Complicated, subtle and ingenious examples like the following may reassure some that normative ethics deserves to be counted as a hard-nosed branch of analytic philosophy while leaving others wondering just where it has gone astray:

Miracle Case – a trolley is headed toward five people, and it can be redirected onto another track where one person sits. However, the track loops back toward the five. The trolley will either kill the five in its original direction, or if we redirect it, it would kill the five after it loops…[but] hitting the one person on the side track does not stop the trolley, which returns to hit the five. However, the trolley passing over the side track miraculously produces a serum that can be used to resurrect the five who have been hit and killed (Kamm 2007: 155).

Drawing on her moral judgments about this and other fantastical cases, Frances Kamm has developed the following principle of permissible harm, but trying to understand and apply this moral principle can have the same inspirational or the same unsettling effect:

Doctrine of Productive Purity – (1) If an evil* cannot be at least initially sufficiently justified, it cannot be justified by the greater good that it is necessary (given our act) to causally produce. However, such an evil* can be justified by the greater good whose component(s) cause it, even if the evil* is causally necessary to help sustain the greater good or its components. (2) In order for an act to be permissible, it should be possible for any evil* side effect (except possibly indirect side effects) of what we do, or evil* causal means that we must use (given our act) to bring about the greater good, to be at least the
effect of a [greater good that] is working itself out (or the effect of means that are noncausally related to that greater good that is working itself out) (Kamm 2007: 164).¹

While some of us may have great difficulty rendering moral judgments about such remote, abstract and imaginative cases or fully comprehending moral principles of this sort, we can admire the care and seriousness of those who practice the now dominant intricate approach to moral philosophy, which relies on constructing complicated and schematized examples, forming intuitive judgments about them and teasing out increasingly complex moral principles that are meant to capture and systematize the resulting data.²

There is some unease about the point and usefulness of far-off philosopher’s examples and dense moral principles of the kind that figure in the work of Judith Thomson (1990), Warren Quinn (1993), Larry Temkin (2011), Jeff McMahan (2002), and perhaps get their fullest expression by Derek Parfit (1984, 2011) and Frances Kamm (1996, 2007, 2011). The worry, I think, is not perfectly captured by those who question the reliability of moral intuitions on the basis of framing effects, cognitive biases or other psychological influences (e.g. Sunstein (2005); Sinnott-Armstrong (2008)). Nor is the concern just a general skepticism about unified, consistent and coherent normative ethical theories of any kind (e.g. Dancy (2004); Rorty (1991); B. Williams (1985)). And the anxiety is not merely the result of an antecedent commitment to a foundational moral theory that one takes to be established on grounds that are independent of how well it applies to particular cases (e.g. Sidgwick (1962); Wood (2008: 51-57); Ross (1930)).

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¹ Kamm defines evil* as evil along with “the involvement of a person without his consent when foreseeably this will lead to an evil to him” (Kamm 2007: 93)

² Others such as Fischer (1995) and Wood (2008: 47-54) have called this the “scientific” or the “intuitional” approach, but both of those labels may have connotations that are not shared by the approach Kamm and others employ.
For those who believe that our moral judgments about particular cases are often reliable, who regard the search for reflective equilibrium as the best moral methodology available, and who hold out hope for a and structured normative ethical theory, what reasons might we have to question the style of moral argument that emphasizes other-worldly examples and complex moral principles; and is there any alternative available to us? The problem is that these assumptions seem to drive us precisely in the direction that Kamm and others have been admirably working, toward more subtlety in our moral principles and remoteness in our examples.

My claim is that there is a more basic source of unease with the intricate approach, one that stems from a fundamental but often unquestioned feature of the moral framework it takes for granted. The aspect I question is its conception of moral principles that are supposed to capture and explain our moral responses to particular cases. According to the intricate approach, moral principles are conceived as explanatory generalizations – they describe the moral status of kinds of acts in a way that explains why certain natural features of those acts and the non-morally described context in which they occur give them that moral status.

What troubles some of us about the intricate approach, I contend, is that it emphasizes moral principles of a sort that do not directly or obviously provide guidance, direction and advice to human beings who are conscientiously trying to decide what to do from a first-person, deliberative standpoint in which we typically lack perfect information, our cognitive abilities and moral capacities are limited, and time is short. Moral standards, as I call them, are rarely up to playing this advisory role because they tend to be complicated, cumbersome and difficult to apply, which makes them impractical for creatures like us who face moral predicaments from our own limited perspectives. Police officers, for instance, need guidelines about the use of deadly
force that are sensitive to what they believe or reasonably suspect in the field rather than (or perhaps in addition to) cumbersome moral standards that are concerned with the potentially unknowable facts as they are. Moral standards, more specifically, say that the moral status of an act supervenes only on those natural facts that explain why it has that status (it is a killing, no one is helped by it, etc.), so the relevant supervenience base is taken to exclude facts concerning whether anyone actually believes those potentially unwieldy moral standards themselves, whether we have the ability to learn, understand or teach them and what difficulties we may have in applying, following or accepting them. Moral standards are thought to stand as abstract and universal criteria of moral conduct that cannot be bent or simplified just to make it easier for normal human beings to learn, apply and conform to them. This helps to explain why moral standards tend to be constructed from moral judgments about far-fetched, abstract and schematized cases in which the facts are stipulated – doing so is thought to uncover and isolate the morally relevant features of the world and test the resulting standards to ensure they are universal and complete. The trouble with this approach is that we often seek guidance from our moral principles specifically when we face uncertainty about the relevant facts and the moral issues at stake, and moral standards usually do not give us the counsel we need – a real trolley conductor facing a crisis, for example, would be perplexed if we offered the Doctrine of Productive Purity as advice.

A different kind of moral principle, one that plays a more prominent role in the work of John Rawls (1999b), Barbara Herman (1993b), Onora O’Neill (1990b), Thomas E. Hill, Jr. (2000), Thomas Scanlon (2008) along with (arguably) Kant (2002), provide us with moral guidance when we are deciding what to do from a first-personal, deliberative perspective that is characterized by incomplete knowledge, imperfect cognitive, psychological and physical
capacities, a potentially weak will, and limited time to act. But the nature of this alternative type of moral principle, which has deep roots in the history of ethics and ordinary language, remains somewhat obscure and misunderstood. Moral guides are widely disparaged as mere principles of “subjective” ought, telling us what to do in light of our potentially irrational, uninformed, biased, inattentive and self-deceptive standpoints (Ross 1939: 147), they are commonly thought to distort moral judgment by leading us to overlook morally relevant features of our situations (Dancy 2004; Hursthouse 1999), and moral guides are criticized for being far too sensitive to humdrum facts about the ‘crooked wood’ of human nature – morality is one thing, they claim, its implementation another (Cohen 2008: 323-331).

In order to evaluate the proper place, if any, of moral guides in our moral lives, we must examine the nature of their choice guiding role by looking at what it is for someone to be guided by a moral principle and what sorts of constraints this function places on their content. Moral principles, I explain, can guide us in a number of ways, most often by structuring our moral deliberations, and only rarely by serving as explicitly consulted road-maps of the sort that concern particularists and virtue ethicists. They are not merely principles of “subjective” ought either because moral guides can make us responsible for gathering evidence, developing a strong will, overcoming tendencies to wishful thinking and special pleading, and so on. And, when we examine the restrictions that the choice-guiding function places on the content of the moral guides that are supposed to advise agents with our particular epistemic and motivational

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3 Scanlon (2008) draws a similar distinction between moral standards and moral guides, as do McKeever and Ridge (2006).
4 Aquinas (1964) may have regarded natural laws as decision-guides, Kant (2002) arguably thought of the Categorical Imperative as a moral guide, and even though Aristotle (2000) is skeptical about the role of moral principles beyond mere moral training, he conceived of ethics as a practical discipline in which conscientious people are seeking guidance about how to live. In addition, the Oxford English Dictionary (1989) says that “principle” can mean “a general law or rule adopted or professed as a guide to action.”
capacities, we find that these formal constraints are far weaker than has been commonly supposed.

Moral standards and moral guides can co-exist in a systematic moral theory – perhaps they are addressed to different moral questions or maybe moral guides are merely rules of thumb that help imperfect creatures satisfy the true moral standards – so an investigation into the nature of moral guides may be a neglected but crucial component of the intricate approach itself. My own view is more radical: I go on to suggest that we should eschew moral standards altogether in favor of the view that what we objectively ought to do consists in following the correct moral guides for us.

My plan is as follows. First, I characterize the type of moral principles that figure in the intricate approach and describe a way of thinking about morality that helps to explain their appeal. Second, I contrast moral standards with another kind of moral principle and give three conditions that must be satisfied for a moral principle to be a moral guide. Third, I argue that it is part of the nature of moral guides that they are relatively simple, useful, focused on the conditions and problems of our world, and addressed to us as imperfect agents. Finally, I describe and partially defend the view that acts are right in virtue of being required by the correct moral guides, whatever they are.

1. Moral Standards

There is a deep ambiguity in our thinking about moral principles, one that runs through a variety of terms we often use interchangeably, such as ‘moral principle’, ‘moral standard’, ‘moral rule’, ‘moral guideline’, ‘moral criteria’, etc. I draw from this list to label two distinct concepts, but the naming convention I use is somewhat artificial because each of these terms can be used to refer to both of them.
When we are wondering what the correct moral principles are about, say, the killing of persons, some of us may be looking for a necessary, immutable, general, and universal criterion or standard of action, a proposition that purports to determine the moral status of various kinds of acts by explaining why certain non-moral features of the acts and the world give them that status. These are what I call moral standards. A moral standard picks out the non-moral facts as relevant to the moral status of a type of act and specify that these considerations explain or justify why those acts are right, wrong, etc.\(^5\)

The principle of utility is most commonly conceived as a moral standard. The only non-moral facts that matter, according to this principle, are those about the relative contribution the available acts make to overall utility, and what makes an act wrong is its failure to maximize the overall good (Bentham et al. 1996; Sidgwick 1962). Kant’s Categorical Imperative has also been interpreted as a moral standard, one that takes non-moral features of the maxims on which we propose to act, posits a world in which everyone acts in those ways for those reasons in those circumstances as if by a law of nature, and then renders our acts permissible or not depending on whether such a world could exist or be willed (Paton 1948). And, the rigoristic moral standard that lying is always wrong says that when an act has the non-moral feature of being a lie – that is, roughly, when the act is roughly one of making a statement to another person that one believes to be false with the intention that the person believe it to be true – then that property of the act makes it wrong and also explains why it is so. This sort of absolute prohibition on lying is widely disparaged nowadays because we recognize that telling lies may be necessary to save life, provide comfort, etc., so a more realistic and suitably flexible moral standard against which all acts of lying are judged would need to capture the familiar and normally reoccurring exceptions

\(^5\) This notion of a moral principle is nicely described by Dancy (2004: 116) and McKeever and Ridge (2006).
but it would also need to take account of each and every imaginable context in which lying is allowed, making the resulting principle extremely complicated.

These examples bring out the following points about moral standards. First, moral standards are propositions, they are truth apt, and their existence and justification do not depend on our beliefs about them or our ability or willingness to comply with them (except insofar as ‘ought’ implies ‘can’). Second, moral principles of this sort are true or false depending on whether they accurately represent the moral facts as they are. Third, the principle of utility, the Categorical Imperative and an absolute prohibition on lying may all be false, but they are still recognizably moral standards, which means that in this sense ‘moral standard’ is not a success term.

Moral standards are independent of us in a number of ways. They can be so laborious and complicated that we will never be able to believe them. We may not have the cognitive abilities or the information required to apply them accurately in particular contexts – how could I know for sure that this person would really kill me if I do not kill him first or that this action will maximize utility. Moral standards can be extremely demanding and virtually impossible for us to satisfy. Some of us may be unable to accept certain moral standards while retaining our valued relationships, personal projects and integrity (B. Williams 1981). It may be disastrous for some moral standards to be widely known and accepted, and equally awful for others to be known and accepted by only a few people.

To illustrate this way of thinking about moral principles, consider the non-moral criteria that are constitutive of, for example, performing a flawless arabesque or passing philosophy qualifying exams. Many of these standards are tough to meet and some may never be fully satisfied, but it seems that the criteria themselves remain pure in spite of any difficulty we may
have in learning or living up to them. Many of us have seen the outcry that can accompany proposals to relax some standard on grounds that, for example, the graduate students are having trouble passing their qualifying examinations or ballet dancers regularly fail to keep strict body lines. When such suggestions are made, there are often howls of protest from those who insist that “we cannot bend or sacrifice the standards just because people are not living up them” and “laziness, clumsiness, fatigue or lack of talent have no bearing on what it takes to do this sort of thing successfully.” It may be lamentable or unfortunate that so few people can meet these standards, we could have good reason to stop holding people to them, perhaps we have not yet discovered what the true standards are, but we should not pretend, it is claimed, that any of this bears on the content or truth of the standards themselves, which stand apart from such merely practical concerns.

2. Moral Guides: Their Nature

In ordinary language and commonsense, we often vacillate between assessing actions by reference to independent, absolute criteria (e.g. the police officer was wrong to fire on the suspect who turned out to be unarmed) and seeking guidelines for how we and others should approach certain kinds of situations (e.g. police officers may fire on suspects only if they are reasonably sure that human life is in serious danger). It could be best, according to act utilitarianism, to be guided by moral principles other than the principle of utility, but our acts themselves (apart from any motives, intentions, beliefs, character traits or moral judgments that may underlie them) are to be evaluated on the basis of their contribution to the overall good (Railton 1984; B. Williams 1981). Despite the reputation of Kant’s moral theory as a paradigmatic theory of right action, it tends to be regarded nowadays as primarily an account of acceptable moral deliberation and moral worth in which agents with good wills are supposed to
be guided by the Categorical Imperative and perhaps other subsidiary moral principles as well (Herman 1993b; Hill 2000; O'Neill 1990b). And, moral particularists and some virtue ethicists object to affording moral principles any role at all in moral permissibility or in moral deliberation. No set of consistent and coherent moral standards can fully codify or systematize the whole of what we ought to do, they think, and when moral principles do guide our moral decision-making, such things tend to distort moral judgment by leading us to ignore or misconstrue morally relevant features of particular situations (Dancy 2004; Hursthouse 1999; Annas 2006).

As these views illustrate, there is a different kind of moral principle than the type favored by the intricate approach, namely those that have the function of guiding moral decision-making. Moral guides are like moral standards in several ways. They ascribe a moral status to various kinds of acts, rendering them, for example, ‘morally worthy’, ‘the conscientious choice’, ‘forbidden’, ‘prima facie required’. Moral guides apply to every member of a class of agents and they can range from very general ones such as ‘respect others’ to specific and socially enacted moral rules about how doctors should interact with their patients.

Moral guides are distinctive because they are supposed to help agents work out what to do from their own perspectives. When moral guides apply to a set of agents, the advice they provide is directed to a first-personal, forward-looking, deliberative and limited standpoint in which the agents are genuinely concerned with the question ‘what should I do in light of my situation as I (reasonably) see it?’ Moral standards do not necessarily have this choice-guiding role, which is why they can be unwieldy, unlearnable and frustrating for those who look to moral principles for guidance.
What, more specifically, is it for a moral principle to have the function of guiding moral decision-making? Does their advisory role entail, as many have thought, that moral guides must be closely tied to contingent facts about the agents they are meant to guide, making them mere subjective moral principles that are too easily learned, applied and satisfied by us to be of fundamental moral interest (Cohen 2008: 250-254; Prichard 2002)?

In an effort to further our understanding of this other kind of moral principle and rethink some common assumptions about it, I describe below three conditions that moral guides paradigmatically must satisfy in virtue of their choice-guiding function. While these conditions are weaker than one might naturally suppose, they shift our moral thinking away from the far-off, stipulated and abstract examples those philosophers tend to favor.

**Epistemic Condition** - When we seek moral guidance, we may simply want to know what we ‘objectively’ ought to do in light of the facts as they are, independent of how we reasonably view the situation ourselves (Gibbard 1990: 18-20; Thomson 1986: 179-180; Raz 1979). We may also be seeking a different sort of moral guidance, as we deliberate about what to do in light of uncertainties about the context we face, including doubts about the empirical facts, moral considerations and the time we have to make a decision. Moral guides provide guidance of the latter kind – they are like the advice of friends who have no special knowledge about our predicament but who try to help us decide what to do by attempting to put themselves “in our shoes” and deliberate from our standpoint (“if I were you, I would…”).

Moral guides need not always be tied to the (potentially irrational and mistaken) beliefs agents happen to have, however, because such principles can also guide by specifying second-order duties about what we are responsible for knowing or believing, the information we must do our best to gather, what kinds of mental exercises we should be doing to keep our minds sharp,
the ways we should be educating our children, etc.\textsuperscript{6} For example, a moral standard might say “do not kill except when doing so is necessary to save human life;” but because facts of this kind are often inaccessible to us, a moral guide would have to say instead that killing is forbidden except when one reasonably believes doing so is necessary to save human life, or when one reasonably suspects it, has good reason to believe it, believes it after exhausting the available evidence within the time allotted, etc. Or, moral guides for airline pilots may require them to make certain kinds of decisions that presuppose well-developed epistemic abilities to process large amounts of information reliably and quickly under conditions of duress and fatigue.

The specific epistemic responsibilities that moral decision-guides presuppose will vary and may be left to moral judgment, specified by further principles, or explicitly stated. But these responsibilities must, at a minimum, be sensitive to the most general epistemic abilities and limitations of the class of agents to whom they apply. Moral guides cannot require memory, mental processing or access to information that is beyond the reach of the agents whom they regulate. In other words, moral guides are \textit{addressed to epistemic standpoints that the agents they apply to can possibly take up}.

Within these broad constraints, however, moral guides can place burdensome responsibilities on agents to assimilate evidence and develop their mental powers – tough advice is still advice as long as it is at least possible for us to follow it. It may be very difficult for a police officer to gather sufficient evidence that someone poses a mortal threat or to keep one’s mind sharp for long distance flights, but if a person kills someone without having gathered the necessary evidence or clips another airplane because of fatigue or culpable ignorance then both of these people may have violated applicable moral guides, even if their actions were

\textsuperscript{6} This feature of moral decision guides is similar in some ways to the formulation of Zimmerman (2008).
‘subjectively’ correct in light of the beliefs they had at the time. On the other hand, if all signs had pointed to an imminent mortal threat that turned out to be fake or if the collision was the result of a fluke accident that the pilot could not have reasonably anticipated then they may have done what the relevant moral guides required, and so made the most conscientious choice, even if it turns out that innocent people were killed as a result.

Moral guides are always guides for agents of some kind, so in order to determine what sorts of epistemic responsibilities they presuppose, we must specify what kinds of agents are in need of counsel. Kamm’s Doctrine of Productive Purity or the Principle of Utility could perhaps be moral guides for omniscient agents, but because these principles can only be applied on the basis of a whole host of facts that are inaccessible to mere mortals like us, they cannot be moral guides for human beings who have our limited epistemic abilities.

**Motivation condition** - When we seek moral advice about what to do, we may simply want to know which among the available acts ‘objectively’ should be done, independent of our ability to do them ourselves, intentionally and on the basis of the reasons at hand. Or, as David Falk has emphasized in his influential (1986) “Goading and Guiding”, we often seek moral guidance when our aim is to rationally decide what to do on our own accord and on the basis of reasons belonging to our situation as it is.⁷ Moral guides provide advice of this second kind, whereas moral standards can require actions that agents would have to be goaded into performing by, for example, introducing new reasons into their situation in the form of threats or inducements, playing on their sympathies or fears, subjecting them to propaganda or subtle conditioning, and so on.

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⁷ Herman (1993a) and O’Neill (1990a) offer similar accounts of what distinguishes rational guidance from other ways of causing people to act, as do, in an earlier age, Toulmin (1950); Adams (1960)
A moral principle requiring x counts as a guide for a class of agents only if the agents can x, where having the ability to x is not just that it is metaphysically or nomologically possible for them to x, or even merely that they have the power to x themselves; the agents must also have the ability to decide to x freely and rationally. For example, we can imagine agents who would have to be manipulated, hypnotized, deceived, brainwashed, forced or threatened to do such things as resist an addiction, compulsion or intense passion (Blum 2000; Graham 2011), sacrifice “ground projects” and relationships that give shape and meaning to their lives (B. Williams 1981; Railton 1984), violate constitutive standards of their practical identity as a mother, a friend, etc. (Korsgaard 1996), or overcome a habitually weak will, paralyzing fear or an implicit bias (Gendler 2011). Setting aside for the moment whether human beings are subject to these or other limitations on rational decision-making, agents who are cannot be guided by moral principles requiring these kinds of actions, for they lack the ability to decide to do them rationally, even if it is metaphysically and nomologically possible that they act in those ways and even if they are able to act accordingly themselves. Moral standards specify criteria for assessing actions, but they leave open what reasons, intentions or motivations we should be acting on, whereas moral guides have the express function of helping us assess our situation and rationally decide for ourselves how to proceed.

Moral guides need not always be tied to the particular set of actions that someone can rationally and freely do, however, because some of these limitations may be irrational and reversible by that agent. Moral guides can specify what agents are responsible for having the

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8 It is notoriously difficult to say exactly what it takes to make decisions rationally, but in addition to these examples of irrational decision-making and action, we can say that rational decision-making involves being open-minded, avoiding prejudice and bias, deciding on the basis of the considerations at stake, conforming one’s thinking to the Hypothetical Imperative and the rules of probability, etc. For further discussion see Rawls (1999a).

9 For discussions of the ability or power to act oneself and its connection to different ways of interpreting ‘ought implies can’ see Lehrer (1960); Taylor (1962); Graham (2011); Blum (2000); Cohen (2008: 250-254).
ability to do, and so can require them to develop strength of will, engage in stoic exercises, scrutinize their motives and do whatever else it takes (within their motivational limitations) to eliminate potentially irrational hang-ups, immoral projects or anything else that may prevent them from following the advice that moral guides provide. The key point is that, at the very least, moral guides must be *addressed to motivational standpoints that those they apply to can rationally occupy*. It is up to each of us to put ourselves in a position to comply with relevant moral guides when the time comes.

Moral guides are necessarily relativized to the motivational abilities of those to whom they apply. In the case of human agents, it could be that, unlike the agents I just described, we are utterly free to do what we should rationally, intentionally and for the right kinds of reasons, despite any and all psychological or motivational obstacles. On this kind of view, which is often attributed to Kant (1996: 6:384-5; 2002: 4:446), kleptomania, drug addiction, and family bonds could always be overcome rationally and freely if our moral guides demanded we do so, but *if* there are internal constraints on what normal human beings can rationally decide to do, ones that arise from our psychological make-up, value structures or personal identity, then moral guides for us will have to be sensitive to those limitations.

Before moving on to the third distinguishing feature of moral decision-guides, here are a few points of clarification. First, moral guides play two roles: They help us decide what to do from our practical, deliberative standpoints; but they also evaluate our actions accordingly as morally conscientious, morally unworthy, etc. Second, moral guides can make us responsible for having certain beliefs and for possessing the ability to perform certain actions freely and for relevant reasons. When, on a particular occasion, we lack the required information or cannot rationally move ourselves to do what the principles require, our actions can be evaluated
unfavorably even if we sincerely deliberated as best we could in our particular situation. A doctor who refuses to prescribe a drug that he sincerely but wrongly thinks will harm his patient may violate a moral guide if he was negligent in his responsibility to stay up on the most recent medical research showing the drug to be effective, but he may not violate the moral guide if there were no plausible way for him to know that the drug would be successful and every indication that it would not be. Or, if a police officer raids a house and, compelled by extreme fear and adrenaline, immediately shoots a suspect who appeared to be relaxing on his couch, she violated the relevant guidelines about the use of deadly force because she failed in her responsibility to keep her emotions under control. The fear she felt at the time may have been overwhelming, but if she possessed the ability to behave rationally in such situations but, for example, refused to practice coping in high-stress environments, then she violated the relevant moral guide. Third, moral guides are not just principles of ‘subjective’ rightness, therefore; they often expect agents to have generally available information, point us toward facts we should be on the lookout for or be actively gathering, and require us to examine, assess and shape our motivational capacities so that we are in a position to freely comply with those principles when the time comes. Fourth, what specific responsibilities moral guides place on us, and the costs associated with fulfilling them, may also figure into how particular principles are assessed, but whether or not this is so, our cognitive and psychological structures place limits on what a moral guide can require us to know or do ourselves. Finally, the sort of responsibilities that figures into moral guides is not the backward-looking sort that is essentially tied to praise or blame; rather, these are the forward-looking kinds of responsibilities that come with, for example, joining a club, raising children or teaching a course (Hill 2010).
Acceptance condition - Moral guides successfully fulfill their choice-guiding function for an agent only if the agent accepts the principle – a moral principle does not guide someone if she just happens to comply with it. But not all moral guides are successfully enacted or taken-up by those they apply to. This can happen when, for example, the agents are irrational or ignorant or because the principles themselves are stifling or unjustified. It seems natural to say, for example, that doctors have not yet adopted the suggested guidelines or that good advice can go unheeded. The point, rather, is that it must be at least possible for the guidelines or advice to be internalized by the respective parties; otherwise, these things would not be guidelines or advice for those agents. If a moral principle were so complicated or demanding that it could not possibly be accepted by the specified agents then that principle would not qualify as a moral guide for them. In order for a moral principle to be a moral guide, the agents who are bound by the principle must be able to accept it.

What, then, is it to accept a moral principle? According to a well-known account, accepting a moral principle involves having a complex of actions, attitudes and dispositions. A person who accepts a moral principle believes (perhaps only implicitly) that acts of the stated type have the moral status ascribed to them for the specified agents, which is to say, she believes the moral principle. Because she holds this belief, someone who accepts or internalizes a moral principle tends to comply with it freely and for reasons and favor those who do the same; she also tends to feel guilty if she breaks it and condemn others who do so as well (Hart 1994; Baier 1958; Brandt 1963, 1959, 1996; Rawls 1999b, 1999c).

We should expand on this traditional view of what it is to accept a principle and say in addition that, when someone accepts a moral principle, her belief in the principle tends to structure her moral deliberations in the following ways. She is disposed to consult the principle
when it may help her decide what to do in complex or difficult situations, particularly ones where her values, commitments or other moral principles appear to be in conflict. She is also disposed to look to the principle when seeking a fuller explanation for why some decision, and not another, is most appropriate, even when she is nonetheless immediately sure about what to do. These consultation processes need not be algorithmic but will usually require moral judgment and interpretation to yield definite answers. Her belief in the principle tends to prevent or decrease the likelihood that certain kinds of actions occur to her as viable options in normal circumstances (e.g. torture or murder), it makes other actions seem obviously correct or at least highly plausible (e.g. taking care of her children or giving to charity), and it disposes her to express her commitment to that principle as well (e.g. by serving coffee to guests as a way of showing them respect from).  

Moral deliberation is not wholly a matter of being guided by moral principles, although moral principles do have a role to play in our moral decision-making. Proper moral deliberation affords a prominent role to ideals, exemplars, virtues; it requires authenticity, conscientiousness and moral education; it may involve rules of moral salience that help us pick out features of our situation that require moral attention (Herman 1993b); and there is an ineliminable need for moral judgment to determine what to do in particular circumstances on the basis of the relevant facts of the case. When moral guides are playing a prominent role in our moral deliberations, they are almost never algorithms that generate determinate answers to particular moral problems, and the more specific moral guides we accept typically do not follow deductively from more general ones, so interpretation will often be necessary. Nonetheless, in contrast to virtue ethicists and particularists, the best and most complete explanations of why we do what we do will often

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10 The last example comes from O'Neill (1990a: 84).
appeal in some way or other to moral principles that guided our actions, whether it be high-level ones that we implicitly treat as background, life-governing principles or more specific ones we explicitly consult.

3. Moral Guides: Their Limits

If a moral principle is to serve as a guide for agents of the human kind, it must be sensitive to facts about our epistemic, motivational and deliberative abilities. But just how closely must our moral guides be tied to human foibles, social accidents and other facts about human nature? Political progressives, for example, often object to principles such as ‘abstinence only’ and ‘Just Say No’ on grounds that it is unrealistic to expect people to overcome pressure and temptation for sex and drugs on their own, whereas political conservatives wonder why the mere feasibility of these proposed moral principles matters in the least to whether they should be taught, accepted and followed. This same basic dispute, as we shall see, occurs between Rawls (1999b: 112-118) and G. A. Cohen (2008: 323-331) as to whether and to what extent principles of justice, and moral principles more generally, must be sensitive to and shaped by facts about human nature. What tends to be taken for granted in these political and philosophical discussions, however, is that moral guides are, by their nature, very sensitive to empirical facts about how easily they can be implemented, known and made stable, the social costs of doing so, and difficulties we have in applying them or bringing ourselves to comply with them. Those, such as Cohen, who are uneasy with tying moral principles so closely to facts about their feasibility tend to argue that greater prominence must be afforded to moral standards over moral guides, right action over mere implementation. However, on the view I am suggesting, moral guides for human beings must be sensitive only to very general facts about our abilities and
limitations, ones about what we can possibly accept, know and move ourselves to do freely and rationally.

3.1 The Publicity of Moral Guides

One reason we might think there is a close connection between our moral guides and facts about human nature is that moral guides not only have an advisory role to play but also necessarily fulfill that function, so that a moral principle not actually guiding the moral deliberations of its intended agents does not count as a moral guide for them. Rawls (1999b: 115) discussion of publicity as a ‘formal constraint on the concept of right’ may suggest that he is arguing in this way (A. Williams 1998: 344-372; Cohen 2008): Moral guides have a choice-guiding role, so when we are assessing them, we should do so on the assumption that they are providing guidance. In order for a moral guide to be providing guidance to a group of people, each of them must know and accept the principle and know this about everyone else – that is, the principle must be public in a strong sense. So, if it would be very difficult to make some principle public in this way or if doing so would have undesirable effects then the principle should be rejected or reworked to make it easier for people to accept it and learn that others accept and follow it as well.

This particular argument, whether or not it is Rawls’, misconstrues the nature and function of moral guides. If a kind of thing has a function, it does not follow that all things of that type actually fulfill their function or even that they must be evaluated on that basis; instead, what follows is that things of that type can possibly fulfill their function (e.g. a chair is still a chair even if it is never sat in or is quite wobbly, as long as it could be sat in) and that they can be evaluated on this basis. If we are limited to what can be derived from the nature of moral guides themselves, their choice-guiding role gives rise to a publicity requirement that is much
weaker than Rawls’, namely that the principle can possibly come to be learned and accepted by everyone to whom it applies. Once a moral principle has passed this minimal threshold (and also satisfied what I have called the epistemic and motivation conditions), the principle counts as a moral guide. Nor does it follow that moral guides must also be assessed on the basis of how likely they are to become publicly known and acknowledged, for it could also be that the best moral guides for a group of agents are ones that are very difficult to promulgate and unlikely ever to be generally accepted. Cohen is correct, therefore, that the strong publicity requirement that Rawls describes – namely, mutual-knowledge of a principle’s universal acceptance – is not a formal constraint arising from the choice-guiding role of moral guides; it is better understood as a moral consideration for assessing principles of that type that must be argued for on moral grounds.

3.2 Moral guides for human agents

On the conception of a moral guide I am advocating, in order for a moral principle to qualify as a moral guide for persons of the human kind, it must be possible for us to accept it and for us to take up the epistemic and motivational standpoints that the principle is addressed to. It is a highly speculative and partially empirical matter which, if any, moral principles cannot possibly be accepted as moral guides by human agents. But we can make some educated but defeasible guesses about some requirements that are likely to constrain the selection of our moral guides:

(1) Moral guides must be relatively simple in order for it to be possible for all of us to learn, accept and apply them. It is unlikely that even moderately complicated moral principles, with their built-in exceptions, qualifiers, defeaters, and excusing conditions, could ever guide the decisions of human agents with our limited cognitive and motivational abilities. Byzantine
moral standards that try to cover every possible eventuality are clearly off limits as moral guides for us. The most intelligent and morally sensitive among us might manage to learn certain complex moral principles, but the moral guides we are concerned with now are meant for all human agents, not just the most gifted ones. Moral guides may therefore have to elide over distinctions, leave out exceptions, and otherwise round a few edges in order to possibly guide the actions of us all. Our cognitive limitations further suggests, but do not strictly require, that moral decision-guides will be mainly focused on normally reoccurring cases we are likely to face rather than exotic examples designed to reveal rare exceptions we will never need.

(2) Moral guides must be addressed to epistemic standpoints that we can possibly take up given our general human capacities of memory, intelligence, imagination, attention, knowledge, understanding, reason, etc. along with our susceptibility to bias, prejudice, carelessness, self-deception, self-servingness, and so on. The principle of utility, for example, could not guide our actions if it required us always to successfully calculate which among our available acts would actually maximize utility in the long run, for such computations are almost always intractable for us, particularly in the short time we typically have to act. The most intelligent among us may be equipped to undertake more sophisticated epistemic responsibilities, but moral guides for us all must only presuppose epistemic standpoints that are universally available to human agents.

(3) It must be possible for our moral decision-guides to be stable in the sense that we must be able to accept and regularly comply with them, and do so willingly and for reasons that exist in the cases at hand. There may be internal obstacles that prevent many of us from being able to be guided by certain moral principles. For example, some of us may be unable to achieve utter impartiality with regard to ourselves or our families, surmount certain kinds of addictions ‘cold turkey’, overcome extreme fatigue, hunger, thirst, fear or pain or resist the slippery slope of
making more and more unjustified exceptions to certain moral principles once one justified exception has been introduced. Not only must it be possible for us to comply with our moral guides freely for the right kinds of reasons, without the need for manipulation, brainwashing or coercion, but it must also be possible for us to be disposed to do so and tend to feel guilty if we break them, to resent others who do so and to find the required actions obviously correct, which makes it even less likely that some of us could come to be guided by very demanding principles that conflict with our deepest values, affections, temptations and needs. Again, the issue is not whether those rare people with Herculean wills could do these things, but what is possible for normal human agents.

Moral standards, such as the Doctrine of Productive Purity, are not subject to these requirements of feasibility, which helps to explain why those principles, and the examples from which they are drawn, are often so unwieldy, other-worldly and far-removed from the real-world moral problems for which we need moral guidance.

4. Pure Procedural Rightness

What is the relationship between moral standards and moral guides? It could be that moral standards are about what we objectively ought to do while moral guides tell us how to deliberate and act conscientiously. Moral guides may also be mere heuristics that, when internalized and followed, make us more likely to do what the true moral standards require of us than if we tried to follow them ourselves. On either view, moral guides do have an important and somewhat overlooked functional role in guiding the actions of imperfect agents, but they would always be seen as secondary to the true standards of right action.

My view is more extreme, I suggest that we abandon the search for moral standards altogether and hold instead that what we objectively ought to do consists in following the correct
moral guides for us. If our aim is to act as we should, and the most reasonable moral guides for us provide the best advice and counsel available, then why not simply say that we do as we should by acting on their direction?

One way of understanding this alternative is by analogy with Rawls’ (1999b: 74-5) distinction between perfect, imperfect and pure procedural justice. Procedures of various kinds can be better or worse at helping us satisfy a criterion that is defined independently of the procedure itself. The rules of evidence in jury trials are imperfect means to the goal of convicting only the guilty for the crimes they are charged with (this is an example of imperfect procedural justice). The goal of dividing a cake equally can, under certain assumptions, be accomplished perfectly by requiring the person who does the cutting take the last piece (this is an example of perfect procedural justice). Similarly, the intricate approach specifies a set of criteria for doing as we should that is defined independently of any procedures that may help us satisfy those standards. Because of limitations on our epistemic and motivational capacities, the best moral guides for human agents will have to cut some corners in order to be simple enough for us to learn, accept and apply them. Studiously following those guides will make us quite likely, but will not guarantee, that we do as we independently should (we might call this imperfect procedural rightness). Perfect procedural rightness would exist if we could design a set of moral guides that, when complied with, would ensure that we always satisfied the applicable moral standards.

A pure procedure, by contrast, exists when there is no independent standard of correctness, only the procedure itself that, when followed correctly, makes its outcome valid or correct. Under certain conditions, for example, the distribution of poker-chips is fair just in virtue of being the result of a fair gambling procedure – there is no need for an independent
criteria of how many chips each person deserves. This suggests a different way of thinking about the morality of right action, one that essentially replaces moral standards with moral guides. On this view, if we were to successfully deliberate successfully and act on the basis of the most reasonable moral guides for us then we would thereby do what we objectively should. The correct moral guides define a procedure that is not aimed at satisfying any independent moral criteria and acts are right just in virtue of being the result of this procedure (we can call this pure procedural rightness).

Why might one favor a view of this sort over the intricate approach? Much will depend on how we evaluate and assess which moral guides are the correct ones for us, but one reason to make use of pure procedural rightness is that the morality of right action is not conceived as a third-personal and descriptive enterprise, but rather as fundamentally first-personal and action-guiding, which may accord with commonsense views about the point of morality in general.11 Second, the conception of moral guides I describe can overcome the three most apparent difficulties with making them into principles of objective rightness – moral guides can be very demanding, as principles of right often are, they are not merely “subjective” principles that tell us what to do in light of our particular beliefs and desires, and moral guides need not concede too much to contingencies of human nature. Finally, a pure procedural account of what we objectively ought to do helps to organize and explain common intuitions about a variety of cases, including the following:

(1) Debates about the morality of torture often fail to specify the sort of moral principle that is under discussion – is our concern with moral standards that govern acts of torture

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11 Aristotle and Kant conceived of morality as first-personal and action-guiding. Hampshire (1949) thought one of the ‘fallacies’ of moral philosophy is that it often fails to address first-personal questions about how to deliberate and act, Baier (1958: 59) took a similar line, and Hare’s (1952) prescriptions, though not guides, are addressed to first-personal perspectives.
independently of our beliefs, intentions or other mental states, or are we after moral guides that help us work out whether or not to torture someone under conditions of uncertainty?\(^{12}\) Ticking Bomb cases, which are a favorite of the intricate approach (e.g. Kamm (2011), typically stipulate some facts – the bomb will go off if we do not stop it, torturing him is the only way to find the bomb, etc. – and we are supposed to judge whether these circumstances warrant an exception to the moral standard regarding torture (Shue 1978: 141).

Characterizing the cases in this way, however, leaves out some of the most pressing and fundamental moral issues about torture, ones that become apparent when we re-describe the examples from the point of view of someone who is faced with making a decision about whether or not to torture someone – this person reasonably believes, but is not sure, that there is a live bomb in the city set to go off soon; the suspect says he planted the bomb but he also seems deranged and hungry for fame, etc. Reflecting on what moral guidance to give her as she struggles with whether to torture the suspect now, pursue unorthodox but less violent strategies, begin evacuation procedures, and so on, reveals many deep moral issues that the intricate approach tends to miss. For example, thinking in terms of moral guides puts front and center questions about what kinds of information we think people in such situations should be trying to gather, how sure about the facts they need to be before they torture someone, how long they should wait to make a decision and what risks of getting it are acceptable? Moreover, keeping track of the complexity of moral guides about torture may suggest that even if torture were advisable when someone was reasonably sure of every relevant detail in a Ticking Bomb scenario, such cases are so rare that it may not be worth building them into the moral guides for

\(^{12}\) Those who write about the morality of torture in Ticking Bomb scenarios very often run together these very different moral questions, although they usually attempt to separate legal from moral issues of torture, for example Elshtain (2004); Brecher (2007); Walzer (2003); Dershowitz (2002); Shue (1978); Walzer (1973); Scarry (2004).
everyone. Allowing a single exception in an emergency case could also make the principle liable to abuse; and maybe what is needed are more specific rules for police officers, the President, and ordinary people that may differ in the exceptions they allow. This is more or less the way we train police officers, life-guards, etc. by putting them through real-world scenarios as they are likely to encounter them and we hold these people to guidelines that help them decide what to do.

(2) Bernard Williams (1981), citing Charles Fried (1970: 227), describes a Life Boat case in which a man can only save one of two people who are in great peril, one of whom is his wife. Any moral principle that requires the rescuer to be utterly impartial with regard to his wife is unjustified, according to Williams, because internalizing it would be incompatible with their loving relationship. Whether or not we agree with Williams and Wolf (1982, 2010) that morality is not always overriding, being preoccupied with moral standards can lead us to miss, downplay or explain away the fundamental moral tension Williams has identified between what we ought to do and how best to relate with our loved ones – supposing the rescuer is required by a true moral standard to give equal chances, his loving relationship can plausibly be maintained simply by refusing to accept that principle or appeal to it in his moral deliberations. Focusing on moral guides, on the other hand, better captures the nature of this conflict, suggests a way of resolving it, and calls attention to some other pressing moral issues that the intricate approach may miss.

When we consider what guidance to give the rescuer, it would be relevant information that human beings cannot rationally achieve full impartiality, at least when the lives of our loved ones are at stake. There may be biological, psychological and cultural reasons for thinking that most of us are unable to decide freely and rationally to overcome our close ties to our children, spouses or close friends, or to freely and rationally adopt, without brainwashing, coercion or manipulation, certain kinds of attitudes and dispositions to sacrifice them when their lives are in
danger. If human nature prevents us from being impartial with regard to those we hold most dear then this general fact would rule out moral guides that did not permit special dispensations to favor our loved ones – all moral guides, on this view, would allow the rescuer to save his wife because we cannot reasonably expect him to rationally do anything else.\textsuperscript{13} We could go further and say that our reluctance to sacrifice our personal commitments and relationships, even in less extreme cases in which we do have the ability to do so rationally, figure prominently in how moral guides should be shaped and assessed. Such principles could allow partiality in some cases but not others and moral argument would be needed to distinguish between them – examples include turning in a child to the police, stealing drugs they need, rigging the organ donation system in their favor, giving priority to our loved-ones when distributing a less significant good, or secretly warning them about an impending disaster when others are not being told.

(3) The most enduring examples in moral philosophy are captivating and befuddling in part because they can be easily understood first or third personally – the facts that are stipulated are often ones that are readily available to us – so they often serve as good test cases for specifying moral standards and moral guides. It seems plausible, if somewhat unlikely, that a train conductor could be reasonably sure that his breaks are out, that his trolley will very soon kill some construction workers, and that his only option is to switch the tracks so that his trolley will hit the one person. The moral guidelines for such situations may require him to waive frantically, radio ahead, blow the horn, perhaps even risk his own life to manually set the breaks, but once all other options appear to be exhausted, it may be acceptable for him to switch the tracks. We would then need an explanation for why the moral guidelines for doctors do not

\textsuperscript{13} Knowing this, the rest of us may then take reasonable precautions to ensure our safety on ships – perhaps we would choose not to frequent a vessel in which the captain’s wife or children are on board.
allow them to harvest organs when she is reasonably sure that doing so would very likely save five other lives. Thinking in terms of moral guides rather than moral guides forces us to examine aspects of these contexts that are usually regarded as morally irrelevant. Facts about the relative likelihood of our being in such situations, how liable the alternative rules are to being abused, and the comparable effects of their being generally known or accepted may play a more pivotal role in explaining this particular moral asymmetry than how (if at all) to draw the distinction between killing and letting die (Rosenberg 2000).

Trolley Cases become less relevant to the project of specifying correct moral guides for us, however, when they describe more and more remote contexts that involve pushing a fat man who is somehow supposed to stop a trolley, looping trolley tracks, Lazy Susan switches, jumping trolleys, let alone scenarios in which the single person can place a protective shield around himself, or, as in scenario I began with, the trolley can miraculously produce a resurrecting serum. Cases of this sort may serve a valuable role in formulating moral standards, but they are not very important for assessing moral guides for human agents. Once we see that the intricate approach is focused on formulating moral standards rather than moral guides, some of our unease with contrived examples and dense moral standards is explained away, leaving us with a very different and more pressing project of specifying the most appropriate moral guides for human agents in light of facts about our limitations and abilities.


