

# The Demonstrability of Assertions in the Moral Sciences

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The title can be understood as asking three different questions:

- (1) What kinds of demonstrative arguments are available to moral philosophers?
- (2) Can propositions with moral content be demonstrated by moral philosophers?
- (3) Can a person be epistemically justified in believing propositions with moral content?

All three questions would be worth considering. In this paper I will primarily address question (3). Moreover, I will focus on one normative theory, namely Classical Natural Law Theory (CNLT) as it is developed by Thomas Aquinas. My question, then, will be: Which epistemology of moral belief is involved in CNLT? Before dealing with this question I will first make clear what is semantically presupposed if one asks this question, and secondly explore briefly what is meant by epistemic justification.

## 1. Semantic presuppositions

Somebody, let us call her Mary, might utter sentences like these:

- (i) One ought to restore goods held in trust.
- (ii) It is right that Peter restored the rifle to Paul who wanted it back.

What is Mary doing when she utters this sort of sentences? Some philosophers say that she is expressing an emotion towards the states of affairs in question.<sup>1</sup> Thus they would analyse (ii) as follows:

- (ii) Peter restored the rifle to Paul. Hurray!

Other philosophers say that she is expressing an imperative. These philosophers would therefore analyse (i) as:

- (i) Restore goods held in trust!

A third group of philosophers prefer to claim that she is expressing ‘pro-attitudes’, preferences, something similar to wishes.<sup>2</sup> For them, (i) and (ii) can be analysed as:

- (i) Mary recommends that goods held in trust be restored.
- (ii) Mary recommends that Peter restored the rifle to Paul.

Whatever their other differences, these interpretations of moral utterances have one feature in common: they assert that moral utterances – despite their surface grammar – are not assertions bearing some propositional moral content. They do not, when sincerely uttered, express beliefs, but rather some non truth-assessable mental states. All these interpretations fall under the heading “ethical noncognitivism”.

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<sup>1</sup> See for example: Ayer 1936, 107.

<sup>2</sup> See for example: Scarano 2001, 95-133.

Ethical cognitivism, on the other hand, contains the following theses:<sup>3</sup>

- (1) Mary can use (i) or (ii) in order to make an assertion or a claim; if she is sincere, she is expressing her beliefs. Beliefs are attitudes toward propositions, whereby the propositions are held to be true.<sup>4</sup> Propositions are truth-bearers, they are either true or false.
- (2) The propositions involve moral, and as such normative concepts. It is on this point that the difference between cognitivist and noncognitivist interpretations of moral utterances centres: even noncognitivists will say that utterance (ii) involves a proposition, namely *that Peter restored the rifle to Paul*. However, noncognitivists think that the normative concept of being morally right is not part of the proposition. Cognitivists, on the other hand, think that the concepts of being morally right or wrong, good or bad, are part of the proposition.
- (3) Some of these propositions with moral content are true. Thus cognitivists assume that there are facts which make these propositions true. Whether these facts are moral facts or natural facts or moral facts supervening on natural facts – these are further questions which have to be dealt with in moral ontology.<sup>5</sup>
- (4) People can be epistemically justified in believing, or even know, propositions with moral content.

If it were convincingly shown that noncognitivism is true, it would be idle to talk about the epistemology of moral belief, since there would be no moral beliefs, no propositions with moral content that could be true or false and that, as such, could be justifiably believed or known. However, in my view it has not been convincingly shown that noncognitivism is the right position. Here there will be not space to defend cognitivism. I will assume that it is a tenable position. I will also assume that Aquinas's position is cognitivist. I cannot argue for this here. I will just quote one passage which speaks for my view:

For the practical intellect knows truth, just as the speculative, but it directs the known truth to action.<sup>6</sup>

## 2. Epistemic justification

The justification in question is the *epistemic* justification of moral beliefs. Epistemic justification is to be confused neither with reasons for action, nor with instrumental justification of moral beliefs. Epistemic justification is a quality attributed to the grounds of beliefs, a quality which is truth-conducive: that which makes it probable that the proposition believed in is true.

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<sup>3</sup> See: Audi 1997, 95.

<sup>4</sup> I use the word "belief" here only in the sense of taking something to be true. Thus opinion, faith and knowledge are all mental states involving belief.

<sup>5</sup> For an extended treatment of moral realism see: Brink 1989; Schaber 1997; and: Fischer / Grotefeld / Schaber 2004.

<sup>6</sup> ST I 79, 11 *ad* 2: *Intellectus enim practicus veritatem cognoscit sicut speculativus, sed veritatem cognitam ordinat ad opus.*

Moral beliefs can involve either propositions with universal moral content or propositions with singular moral content. An example for the former: *It is morally right to restore goods held in trust*. An example for the latter: *It is morally right that Peter restores the rifle now to Paul who wants it back*. My questions can now be stated as follows:

What does CNLT involve as regards the justification of beliefs with universal moral content?

What does CNLT involve as regards the justification of beliefs with singular moral content?

### 3. CNLT and the justification of beliefs with universal moral content

CNLT – I would suggest – is best understood as involving a kind of epistemological foundationalism according to which beliefs can be justified either inferentially or non-inferentially. Many beliefs are inferentially – inductively, deductively, abductively – justified. But not all beliefs can be justified in this way. Were that to be the case, the inferential chain – if it is thought to be a linear chain – would either be circular or infinite, and the beliefs would not seem to be justified at all. Foundationalists hold the thesis that some beliefs are basic. These beliefs are somehow privileged: they need not and indeed cannot be justified by other beliefs; but they can justify other beliefs.

Now, what sorts of beliefs are considered to be basic? CNLT is often criticised as committing Hume’s logical fallacy of deriving an ought-content purely from is-contents, of inferring beliefs with moral content ultimately from beliefs with non-moral content. However, a short look at one of the most famous of Aquinas’ primary texts shows clearly that CNLT is not dependent on this fallacy. In ST I II 94,2 Aquinas compares theoretical and practical reasoning. Both kinds of reasoning have their *own* first principles. Thus, Aquinas thinks that there is a basic belief which has a moral content, the principle of practical reason (PPR):

PPR Good is to be done and pursued, and evil is to be avoided.

What is the epistemic status of this principle of practical reason? Aquinas says that this first principle of practical reason is “*per se notum*”, self-evident. It is not known “*per aliud*”. A proposition is known “*per se*” if and only if the predicate belongs to the “*ratio*” of the subject. The claim is not only that PPR is known *per se secundum se*, but also that it is known by every human being who understands the meanings of the terms used in its formulation. Everyone understanding the meanings of the terms involved in the sentence believes this proposition and this understanding is necessary and sufficient for being justified in holding that belief. One could ask whether this belief is indeed self-evident or not.<sup>7</sup> But I will not address this question here. Let us assume it is.

Now, how can this principle justify other beliefs with universal moral content? CNLT seems to involve a kind of inferential justification, namely deductive justification. Aquinas continues:

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<sup>7</sup> Chappell 2000, 32-33.

All other precepts of the natural law are based upon this: so that whatever practical reason naturally apprehends as human goods belongs to the precepts of the natural law as something to be done or avoided.<sup>8</sup>

One way to understand this would be the following: We have one moral belief which is self-evident: as such, it is the epistemic foundation of all moral beliefs. Hence, all other moral beliefs are inferentially justified. Thus, the noetic structure would be as follows:

- (i) Good is to be done and pursued and evil is to be avoided.
- (ii) The good consists among other things in preserve one's own life.
- (iii) Preserving one's own life is to be done and pursued.

According to this interpretation (ii) would be a descriptive universal proposition which is, according to Aquinas, "naturally apprehended" by human beings. But what does he mean by that? Sometimes "naturally apprehended" in Aquinas' writing is equivalent to "self-evident". But it is hard to see how (ii) could be self-evident for all human beings in the way that PPR is (see above).

Let us therefore consider an alternative interpretation of what Aquinas wants to say: Perhaps the first principle of practical reason has a function corresponding to the first principle of theoretical reason. Now, it seems that the first principle of theoretical reason, the Law of Non-Contradiction, is not to be considered as a premise in a syllogism. Rather, it expresses a necessary condition that every proposition in a syllogism must fulfil. Similarly, then, the first principle of practical reason is not the first premise in a practical syllogism. Rather, it expresses the form, or necessary condition, that principles of practical syllogisms have to fulfil. This fits well with the text of Aquinas. For he wants to argue that there are several precepts of natural law that have the status of principles. Whatever is grasped as a good is grasped as to be done and pursued. And whatever is grasped as an evil is grasped as to be avoided. Aquinas writes:

Since, however, good has the nature of end, and evil the nature of the contrary, hence it is that all those things to which man has a natural inclination are naturally apprehended by reason as being good, and consequently as works to be pursued, and their contraries as evil, and works to be avoided.<sup>9</sup>

Thus, the noetic structure of moral beliefs would be the following:

- (i) Preserving one's own life is to be pursued.
- (ii) Preserving one's own life consists among other things in providing food.
- (iii) Providing food is to be pursued.

In this structure, (i) would be a basic belief with universal moral content.

Here again, the question arises: What is the epistemic status of (i)? It does not seem to be self-evident in the way that PPR is. It does not seem to fulfil other conditions which some

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<sup>8</sup> ST I II 94,2: *Et super hoc fundantur omnia alia praecepta legis naturae, ut scilicet omnia illa facienda vel vitanda pertineant ad praecepta legis naturae, quae ratio practica naturaliter apprehendit esse bona humana.*

<sup>9</sup> ST I II 94,2: *Quia vero bonum habet rationem finis, malum autem rationem contrarii, inde est quod omnia illa ad quae homo habet naturalem inclinationem, ratio naturaliter apprehendit ut bona, et per consequens ut opere prosequenda, et contraria eorum ut mala et vitanda.*

foundationalists have thought necessary and sufficient to make a belief justifiably basic, such as being evident to the senses, or being incorrigible or indubitable. The thesis of this strong foundationalism (SF) could be stated as follows:

SF The belief that *p* is justified in the basic way for *S* if and only if the belief that *p* is either self-evident for *S*, or incorrigible (or indubitable) for *S*, or evident to the senses for *S*.

If SF is right, beliefs like (i) are neither basic, nor justified by other beliefs which are basic, and therefore not epistemically justified. But is SF the right position?

Alvin Plantinga has shown convincingly that SF is not a tenable position, on two counts.<sup>10</sup> First, SF is too restrictive. There are many everyday beliefs which we do not hold on the basis of other beliefs, but which we nevertheless take properly as basic, and which – if true - count as knowledge: e.g. my belief *I had breakfast this morning* or my belief *Mary is angry*. It follows that the conditions named in SF are not in fact necessary for a belief in order to be properly basic. Second, who believes in SF seems by his own criteria not to be justified in believing it. For SF is neither self-evident, nor evident to the senses nor incorrigible. Thus, SF is not basic for the believer of SF. Moreover, the believer of SF has not yet shown how to get SF inferentially. Thus, SF is not a justified belief at all.

If Plantinga is right, how should one react? One could react by abandoning altogether a foundationalist approach to the justification of beliefs, and instead appeal to epistemological coherentism. I do not want to go this way because I think that coherentism is itself fraught with difficulties.<sup>11</sup> I would prefer to maintain a foundationalist approach, but to present a modified version: moderate foundationalism (MF). For MF, as for SF, a person's noetic structure consists of two kinds of belief: basic beliefs, and beliefs based upon other beliefs. But for MF the conditions of basicity are less stringent: basic beliefs are properly held if they are the products of properly functioning cognitive faculties. My belief that *I had breakfast this morning* is properly basic if it is the product of the properly functioning cognitive faculty of memory-belief-formation. Such a belief is not justified by other beliefs. It is a basic belief. But it is justified only *prima facie*. Its justification can be overridden or defeated.

One could try to defend Aquinas' position in the light of MF. The moral beliefs which are "naturally apprehended" are held as basic beliefs, justified in so far as they are the product of properly functioning cognitive faculties – natural cognitive habits – of moral belief-formation.<sup>12</sup> The so called natural inclinations would be interpreted as part of the cognitive processes which lead reliably to the formation of true beliefs with very general universal moral content. By contrast, beliefs with more specific universal moral content are derived inferentially. Some of them are apprehended not by every human being, but only by the wise. Thus Aquinas writes in the context of the human law:

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<sup>10</sup> Plantinga 1983, 59ff.

<sup>11</sup> For a treatment of epistemological coherentism in general see: Plantinga 1993, 66-113; Bartelborth 1996, 135-234; Alston 2005, 167-169. Proponents of epistemological coherentism in Ethics: Sayre-McCord 1996, 137-189; Hare 1996, 190-199, Badura 2002, 194-2005.

<sup>12</sup> Compare: ScG III, 129: *Homines ex divina providentia sortiuntur naturale iudicatorium rationis, ut principium propriarum operationum.*

[...] we conclude that just as, in the speculative reason, from naturally known indemonstrable principles, we draw the conclusions of the various sciences, the knowledge of which is not imparted to us by nature, but acquired by the efforts of reason, so too it is from the precepts of the natural law, as from general and indemonstrable principles, that the human reason needs to proceed to the more particular determination of certain matters. These particular determinations, devised by human reason, are called human laws, provided the other essential conditions of law be observed, as stated above.<sup>13</sup>

#### 4. CNLT and the justification of beliefs with singular moral content

Let us suppose that there are beliefs with general universal moral content which are justified in the basic way, and beliefs with more specific universal content which are justified by being derived inferentially from the former.

Now a further question arises: How are beliefs with singular moral content justified? CNLT is often criticized as involving a rigorist *deductive* application of general norms; it is said that it cannot take into account the particular circumstances of actions, and thus can lead to injustice and inhumanity. I do not think that CNLT falls prey to this criticism. Although Aquinas thinks that beliefs with universal moral content (whether general or more specific) are necessary for practical decision-making, he certainly does not think that they are sufficient. He writes:

As to the proper conclusions of the speculative reason, the truth is the same for all, but is not equally known to all: thus it is true for all that the three angles of a triangle are together equal to two right angles, although it is not known to all. But as to the proper conclusions of the practical reason, neither is the truth or rectitude the same for all, nor, where it is the same, is it equally known by all. Thus it is right and true for all to act according to reason: and from this principle it follows as a proper conclusion, that goods entrusted to another should be restored to their owner. Now this is true for the majority of cases: but it may happen in a particular case that it would be injurious, and therefore unreasonable, to restore goods held in trust; for instance, if they are claimed for the purpose of fighting against one's country. And this [that entrusted goods should be restored] will be found to fail the more, according as we descend further into detail, e.g. if one were to say that goods held in trust should be restored with such and such a guarantee, or in such and such a way; because the greater the number of conditions added, the greater the number of ways in which the principle may fail, so that it be not right to restore or not to restore.<sup>14</sup>

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<sup>13</sup> ST I II 91,3: *Secundum hoc ergo dicendum est quod, sicut in ratione speculativa ex principiis indemonstrabilibus naturaliter cognitis producuntur conclusiones diversarum scientiarum, quarum cognitio non est nobis naturaliter indita, sed per industriam rationis inventa; ita etiam ex praeceptis legis naturalis, quasi ex quibusdam principiis communibus et indemonstrabilibus, necesse est quod ratio humana procedat ad aliqua magis particulariter disponenda. Et istae particulares dispositiones adinventae secundum rationem humanam, dicuntur leges humanae, servatis aliis conditionibus quae pertinent ad rationem legis, ut supra dictum est. Compare ST I II 100, 1.*

<sup>14</sup> ST I II 94,4: *Quantum vero ad proprias conclusiones rationis speculativae, est eadem veritas apud omnes, non tamen aequaliter omnibus nota, apud omnes enim verum est quod triangulus habet tres angulos aequales duobus*

One needs to believe some propositions with general and specific universal moral content, for example that one ought to preserve human life, that one ought to restore goods held in trust, that one ought to keep promises, that one ought to be friendly, honest, brave, generous, etc. However, these universal beliefs are not sufficient for the acquisition and justification of beliefs with *singular* moral content. Beliefs with singular moral content are not simply justified by deductive inference. They cannot be derived and justified by the application of a rule or an algorithm.

What, then, is the relationship between a belief with universal moral content and a belief with singular moral content? In the example of Aquinas it appears that the general belief *It is morally right to restore goods held in trust* is overridden by the belief that *It is morally wrong that I restore the rifle now to Paul who wants it back*. However, this is not the case because the general belief is stated in an incomplete way. It has to be spelled out as follows: *It is morally right to restore goods held in trust, except ...*. What comes to stand in the except-clause cannot be fully specified because there are infinite possibilities of how particular situations can be morally composed.<sup>15</sup> Only the most general moral beliefs like *One ought to act rationally* or *One ought to pursue what contributes to happiness*, etc. have no exceptions.

In order to discern what is right to do *hic et nunc*, one requires, according to Aristotle and Aquinas both the moral virtues and the cognitive virtue of prudence (*phronesis*). One acquires these habits by long experience. They are not strictly rule-governed. They enable one to take into account a variety of grounds or inputs – both doxastic (moral beliefs, background-beliefs, etc.) and non-doxastic (emotions, desires) – and reliably to form true beliefs with singular moral content.<sup>16</sup> Aristotle and Aquinas speak of a sort of perception.<sup>17</sup> But what do they mean by that?

I would like to use some non-moral examples in order to make the point. Think of yourself forming the belief: *The person in front of me is my mother*. What justifies that belief? A deductive, inductive, or abductive inference? If so, what are the premises from which the inference is being made? Could you say what it is that justifies that belief of yours? Probably not. Nevertheless, I would say that you are justified in believing it. You have learned the competence of person-identification in early childhood. Your belief is justified by the fact of being the outcome of this cognitive competence. Again, think of a wine connoisseur tasting some wine and forming the belief: *This wine has hints of oak and strawberries*.<sup>18</sup> This belief – I would suggest – is justified by being the outcome of his acquired competence.

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*rectis, quamvis hoc non sit omnibus notum. Sed quantum ad proprias conclusiones rationis practicae, nec est eadem veritas seu rectitudo apud omnes; nec etiam apud quos est eadem, est aequaliter nota. Apud omnes enim hoc rectum est et verum, ut secundum rationem agatur. Ex hoc autem principio sequitur quasi conclusio propria, quod deposita sint reddenda. Et hoc quidem ut in pluribus verum est, sed potest in aliquo casu contingere quod sit damnosum, et per consequens irrationabile, si deposita reddantur; puta si aliquis petat ad impugnandam patriam. Et hoc tanto magis invenitur deficere, quanto magis ad particularia descenditur, puta si dicatur quod deposita sunt reddenda cum tali cautione, vel tali modo, quanto enim plures conditiones particulares apponuntur, tanto pluribus modis poterit deficere, ut non sit rectum vel in reddendo vel in non reddendo.*

<sup>15</sup> Compare ST I II 94, 5; ST II II 47, 3 ad 2.

<sup>16</sup> See: Adams 1999, 357, Alston 1999, 246-248.

<sup>17</sup> See: EN 1142a27-31; EN 1143a32-b5; ST II II 47, 3 ad 3. Compare: Hughes 2001, 106-116; and Hughes 2004, 228-231.

<sup>18</sup> This example is taken from: McGrath 2004, 221.

It is in such terms, I suggest that beliefs with singular moral content can be justified: they are the outcome of acquired competences, of acquired habits of moral belief formation, habits which are not strictly rule-governed. The virtuous person reacts in a way that is emotionally adequate to a particular situation, and is therefore in a position to be sensitive to the morally relevant aspects of the situation and to form a true belief of what has to be done in this situation.

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