “ultimate basis” for our rights as they (following Locke) understood it to be, grounded, as they took it to be, in a natural theology founded in a creationist biology. Is there a better justification for liberal principles of equal respect? Are the majority of people capable of grasping this justification and interested in hearing it? Think of all the illiberal people in this country who *still* do not think all humans deserve a level of equal respect. Weren't the founding fathers right about the stubborn ignorance of the masses?

More Questions: Is White correct in a normative sense? Which moral epistemology is best suited to a defense of democracy? What does an epistemology's coherence with democratic values and practices have to do with the truth or validity of that epistemology? What does the coherence of democratic values and practices have to do with the truth or validity of a set of principles proposed as “natural laws”?

## 6. Morality as Grounded in Emotion Instead of Pure Reason

Though the founders were clearly influenced by Locke's theories of (a) natural law, (b) natural rights and (c) moral knowledge grounded in (i) observation of nature, (ii) inference to divine intent and (iii) self-evident principles connecting divine intent with moral commands, they were also influenced by **the moral sense theory** of Shaftesbury (the grandson of Locke's patron of the same name), Hutcheson and Hume. These so called “moral sense” theorists tended to regard sympathy as an essential component of moral judgment and knowledge. Broadly speaking, they thought **reason is necessary to determine which actions hurt people and which actions help them, which traits of character lead to beneficial actions and which to detrimental actions**, etc. But sympathy is needed if we're to be appropriately affected by this knowledge so that we feel bad when we perceive or think suffering likely and feel good when we perceive or think happiness likely. Without sympathy, Hume argued, we would have no knowledge of virtue and vice in the way that a color-blind person has no knowledge of colors. Reason and sensory perception aren't enough for moral cognition. Sentiments are necessary. They play a role in moral judgment roughly analogous to the role that sense experience plays in perception of value-neutral phenomena (e.g. knowledge of the shapes of things). This commitment allows us to classify Shaftesbury, Hutcheson and Hume as moral sense theorists.

James Wilson's thesis: Moral Sense Theory is more democratic than Locke's Epistemology. The vast majority of people do not make the general observations of nature and perform the inferences that are necessary for knowledge of moral right as Locke describes it. **But people do have consciences as the moral sense theorists describe them. If these consciences provide a route to moral knowledge, then the people at large can be credited with moral knowledge. And if moral knowledge (or knowledge of**

**how we ought to act and arrange our institutions) is necessary for good government, the vast majority of the people can be credited with at least one of the conditions necessary for good governance. So the moral sense theory provides the resources necessary to argue for the possibility of skillful governance of the people by the people: i.e. democracy.**

Burlamaqui's integration of moral sense and reasoning to natural law: The moral sense gives us our initial knowledge of right and wrong by making us instinctively averse to causes of suffering and instinctively attracted to causes of happiness and wellbeing. But reason is necessary to extend, verify and correct the judgments of moral sense. "Such are the two faculties, with which God has invested us, in order to enable us to discern between good and evil. These faculties happily joined, and subordinate one to the other, concur to the same effect. One gives the first notice, the other verifies and proves it" (White, 112).

Though Burlamaqui says these faculties are "subordinate one to the other," White interprets him as arguing that moral sense is subordinate to reason insofar as reason is tasked with confirming or correcting our immediate or intuitive judgments of right and wrong generated by the sense in question. White then proposes that Jefferson joined Burlamaqui in this:

White's Interpretive Thesis: Jefferson believed that some of our moral judgments are grounded in moral sense and others have the backing of reasoning from observations of human nature (and nature more generally), but Jefferson believed judgments of moral sense were "subordinate" to moral judgments grounded in reasoning.

Questions: Do you have a general view of biology and sociology and the evolution of life on Earth? How is this connected to your views about what is good for humans and what they should do? How are these connected to your views about what is good for you and what you should do? Does this general philosophical outlook have "more weight" in your reasoning than your immediate sympathies, feelings of blame and contempt and the other morally laden emotions we might describe as the products of your moral sense? Do you trust your moral sense (so understood) more than your theoretical morality or does it go the other way? Does it depend on the conflict?