Moral Judgment and Historical Understanding

By

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Abstract

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Philosophers, historians, and social scientists often suppose that our moral judgments are insulated from our historical understanding, and vice versa. That is, they generally assume that while our moral judgments appraise social and historical facts, they do not constrain our predictions and explanations of those facts; conversely, our historical accounts describe and explain social phenomena, including ethical phenomena, but they are separate from our evaluations of those phenomena. I challenge both of these assumptions, in arguing that our historical understanding is wrapped up in certain inextricable ways with our moral outlook. More specifically, I contend that some of our moral judgments presuppose assumptions about history and the social world; and also that our social and historical accounts can be informed by our views about morality. In short, our moral and historical views are interdependent.

These general claims are defended through an investigation of three cases of interaction between our moral judgments and historical understanding. In the first case, I explore how assumptions about the causal dependence of present moral practices on past activities have implications for retrospective evaluations of those past activities. More specifically, I grapple with the possibility and evaluative implications of there being large-scale past activities that are both unjust but also necessary causal conditions for the historical emergence of modern liberalism. In the second case, I examine how the presupposition of universal validity in our moral outlook constrains our explanations of the historically distant. More specifically, I consider whether, and how, liberal universalism, the widely-held view that liberal values are universally valid, can provide a plausible “theory of error” to account for the non-liberal tendencies of past societies. In the final case, I reflect on how assumptions about the cultural or normative distance between other social worlds and our own inform our character assessments. More specifically, I try to make sense of why our character assessment of someone who did something morally wrong is influenced by where we locate the wrongdoer in history.
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Chapter One: Introduction

1. Moral Judgment and Historical Understanding

Philosophers, historians, and social scientists often suppose that our moral judgments are insulated from our historical understanding, and vice versa.¹ That is, they generally assume that while our moral judgments appraise historical facts, they do not constrain our predictions and explanations of those facts; conversely, our historical accounts describe and explain social phenomena, including ethical phenomena, but they are separate from our evaluations of those phenomena. After all, it cannot be denied that it is one thing to think aspects of history and the social world are a certain way; and another thing to think those aspects could be morally better or worse than the way they are.

For example, though we may judge ancient slavery morally abhorrent, that judgment appears not to be very helpful when we try to explain slavery’s prevalence in antiquity. And that unhelpfulness does not appear to have its source in the content of the moral judgment in question. Even if we believed that ancient slavery was morally permissible—or even if we refrained altogether from judging the morality of ancient slavery—this would not seem to make things any easier for us when we try to explain the practice’s prevalence in the ancient world. Consider a case from the reverse direction: Some historians attribute the rise of liberalism in part to the emerging economic system of capitalism; but that judgment appears to be independent of our assessment of the moral and political virtues of liberalism. Most of us would continue to think that the liberal way of ordering society was admirable and just—perhaps in some sense uniquely so—even if we rejected the view that the emergence of capitalism contributed to its rise.

But even on the assumption that our judgment of the rightness or wrongness of a practice is independent of our explanation of that practice’s historical emergence, this does not mean that the moral judgment in question is completely independent of our broader historical understanding. Thus, even if our belief that ancient slavery is morally abhorrent has no direct significance for our explanations of slavery’s prevalence in antiquity, it might nonetheless have implications for how we understand the social conditions of the ancient world. For one thing, the moral-epistemic situation faced by human beings will always be structured by cultural and historical facts. If how we understand the moral-epistemic situation of those in the ancient world is informed by our moral assessment of their outlook and practice, then those moral assessments will also inform how we think about the social conditions of the ancient world. Relatedly, certain moral views may more naturally give rise to various historical questions, which present themselves to us as even more pressing and perplexing given our moral views. For example, if we believe that slavery is universally morally wrong, and thus that ancient

¹ Though some philosophers (notably Bernard Williams) assign different meanings to “morality,” “moral,” etc. and “ethics,” “ethical,” etc., I shall not follow this usage; here and throughout, I use these terms interchangeably.
slavery is morally wrong, it may seem especially puzzling why those in the ancient world (and in other social worlds) were unable to acknowledge what seems so obvious to us now. We may feel compelled—to an extent we would not otherwise—to identify the features of their historical situation which limited their moral understanding. The moral judgment in question may also have implications for how we view the motivational structure of distant human beings by informing how we construe the kinds of considerations they treated as reasons for action. A significant part of making sense of the past consists in understanding what considerations at a given time or place were treated by people as counting for or against doing various things.

Conversely, even if we grant that our historical account of the rise and fall of a particular system of values has no direct implications for our judgments of the rightness and wrongness of those values, this does not mean that the historical account in question has no implications whatsoever for any of the ethical appraisals that we may direct at historically distant societies and persons. Thus, even allowing that the view, “The rise of liberalism is caused in part by the emerging economic system of capitalism,” has no implications for how we assess the ethical merits of liberalism, the view may nonetheless have implications for how we view pre-capitalist persons who did not live according to liberal values and principles. That is, the historical view in question may have implications for whether we think a pre-capitalist person’s endorsement of practices that conflict with liberal principles such as “Every human being deserves equal consideration” is compatible with that person’s being morally decent nonetheless. The historical explanation in question may also have implications for whether we end up blaming, or judging as blameworthy, those in the distant past in virtue of their violation of liberal ideals.

Without denying the significance of the distinction between fact and value—in particular, between historical description and explanation, on the one hand, and moral evaluation, on the other—I want to argue that our historical understanding is wrapped up in certain inextricable ways with our moral outlook, and vice versa. More specifically, the chapters that follow seek to establish that some of our moral judgments often presuppose certain conceptions of history and the social world; and also that our social and historical accounts can be informed by our moral judgments. In short, there are strands in our thinking about morality and thinking about history and the social world that are interdependent.

These general claims are defended in the course of an investigation of three specific cases of interaction between our moral judgments and historical understanding. In chapter 2, I consider the possibility and evaluative implications of there being large-scale past activities that are both unjust but also necessary causal conditions of the historical emergence of liberalism. In chapter 3, I explore whether, and how, liberal universalism—the widely-held view that liberal values are universally valid—can explain the frequent and evident failure of historically distant societies to acknowledge liberal values. In chapter 4, I grapple with the historically relativized feature of one class of moral judgments—that our assessment of a person’s decency is informed by where we locate that person in history.

More specifically, I defend the following claims:
1) The view that certain historical activities were necessary causal conditions for the evolution of our ethical tradition, modern liberalism, has implications for our evaluations of those past activities. At the same time, how we evaluate the historical activities in question also has implications for whether or not those activities are necessary causal conditions for modern liberalism. In particular, only two but not all of the following three attitudes can be consistently maintained: (i) valuing modern liberalism immensely, (ii) regretting all-things-considered the occurrence of certain historical injustices; (iii) believing that those historical injustices were necessary causal conditions of the historical emergence of modern liberalism. If this is right, then we should hold onto (i) and (iii), and give up (ii).

2) The view that there are universal liberal rights—or that liberal values apply to everyone, everywhere, at all times—constrains in a certain direction our historical explanations of historically distant people and societies. In particular, by the lights of liberal universalism, a “theory of error” that explains why members of historically distant societies were not liberals has to appeal either: to personal factors, such as the moral and cognitive constitutions of their members, or to structural factors, such as the way that one’s historical situation can enable and limit one’s access to considerations bearing on a thing’s moral significance of status. Furthermore, the structural factors in question often provide better explanations.

3) Certain classes of our moral thinking—in particular, our blame judgments and character judgments of members of culturally and historically distant societies—are influenced by the idea that social conditions can place significant limits on access to moral reasons. These limits can help to explain as well as to justify our reluctance to blame and to judge as indecent those culturally and historically distant individuals who violate various moral norms.

2. Methodology and Overview

My interest in investigating issues at the intersection of our views about ethics and our views about history and the social world is driven by the force of the fact that while the point of ethical values, ideals, and principles is to govern the conduct of human life, their success in regulating human behavior will always depend in part on social and historical factors. Thus, if we want to understand the role of ethical values, ideals, and principles in our lives, and in human life generally, then we need to examine ethical questions in concert with social and historical questions.

Let us compare the philosophical area of this dissertation, which I will label “moral sociology,” with the field of moral psychology. While moral psychology is the study of issues at the nexus between ethics (and more generally, normativity) and psychology, moral sociology is the study of issues at the nexus between ethics (normativity) and social and historical phenomena. Of course, cultures, societies, and institutions are just composed of individuals. So, even if it would be unwise to simply
“scale up” all the issues and problems of moral psychology to formulate the questions of moral sociology, I think some of the questions that concern the relationship between ethics and psychological phenomena can also be asked about the relationship between ethics and social and historical phenomena. For example, just as we can ask about the psychological states and capacities that make it possible for moral norms to govern human actions, so we can ask about the social and historical forces, mechanisms, structures, and developments that make it possible for a group of people to achieve a certain set of ethical values, commitments, and practices.

Practically all human beings are moved by consideration of good and bad, and right and wrong, and practically all cultures and societies evolve over time. One of the dimensions of change is people’s ethical concepts, values, commitments and practices. As people’s ethical attitudes change so does the form of their social life. It is, after all, the ethical values that a group of people hold that help to constitute the social world in which they live. If we think cultures and societies can evolve, not inevitably but contingently, to more closely approximate certain ethical values, ideals, and principles that are (by our lights) objective and universal, then there must be social and historical forces that can account for the movement between various ethical systems within a society or culture over time. Perhaps one thing that may account for these transitions is that the ideas and principles under the earlier ethical systems are less than fully coherent and were under tension, as Hegel believed. Or perhaps, as Marx held, it is economic facts and the growth of material conditions that are fundamental to explanations of changes in ethical systems over time. Or we might think that the seemingly intended and purposeful manner in which societies change over time can be the result of interactions that do not strictly involve such intentions or purposes, something that “Invisible Hand” explanations try to show. Or maybe changes over time in ethical systems are to be accounted for by exemplary and heroic individuals who are able to radically transcend the prevailing moral thinking of their time, perhaps thereby pushing ethical consciousness on into its future—a possibility Nietzsche depicts with his Übermensch. These suggestions are of course not necessarily mutually exclusive, but the wider point I want to make is that reflection on the ethical dimension of human life can quite naturally lead to questions about the historical and the social; at the same time, social and historical understanding itself involves the description and explanation of ethical phenomena, thus leading naturally to reflection on aspects of the ethical.

If some of the questions that concern the relationship between ethics and psychological phenomena can also be formulated with respect to the relationship between ethics and social/historical phenomena, then perhaps some of the general methods of investigation in moral psychology may also be applied to moral sociology. In a discussion of central issues in the field of moral psychology, R. Jay Wallace identifies two approaches to studying the nexus between ethics (normativity) and psychology:

First we can begin with some normative claim or aspiration, and ask about the psychological implications that it carries in its train. … Secondly, we can take
some psychological phenomenon, and explore its links to normative concepts and assumptions.²

I think the two general approaches to the study of moral psychology that Wallace outlines can also be instructive for how to proceed in the study of moral sociology. One way to approach the relationship between our ethical thinking and our social and historical understanding starts by identifying some strand in the latter. Thus we begin with the characterization of some assumption, description, conception, or explanation of the past (distant or recent) or of the large-scale or small-scale passage of time. This can be achieved by attending to our “folk” historical accounts as well as to those accounts that come from more reflective forms of historical and social inquiry; the accounts can have different forms and degrees of sophistication. We then proceed to explore how the historical strand in question may have implications for our ethical (or more broadly evaluative) thinking. In the process, we may be led to rethink and revise parts of our pre-reflective ethical thinking; we may also be led to rethink and revise aspects of our historical understanding. This kind of reflection might be understood then as a kind of broad reflective equilibrium: our ethical outlook and historical understanding are brought into balance and made consistent in the movement of going back and forth between the two. (Of course, there is no a priori guarantee that our ethical and historical judgments can always be made to cohere.) This is the implicit strategy adopted in the second chapter, “Lamentable Necessities.” Here, I begin by considering an idea about the necessary causal dependence of present ethical practices on certain historical activities; I then go on to explore its implications for our retrospective assessments and moral judgments of those activities in question. More specifically, the chapter explores the evaluative implications of the claim that there are activities in history that are both unjust but also necessary for the historical emergence of valuable forms of ethical life. It contends that if there are such activities, then there may be a sense in which we cannot rationally regret their occurrence.

A different approach takes as starting point the characterization of some aspect of our ethical (and more broadly normative) thought and experience—some ethical assumption, presupposition, claim, or aspiration. This can be pursued by paying careful attention to our ordinary use of ethical language and common-sense understanding of ethical concepts, and by reflecting on the unstated but widely-shared background presuppositions in our ethical outlook. It then goes on to examine how the relevant element in our moral judgments impinges upon some aspect of our social and historical understanding—for example, our conceptions of human life in distant societies, of the psychology of distant human beings, of some features of past societies and their relation to the present, of the nature of social and historical forces, structures, and development, and so on. Again, the results of this kind of reflection may lead us to rethink and revise some of our historical conceptions and explanations; at the same time, it may also give us

reason to reconsider parts of our ethical thinking. In this way, our ethical thinking and historical thinking are brought into line.

This second general method is employed in the investigation that concerns the third chapter, “A Theory of Error for Liberal Universalism.” I begin by identifying a universalistic strand in our ethical outlook, the idea that no matter what the culture, society, or the historical period, certain ethical values and principles apply to everyone or to all societies. For example, on the one hand, we have the conviction that every human being deserves equal consideration. On the other hand, we know that most people in the past do not share this belief; and also know that some people in the world now do not share it. The chapter considers the implications of the universalistic assumption in our ethical outlook for how we account for the evident and frequent failure of human beings in the distant past to acknowledge liberal values, principles, and ideals. As a way of orienting my investigation, I bring my concern with how the universalistic assumption informs our historical understanding into critical contact with a demand for an error theory which Bernard Williams has presented to liberal universalism—that the view needs to explain the non-liberal tendencies of historically distant societies. In investigating whether, and how, that demand for an error theory can be met, we also face the question how universalistic ethical claims might constrain our historical explanations in a certain direction.

While the focus of the third chapter is on the potential constraints imposed by our ethical understanding on how we explain or account for others, the focus in the fourth chapter, “The Relativism of Character Assessments,” is on making sense of an ethical aspect of ourselves. More specifically, the fourth chapter grapples with the historically relativized feature of our character judgments (specifically, what I call “judgments of decency”) and attempts to explain and justify it by bringing to light some historical assumptions that inform these judgments. The methodology employed in this chapter is a variant of the one used in the third chapter. I begin by describing a puzzling feature of our ethical outlook—that our character judgments of those who did something morally wrong appear to be shaped by where we locate the wrongdoer in history. I then show that the relativized feature of these judgments is driven, in part, by assumptions about the different moral conceptual resources (and other normative resources) available in societies of varying cultural distances to our own, and about how these resources limit and enable access to important moral considerations.

My view that certain classes of our moral judgment are (and should be) informed by our social and historical views relies on distinguishing between practice-focused and agent-focused moral judgments. Practice-focused judgments, as the term suggests, target actions, practices, and institutions. A target of a moral judgment is that toward which the judgment is held. Practice-focused judgments include thick ethical judgments, which employ concepts that have more empirical content (e.g., “Slavery is exploitative”), as well as thin ethical judgments, which involve more abstract concepts such as moral permissibility and moral goodness. Agent-focused moral judgments, by contrast, target persons, or agents; these can also employ concepts with more empirical content (e.g., “He is a bully”) or less (e.g., “He is not a decent person”). I argue that our moral blame judgments and our decency of character judgments, both of which are agent-focused and employ relatively thin ethical concepts, are sensitive to our historical understanding in the
sense that they are based in part on perceptions of the extent to which certain considerations bearing on a thing’s moral significance or status was readily available to the agent being judged. (This claim is defended at the end of chapters 3 and 4).

In fact, one theme that runs through these pages is that many of the intuitions that motivate moral relativism—the view that the very content of moral judgments varies with varying cultural commitments and practices—can be accommodated by restricting relativism to certain, though not all, classes of moral assessment. In particular, I contend that relativism is defensible for judgments that are focused on morally appraising persons, or agents—e.g., judgments of blame and assessments of character—but not for those that assess the moral permissibility of actions and practices. On this view, moral blame and negative character assessment would be more appropriate towards a contemporary upper-middle-class European or American who is disposed to sexist and racist attitudes and behavior rather than towards a person who exhibited the same kinds of attitudes and behavior two hundred years ago. The reason for this, I argue, is not that it was less wrong or less morally bad to have sexist and racist attitudes two hundred years ago, but rather that the reasons for not being sexist or racist are more readily available to people today than back then.

Another theme is the moral philosophical significance of the fact that our moral practice has a history and has social causes, that familiar and seemingly long-standing practices and social formations are historical deposits, resulting from, as well as implicated in, complex causal chains of events and contingencies. Our ethical outlook and practice are as they are here and now because of what they were elsewhere and in earlier times. A key part of understanding the ethical dimension of our lives lies in appreciating how our ethical outlook and practice got to be the way they are from what they were before. Philosophers often emphasize the importance of the more general rational capacities and natural sentiments—the ability to reason and argue with others about how to live, to imagine how life might be different, to decide what to do for reasons, and to care about and sympathize with others beyond ourselves—for ethical life. They are right to do so, but need to also be mindful of the extent to which historical forces can shape and elaborate these rational capacities and sentiments, and of how this may be tied up with the historical evolution of ethical values and conceptions.

The desire to ask and answer certain historical questions can itself be an attempt to achieve some kind of satisfactory understanding of the sources of, and our relation to, one of the most striking facts about us—our liberalism. Thus, we may want to ask such questions as where liberal values, ideals, institutions, and practices came from; how they emerged in the historical process; how we came to hold them; why others in the past and others in the world now do not share them; why some traditional practices and patterns of authority went out of existence; etc. Given the high level of reflection and self-consciousness characteristic of our time and place, even if some of our social and historical views cannot be said to directly derive from our moral views, at a minimum our moral views will have to be congruent with—or at least not in conflict with—our social and historical views, if they are to stand up to the test of reflection.
3. Who “We” Represents

In these general, introductory remarks, I have spoken repeatedly of the relationship between our moral judgments and our historical judgments. I want to comment on the use of the first-person plural pronoun throughout this dissertation. When I make claims about our moral and historical views and our social world, I do not intend to be making strictly universal claims. I do not mean to claim, in other words, that literally every human being holds these attitudes or that every rational person does. And I certainly do not mean that everyone, or everyone rational, is a member of the modern liberal tradition, accepts liberal universalism, and makes character judgments of people past and present in a certain relativized way. What I do suppose, however, is that the claims that I shall consider apply to many people in a particular contemporary cultural setting—that of the modern, secularized, scientifically and technologically advanced, economically well-developed West in a globalized world—and that the attitudes I discuss are sufficiently common to be of interest.

Here it may also be helpful to keep in mind what Bernard Williams has said about who “we” represents in so many ethical—and more generally, philosophical—discussions:

It refers to people in a certain cultural situation, but who is in that situation? Obviously, it cannot mean everybody in the world, or everybody in the West. I hope it does not mean only people who think as I do. The best I can say is that “we” operates not through a previously fixed designation but through invitation. … It is not a matter of “I” telling “you” what I and others think, but of my asking you to consider to what extent you and I think some things and perhaps need to think others.3

In what follows, my use of the first-person plural pronoun may also be understood as an “invitation” use in this sense.

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Chapter Two: Lamentable Necessities

“The complexity of [Nietzsche’s] attitude comes, in part, from his ever present sense that his own consciousness would not be possible without the developments that he disliked.”

“one has to recall that in facing the question [of whether one would will the eternal return of the same] one is supposed to have a real and live consciousness of everything that has led to this moment, in particular to what we value. We would have to think in vivid detail, if we could, of every dreadful happening that has been necessary to create Venice, or Newton’s science, or whatever one thinks best of in our morality.”

(Bernard Williams)

1. Introduction

In practically every period of human history, there has been some display of injustice, at times on a massive scale. Slavery in Ancient Greece, the Christian Inquisition, Absolutist Monarchy in pre-modern Europe, and the European conquest of the New World are just some examples of past activities and institutions that strike us as obviously unjust. People were not merely harmed, badly affected, and made worse off by these activities and institutions, but were wronged—rights were violated, claims owed were denied, shares of social goods were radically unequal, promises made were broken, and so on.

Because of the impact that these large-scale historical activities had on the particular course taken by Western history, they have played a crucial role in the evolution of the liberal way of life that we are all familiar with. In a reply to Christine Korsgaard’s The Sources of Normativity, Bernard Williams asks the following:

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4 Bernard Williams, Shame and Necessity, p. 9.
6 Some version of this view is expressed in the writings of such historical thinkers as Nietzsche, Hegel, Marx, and Freud. Consider Hegel’s idea of the “the cunning of reason,” which John Rawls characterizes as follows in his Lectures on the History of Moral Philosophy, (Cambridge: Harvard University Press, 2000): “Hegel often characterizes the greatness of great historical figures in terms of their contribution to the progressive development of the institutional structure of human social life. The actions of historical agents over time unintentionally realize great social transformations that philosophy, looking back after the fact, understands in terms of the cunning of reason. Great figures seek their own narrow [often unjust] ends, yet unknown to them they serve the
if one accepts that historical and social developments were necessary to the emergence of universalistic morality ... does one accept that among the conditions of the emergence of universalistic morality were many historical activities that depended on the non-acceptance of universalistic morality?7

And he goes on to wonder whether “the Kantian [or universalist] really wish[es] that Kantian [universalistic] morality had prevailed?”8

Williams’s point, as I see it, is that if we think the emergence of our morality—i.e., the historical instantiation of our moral ideals and practices—was conditioned on activities that involved the non-acceptance of our morality, then we really cannot in good conscience wish, all-things considered, that those activities had not happened. The thought relies of course on the assumption that our morality (or rather its historical instantiation) is greatly valuable—it has a worth, perhaps a near-absolute worth, that can be set against the great misfortunes and horrors that shaped the emergence of our morality. And yet, the notion that we cannot honestly wish that those activities that condition the historical instantiation of our morality had not occurred also puts pressure on our very acceptance of that morality, given its universalistic content (i.e., claim to universal validity). Or so Williams seems to me to be saying: he insinuates that the Kantian or universalist has to admit that, when it comes down to it, she does not in fact wish (all things considered) that certain horrible events had not happened in the past;

realization of Geist.” (p. 369); “This is an aspect of history that Hegel emphasized—that great men who had enormous effects on major events of history usually never understood the real significance of what they had done. It is as if they are used by a providential plan unfolding through time and embedded in the flow of events.” (p. 348)

In other words, world-historical individuals such as Alexander, Julius Caesar, and Napoleon acted for their own self-interest and in ways that disregarded the interests of others, and so in (arguably) wrongful ways. For example, Caesar, in seizing the throne of the state, was trying to become Emperor of the Roman Empire. Arguably, in his attempt to take over the Roman Empire, one thing he was not aiming or intending to do—but though he in effect did—was establish a new form of state. In that sense, he was not a historically self-conscious actor, i.e., he could not be fully conscious of the world-historical significance of his (possibly) unjust actions.

Bernard Williams, in his “Postscript to Moral Luck,” in Moral Luck, ed. Daniel Statman, (Albany: State University of New York Press, 1993) writes: “As Nietzsche constantly reminds us, morality owes a great deal, including its own existence, to the fact that it is not obeyed; it can seem to achieve closure on its own absolute kind of value only because the space in which it operates is created, historically, socially, and psychologically, by the kinds of impulse that it rejects.” (p. 255, my emphasis) I shall be particularly concerned in this chapter with the historical aspect.


and because she does not so wish, this is a problem for her universalistic moral commitments.

I want to examine some of the ideas implicit in Williams’s worry. But let me be clear that my aim is not to argue that this or that activity in history was necessary for the emergence of our form of ethical life. Officially, I will not be defending any such claims about this or that particular activity in history, though I shall provide some reasons to think that some historical “injustices” were necessary causal conditions for the evolution of liberalism. Moreover, I argue that to the extent that we accept that certain large-scale activities such as those “injustices” mentioned at the outset are necessary to the emergence of the liberal ethical life that many hold dear, then a form of regret with respect to these activities may be ruled out for us. After making this argument, I go on to examine some of its implications, returning to the question whether not being able to regret certain historical activities is in tension with maintaining a universal moral outlook.

The structure of this chapter is as follows: I start by clarifying certain key notions that I’ll be using, including the notion of a form of ethical life. I also comment on modern liberalism, which is treated in this discussion as our form of ethical life. After this, I describe a form of category of valuation—the valuation of one’s ethical life—focusing, in particular, on the attitude of valuing modern liberalism. Next, I present and motivate the lamentable necessities thesis, the claim that the emergence of modern liberalism would not have been possible without the occurrence of some past injustices. I defend this claim by considering intuitive arguments and by speculating on some historical cases. I then turn to explicate the attitude of regret, focusing in particular on what I call all-in historical regret. Having explained the lamentable necessities thesis and this notion of regret, I argue that those who attach immense value to modern liberalism, and accept the lamentable necessities thesis, are rationally precluded from regretting (in the relevant sense) certain historical injustices. In the final section of the chapter, I consider the broader implications of this conclusion. In particular, I reflect on whether being rationally precluded from regretting certain historical injustices is a reason to reject liberal universalism—the view that liberalism embodies the one true or correct ethical system, for everyone, everywhere, at all times.

2. Our Ethical Life

I have been using the notion of a “form of ethical life.” The expression is meant to call to mind Hegel’s concept of Sittlichkeit, often translated as “ethical life” or “customary morality,” and refers to something like the “lived” experience of ethical norms. By the expression “form of ethical life” (or “ethical life,” for short), I shall mean to refer to the patterns of living, models of conduct, and modes of social interaction that are associated with some particular ethical system. We might say that an ethical life embodies or actualizes a set of ethical values, principles, and ideals. It is perhaps what people have in mind when they speak of ethical traditions, where traditions (in general) are “complex, multigenerational enterprises comprising elements of ritual, practice, historical memory, and collective aspiration [including] bodies of doctrine and individual
Though an ethical life can (and will) exemplify or express ethical values, principles, and ideals, they are distinct from values, principles, and ideals in that a form of ethical life is a contingent historical formation.

David Wiggins remarks that

In philosophy as it is, there is a tendency for a first-order morality to be conceived as a structured array of propositions or judgments. But [it is better] to conceive of such an ethic more dispositionally, as a nexus of distinctive sensibilities, cares, and concerns that are expressed in distinctive patterns of emotional and practical response… Such a nexus will be conceived by a Neo-Humean genealogist or aetiologist as something with a prehistory and a history as well as a present and a possible future.¹⁰ (emphasis added)

With Wiggins’ observation in mind, I note that a form ethical life will typically include a particular set of social practices and institutions (e.g., certain legal structures, and social and economic institutions), a collective ethical consciousness or outlook (i.e., certain shared attitudes about what is morally important and admirable), and certain ethical dispositions and motivations (e.g., being disposed to treat certain kinds of considerations as reasons for action in deliberative contexts, and to not treat certain others as reasons for action).¹¹ In outlining these features, I do not mean to imply that all forms of ethical life will have all of these features. For one thing, not all forms of ethical life must have a formal legal framework or have well-developed economic institutions. They can simply have informal customs and rituals that fulfill functions similar to these, but still fall strictly short of counting as them.

For reasons of keeping discussion concrete and so better focusing reflections, I shall present and consider my argument in application to ourselves and to modern liberalism, operating on the assumption that modern liberalism is our form of ethical life.¹² Liberalism is the dominant moral-political tradition of Western culture today. As Raymond Geuss observes,

Agents in contemporary Western societies seem to have no realistic alternative to liberalism; that is, we know of no other approach to human society and politics that is at the same time as theoretically rich and comprehensive as liberalism and also even remotely as morally acceptable to wide sections of the population in

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⁹ See Samuel Scheffler’s *Equality and Tradition* (Oxford: Oxford University Press, 2010), p. 10. Scheffler’s definition of tradition is intended to apply to traditions of many different kinds, including religious traditions, literary or artistic traditions, and the traditions associated with particular institutions, organizations, communities, and professions.


¹¹ A form of ethical life includes what Bernard Williams calls “ideas of responsible action, justice, and the motivations that lead people to do things that are admired and respected” in *Shame and Necessity*, p. 4.

¹² Similar arguments to the one I shall present could also in principle be formulated to address others and non-liberal forms of ethical life to which others attach great value.
Western societies as they are now in fact constituted. Liberal ideas permeate our social world and our everyday expectations about how people and institutions will and ought to act; they constitute the final framework within which our political thinking moves.\textsuperscript{13}

Modern liberal societies are organized around two fundamental ideals. The first has to do with individual liberty: freedom of speech, association, religious belief and practice; freedom from government interference with privacy, personal life, and the pursuit of individual tastes and preferences. The liberal commitment to tolerating diverse ways of life and schemes of value is related to this first ideal, which is typically promoted in a liberal society by securing for its members certain basic personal rights. The second ideal, which we might call democratic equality, is that of a society controlled by its citizens and serving their needs, in which inequalities of political and economic power and social position are not excessive.\textsuperscript{14} The means of promoting the second ideal can include progressive taxation and public provision of a social minimum, including mandated social programs aimed at providing greater opportunities to the least advantaged members of society (e.g., early childhood education programs for children of low-income families). It also includes legal restrictions that curb the distorting influence of monied interests on the electoral process, thereby insulating political affairs from the excessive influence of private wealth (e.g., laws governing contributions to political campaign funds).\textsuperscript{15}

Most historians (and historians of ideas) agree that liberal ideals and practices did not arrive on the scene historically until the eighteenth century in the aftermath of the European Wars of Religion. As Geuss remarks, “one can trawl extant historical literature in search of anticipations of the liberal temper, but almost anyone can see that the catch will be very meager until the eighteenth century.”\textsuperscript{16} Robert Pippin reminds us that

\begin{itemize}
\item Rawls’s A Theory of Justice (Cambridge: Harvard University Press, 1999) is the classic theoretical justification of this ideal and the social programs which embody it.
\item There can of course be tension between liberal values themselves, and different versions of liberalism can and do depart from one another in the way they interpret these ideals and understand the order of their priority. For example, liberals may and do disagree about the meaning of ‘dignity’, ‘liberty’, ‘equality’, ‘individuality’, ‘toleration’, etc. They may also disagree about questions of priority, for example, whether priority should be given to the respect for certain personal rights at the cost of equality. More concretely, liberals disagree among themselves over questions like whether schools can sanction school prayer, whether courts may display the ten commandments, whether the Boy Scouts can exclude gays, whether the state can censor sacrilegious films, and so on. While issues about interpretation and priority are central to liberal theory, they are orthogonal to the issues discussed in this chapter.
\item Raymond Geuss, History and Illusion in Politics (Cambridge: Cambridge University Press, 2001), p. 70.
\end{itemize}
It is only relatively recently in Western history that we began to think of human beings as something like individuals directing and guiding the course of their own life, in some sense independent and self-determining centers of a causal agency, only relatively recently that one’s entitlement to such a self-determining, self-directed life seemed not just valuable but absolutely valuable…¹⁷ (my emphasis)

In other words, it is only with the recent emergence of modern liberal societies that people begin to regard their ability to make autonomous choices about the shape of their own lives as not just a central component of the good life, but also a central moral entitlement of the individual.

Many members of modern Western industrial societies simply take the ideal of autonomy for granted. This fact is a testament to the success of liberal societies. Most of their members have no doubt that a good life is one that is freely chosen or endorsed; the assumption that an important ingredient in a worthwhile life is that people are their own masters, the “authors” of their own lives, is simply fundamental to our outlook. But precisely because we take this ideal for granted, we can also fail to fully appreciate just how distinctive the opportunities available to members of autonomy-supporting cultures are. It will be essential for the discussion that follows to keep in mind the range and opportunities of personal choice members of liberal societies enjoy (as well as our attitude towards the choices available to us).

Here are a couple examples: Most of us would agree that our lives would be dramatically less good, if we were denied not only the choice of partner in marriage, but also the choice whether to marry at all. Indeed, most of us see such choices as ones we (as individuals) are morally entitled to make. Similarly, many of us share the view that our lives would be significantly less fulfilling, if we lived in a society where everyone simply had to follow in their parents’ footsteps in their occupations or life’s work. Again, we see these choices as not simply a good, but as a moral entitlement. These are just small slices of the great many autonomy-related aspects of life in a modern liberal society, and I mention them because it will be crucial to keep them (and the importance we attach to them) sharply in focus throughout the discussion. It will also be important to maintain an appreciation of the fact that the notion that autonomy is a value has only been fairly recently acknowledged, and would seem quite strange to other people in other times.

Having noted some central and defining features of modern liberalism, I want to turn now to an important valuing attitude that I claim many liberals hold toward modern liberalism (or those features of liberal society).

3. Valuing Modern Liberalism

As reflective and self-conscious beings, we have the capacity to identify with our way of life (or aspects of that way of life). Our identification with our ethical life involves considering it to be, in some sense, part of who we are. Or rather, part of what

we value about who we are. As part of our identity, our ethical life is tied up with the description under which we value ourselves and consider our lives to be worth living.\(^\text{18}\) In the sense that I use the term, identification with one’s ethical life also involves considering that way of life to be a good one, one that we approve of or prize.

Joseph Raz argues that the “identification” with one’s society can be expressed in consent to political authority. He tells us that

There are various attitudes towards society that consent to the authority of its laws can express. They can all be regarded as so many variations on a basic attitude of identification with the society, an attitude of belonging and of sharing in its collective life. Attitudes belonging to this family vary. They can be more or less intense. They may be associated with some features of society more than with others. They may, but need not, express themselves in one’s attitude towards the law. … That consent to be bound by the law is an expression of such an attitude of loyalty and identification (i.e. a sense of belonging) is a matter of fact.\(^\text{19}\)

Raz’s reflections here fit into broader reflections on the connection between attitudes of identification and consent to political authority, and on the implications of that connection for consent to be the basis of political obligations. My primary interest in what Raz calls “identification” and “loyalty” concerns not their relation to consent or to political obligations. I am interested in these attitudes because I think they exemplify a form of valuation that can be had of one’s own ethical life or tradition. For my purposes, it is enough to register that “identification” and “loyalty” as a form of valuation can be expressed in consent to the authority of our society’s laws; involves feeling that we belong and share in our society’s collective life; can be more or less intense; and can be and associated with some of features of our society more than others.

Other contemporary political philosophers speak of a similar and related attitude to identification—that of feeling at home in one’s social world. Thomas Christiano describes “being at home in the world” as having “a sense of fit, connection, and meaningfulness in the larger society.”\(^\text{20}\) A person who feels at home in the world is “able to affirm the institutions of which [she] is a part and which play a large role in directing [her] life.”\(^\text{21}\)

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\(^\text{18}\) This sentence borrows from a memorable passage in Christine Korsgaard’s *The Sources of Normativity*: “It is the conceptions of ourselves that are most important to us that give rise to unconditional obligations. For to violate them is to lose your integrity and so your identity, and to no longer be who you are. That is, it is no longer to be able to think of yourself under the description under which you value yourself and find your life to be worth living and your actions to be worth undertaking.” (P. 102).


Christiano holds that it is a virtue of a society that its people are able to feel at home in the world.\textsuperscript{22} In a similar vein, Duncan Ivison tells us that:

\begin{quote}
\indent to be at home in the world is to be able to identify with those institutions and practices, to see the norms and ends as expressed in the public life of her community as ones that are connected to her flourishing, \ldots [and which] help to make her life go better.\textsuperscript{23}
\end{quote}

I think many would agree that in significant measure, our self-development and flourishing is made possible by the fact that we live in the distinctive kind of society that we do—one in which members exercise a high degree of autonomy.

I believe these concepts—of ‘identification,’ ‘loyalty,’ ‘affirmation,’ ‘a sense of belonging and of sharing in,’ and ‘feeling at home in the world’—are part of a family of related concepts. Of course, each of these terms differs in some respect(s) from the others, and it can be worth trying to understand the ways in which they are different. But for the purposes of this discussion, what these concepts have in common is more central than the ways in which they differ. What they have in common, I claim, is their relation to a general form of valuation of one’s ethical life or tradition. I will use the expression “valuing one’s ethical life” to refer to this basic attitude or complex of attitudes. To value one’s ethical life generally involves judging it to have importance, attaching special significance to it, and seeing that it matters to how well our lives go.

I want to draw on Samuel Scheffler’s analysis of valuing to elaborate the attitude of valuing one’s ethical life. According to Scheffler, valuing comprises a complex syndrome of interrelated dispositions and attitudes, which includes certain distinctive types of belief, dispositions to treat certain kinds of considerations as reasons for action, and susceptibility to a wide range of emotions.\textsuperscript{24} More specifically, he argues valuing any X involves at least the following elements:

\begin{quote}
\indent Incidentally, something like the phenomenon picked out by the notion of “feeling at home in the world” was very central in Hegel’s political thought. Relatedly, and interestingly, the phenomenon also figures importantly in the arguments of certain opponents of liberalism, notably the communitarians. For example, Charles Taylor, in discussing Hegel’s thought, speaks of an unalienated life in which “the institutional matrix in which [one] cannot help living is not felt to be foreign [but] is the essence, the ‘substance’ of the self.” See his \textit{Hegel}, (New York: Cambridge University Press, 1975), p. 383. Bernard Williams, who is sometimes classified as a communitarian (though he himself rejects the label), has characterized the Hegelian ideal that the relations of “human beings to society and to each other, if properly enacted, can realize a harmonious identity that involves no real loss.” (See his \textit{Shame and Necessity}, p. 162.) Though a discussion of the relationship between liberal and communitarian thought is beyond the scope of this chapter, I will point out that I think there is no incoherence in the idea that the phenomenon of feeling at home in the world can be viewed as valuable by both liberals and communitarians alike.
\end{quote}

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1. A belief that X is good or valuable or worthy,
2. A susceptibility to experience a range of context-dependent emotions regarding X,
3. A disposition to experience these emotions as being merited or appropriate,
4. A disposition to treat certain kinds of X-related considerations as reasons for action in relevant deliberative contexts.²⁵

Scheffler’s account of valuing can help us to see how the various attitudes we hold toward the liberal ethical life, when taken together, constitute valuing it. Many judge liberal ideals, practices, and institutions as good, valuable, and worthy. After all, liberal institutions are among the features of our social world in which we take the greatest pride. Moreover, our emotional responses in a range of contexts also reflect the importance that we place on liberal institutions and ideals, and our recognition of the central role these play in our lives. Not only are we susceptible to strong feelings of anger and sadness when our liberal way of life is threatened by, say, the terrorist attacks of September 11, we also take ourselves to be justified in feeling the way we do. When liberal ideals and institutions flourish or prevail, we feel not just joy and satisfaction, but also warranted in feeling this way. In valuing liberal ideals and institutions, we are also disposed in relevant contexts to treat considerations about the impact of proposed courses of action as having deliberative relevance. Take, as examples, seeing a reason to go to the voting booth on Election Day or seeing a reason to obey the law. (In the latter case, recall Raz’s claim that identification with one’s society can be expressed in one’s consent to be bound by the law.)

I want to highlight another general feature of valuing that applies to valuing one’s ethical life. Though what is involved in valuing a thing depends in some ways on the nature of the thing valued, it is a general fact about valuing a thing that it involves seeing a reason of some kind to sustain, retain, or preserve the valued object. This feature of valuing has been acknowledged by others. T.M. Scanlon observes that “Often, valuing something involves seeing reasons to preserve and protect it (as, for example, when I value a historic building).”²⁶ Raz argues that “there is a general reason to preserve what is of value.”²⁷ By this, he means that each person has a reason to preserve that which is of value, whether or not that person himself is “engaged with” (i.e., values) that valuable object.²⁸ If one accepts Raz’s idea that we have a general reason to preserve or sustain objects that have value, then certainly one should also accept that if we value something (and not just merely judge it to be valuable), we have a reason to preserve or sustain that

²⁸ Here, I assume and accept a distinction between valuing something and judging it to be valuable. See Scheffler’s discussion in “Valuing,” Equality and Tradition, pp. 15-40.
thing. As Scheffler puts it, “If there is a conceptual gap between valuing and the impulse to conserve, it is not a very large one.”

Not only is valuing something conceptually tied up with holding certain prospective or forward-looking normative attitudes (e.g., seeing a reason to sustain or retain the valued object), it is also tied up with holding certain retrospective or backward-looking normative attitudes (e.g., seeing a reason to affirm what generated the valued object). Suppose we accept the claim (defended in the preceding paragraph) that if one values something, then one will see reasons to sustain or to retain or to preserve it. I argue that if we accept this claim, we should also accept that if one values something, then one will see reasons to appreciate the existence of the valued object. To appreciate the existence of the valued object, in turn, involves preferring (or even being glad) that it came into existence; typically this will mean having some pro-attitude toward the conditions which made possible the emergence of the valued object. Valuing something will thus involve, or commit one to, seeing (pro-tanto) reasons to affirm what generated the valued object. Thus, if the thing we value is something whose emergence and survival can be in question, then not only will its survival and preservation matter to us, but so will its emergence.

I argue that when one attaches great value to something, one is typically prepared to accept the causal processes that are implicated in the emergence of that valued object, insofar as the existence of the valued object is conditioned and determined by those processes. The notion of “acceptance” here does not imply unconditional or unqualified endorsement of the relevant causal processes, but it does imply the absence of wishing or preferring that the implicated causal processes of the valued object had not obtained, in light of the fact that those processes condition the existence of the valued object. Stated even more strongly, to accept the relevant causal processes is to prefer what has actually happened to what would have happened otherwise, given that what would have happened otherwise would have entailed the non-existence of the valued object.

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29 Samuel Scheffler, “Immigration and the Significance of Culture.” Elsewhere Scheffler argues that if one values one’s relationship noninstrumentally, then one will see oneself as having a reason to devote special attention to that person’s needs and interests. (“Relationships and Responsibilities,” Equality and Tradition) He also argues that if one values a personal project noninstrumentally, then one will see oneself as having reason to devote special attention to the flourishing of that project. (“Projects, Relationships, and Reasons,” in Reason and Value: Themes from the Moral Philosophy of Joseph Raz, eds. R. Jay Wallace, et. al., (Oxford: Clarendon, 2004).


Here is the basic idea: If I value something highly, part of what it is to value it so much is to care a great deal about it. If the valued object is an historical object (i.e., is non-abstract, is the sort of thing whose emergence and survival can be in question), caring about it will typically mean not being indifferent about the existence of that thing, indeed it will mean being favorably disposed towards its existence. So, for example, if I’m an environmentalist, and I value the natural world, part of what it is to value the natural world is to promote the conditions under which my valued object, the natural world, would thrive. In some sense, I must want my valued object to be as much as it can be (while still satisfying the description under which it is valued by me). This is so, I claim, for many of the things we value most in this world—loved ones, interpersonal relationships, personal projects, political institutions—and it explains our emotional vulnerability to the destruction or degradation of those things to which we attach absolute or near-absolute worth. Now suppose I come to know some possibly horrific details about the causal history that brought about the existence of my dearly valued object. Still, insofar as the object in question is dearly valued by me, I would accept each step in the causal history; after all, without the causal history, I would not have my valued object. Thus, when one values something a great deal, one is usually prepared to accept the actual causal processes that are implicated in that thing’s existence.32

Recall Raz’s observation that the attitude of identification with one’s society can be more or less intense. Another way to put this point is that we can value our ethical life to different degrees. We can also value our ethical life more than other things that we also value, attaching greater value to our ethical life than to other valuable things. I want to concentrate on the case whereby one is said to value one’s ethical life or certain features of one’s ethical life immensely—to an absolute or near-absolute degree. (Recall Pippin’s remark that entitlements to a self-determining, self-directed life are viewed as absolutely valuable.) A liberal who attaches such immense value to modern liberalism takes herself to have strong reasons to accept the things that condition it and make it possible. Insofar as there are past events that condition and make possible the existence of modern liberalism, and this person is aware of them as such, she prefers all-things-considered their occurrence (to non-occurrence).

For those who attach enormous value to modern liberalism (or certain of its core features), what could possibly ground their privileging the existence of their ethical life in such a way? What is it about liberalism that may lead some people to see its historical instantiation as having been worth all that made it possible? There is of course no simple or easy answer to this question. There is also not going to be one single ethical idea that everyone who attaches immense value to the liberal tradition will necessarily agree upon as the basis of their attitude. The fact is, there are going to be different ethical ideas—

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32 Of course, I do not deny that the extent to which we value a thing may also depend on our holding certain beliefs about, or being in ignorance of, other things pertaining to the emergence of the valued object. So, for example, as an environmentalist who loves to ski, I might really value the activity of downhill skiing, but then value it less than I did, if I were made aware that downhill skiing is made possible only by the devastation of environmentally sensitive forests, which I value above all else.
and many of them reasonable, in my opinion—that support the attitude of valuing modern liberalism immensely for different people.

With that said, I want to suggest that attaching immense value to modern liberalism is closely associated with believing it to be *specially* good, valuable, or worthy. Here are possible considerations that might ground a liberal’s valuing her ethical life to a near-absolute degree:

1) that the liberal ethical life embodies the one true or correct ethical-political system for everyone, everywhere, at all times. In other words, liberalism is *universally valid* in some sense.

2) that the liberal ethical life embodies the true or correct ethical-political system *for us*, given the contingent empirical conditions of our circumstance (i.e., the fact that the modern world is scientifically and technologically advanced, pluralistic, capitalistic, etc.). In other words, liberalism is *valid in the modern world*. 34

3) that the liberal ethical life makes possible certain valuable human relationships and projects, and so promotes our good in a non-narrowly egoistic sense (i.e., liberal arrangements contribute to our well-being, enabling us to lead flourishing, meaningful lives). In other words, liberalism enables our happiness and self-fulfillment, making possible the opportunity to exercise our talents and to realize ourselves. 35


34 A representative of this position in contemporary discussions is Joseph Raz. Cf. Joseph Raz, *The Morality of Freedom*.

35 This is not meant to deny that people can and do lead good lives in non-autonomous societies. Rather, the point is that *for us*, life in a non-autonomous society would be less good. As individuals whose lives have already been significantly shaped by a form of ethical life based on individual choice, we need opportunities to exercise our autonomy in order to lead flourishing lives. On this point, see Raz, *The Morality of Freedom*, in particular Ch.14, “Autonomy and Pluralism.”

36 It could be said that something like this view—at least the idea that human well-being and happiness is the basis of a liberal commitment to tolerating different and inconsistent values and practices—goes back to John Stuart Mill. More recently, Raz has defended this view by arguing that liberal institutions are justified because, for those social formations capable of sustaining them, they provide the best way of promoting
In suggesting these possible justifications, I do not claim that those who attach immense value to modern liberalism will always have these or similar considerations readily in view. Someone who attaches immense value to modern liberalism may not be able to fully articulate the grounds of her valuation on reflection. Nonetheless, this does not mean that her valuing is not based on reasons. Moreover, I do not suggest that the considerations mentioned are completely independent of each other. On the contrary, these considerations may have quite a lot to do with each other—for example, one may wish to argue that 3) is the ground of 1) or of 2). Finally, the considerations listed are not meant to be exhaustive of all possible compelling grounds for attaching absolute or near-absolute value to modern liberalism. There are probably other considerations I have overlooked, and I have just listed what seem to me the most compelling candidates.

For reasons of space, I cannot treat thoroughly the issue which of these considerations (or complex of these considerations) ultimately justifies valuing immensely the liberal ethical life. However, I do find compelling that: if one believes that modern liberalism embodies the one true or correct ethical-political system for everyone, everywhere, at all times, then it would be reasonable (or not unreasonable) to attach immense value to the liberal ethical life; if modern liberalism embodies the correct ethical-political system for the social, cultural, and economic conditions of our circumstance, then it would be reasonable (or not unreasonable) to attach immense value to the liberal ethical life; and if modern liberalism makes possible our self-development, enabling us to flourish as persons, then it would be reasonable (or not unreasonable) to attach immense value to the liberal ethical life.

Though it is more than I can do in this chapter to argue for the truth of one (or more) of these respective antecedents, I will say that I find the last justification (3)) to be especially compelling, in view of the formative role that the liberal ethical life has played in our personal development, and in our conceptions of ourselves and our lives. Those who accept the first justification (1)—i.e., the idea that liberal values, principles, and ideals are binding or valid for everyone, everywhere, at all times—will probably do so on the broadly Kantian grounds that moral value or worth is the supreme value achievable by human beings. But even those who deny that liberal values are universally binding or who deny that moral value is the supreme value would have to accept that without the existence of the liberal ethical life, we would be unrecognizable to ourselves. In a sense, then, I think being true to ourselves may require that we attach immense value to modern liberalism. (I shall return to this point later.)

I have described the attitude of attaching immense value to the liberal ethical life and outlined some of its possible grounds. Eventually, I will argue that a form of regret is not open to those who place such great value on modern liberalism and accept that

human-well being. For Raz, autonomy has a central place in the human good, and practices of toleration make it more likely that people will attain that good. See Raz’s Ethics in the Public Domain: Essays in the Morality of Law and Politics (Oxford: Oxford University of Press, 1994). It could also be pointed out that liberal arrangements contribute to our well-being by allowing us to exist in a social world that is stable.
modern liberalism’s historical emergence has certain necessary conditions.\textsuperscript{37} I turn now to the lamentable necessities thesis.

4. The Lamentable Necessities Thesis

Our ethical outlook and practice have a history. They are as they are here and now because of the ways they were elsewhere and in earlier times. Peter Railton observes that,

Our moral thought and practice have multiple origins in human history and anthropology, bearing traces of sacred as well as secular conceptual schemes, of changing folk and scientific theories of mind and society, of codes of honor and retribution as well as norms of beneficence and fairness, of expedient social and political compromises hammered out in specific historical circumstances by competing interests under shifting power relations, and even of previous historical attempts at unification and legitimation.\textsuperscript{38}

There is no doubt that the liberal tradition has been conditioned in countless ways by the long sweep of Western culture, stretching from the Enlightenment back to the Renaissance and beyond, to the Medieval and Classical worlds. There was a certain historical path that led eventually to the emergence of the liberal practice and outlook. Of course, along the way, that path might have gone otherwise than it actually did: for example, the Mongol invasions (1206-60) could have penetrated further West with significant implications for the development of Western culture; or the Reformation could have drawn Europe into an endless vicious circle of religious war and violence which might have undermined the future for the West.\textsuperscript{39} But unless there is reason to think the historical emergence of modern liberalism was strongly impervious to historical contingencies—that is, was in some way inevitable—I doubt the historical path could have gone radically differently and still resulted in the development of liberalism. For it was anything but a foregone conclusion that modern liberalism would be the outcome of the long historical process leading up to the present.

Suppose we subtracted from our actual history some of the activities of our cultural ancestors, including certain large-scale morally horrible practices. I submit that it may very well be true that a different ethical life centered on different patterns of living,

\textsuperscript{37} Note that something like my argument applies equally to anything that is strongly valued. However, I believe the case of modern liberalism presents an especially interesting (and potentially problematic) case since it is something many people value a great deal and take themselves to be justified in valuing a great deal. After all, liberal institutions and ideas do not just have prudential value, but also moral value.


\textsuperscript{39} As Jeremy Waldron puts it in a different context, “Cultures live and grow, change and sometimes wither away; they amalgamate with other cultures, or they adapt themselves to geographical or demographic necessity.” See “Minority Cultures and the Cosmopolitan Alternative, \textit{University of Michigan Journal of Law Reform} 25 (1992): 751-93.
models of conduct, modes of social interaction, and sets of values and virtues arranged around different priorities would have replaced ours. After all, Western history would have taken a significantly different turn were it not for the occurrence of the activities in question. So absent these activities, our particular ethical practices might not have come into existence.

It is this general idea that forms the background for what I call the lamentable necessities thesis (LN):

**LN:** There exist some injustices such that had those injustices not occurred, then the historical emergence of our form of ethical life (or some of its central features) would *not* have been *possible*. (Or equivalently, modern liberalism would *not* have come into existence *but for* the occurrence of past injustices.)

LN is an existential claim; there are some events such that they are in the past, unjust, and necessary conditions for the emergence of our ethical life. LN is also an empirical claim: it causally accounts for something that has happened—the coming into existence of our ethical life—by reference to earlier happenings—the occurrence of past injustice(s). Finally, LN is also a modal claim. It posits that some of the historical circumstances which make it *possible* for us to have the moral ideals that we organize our lives around have been partially created by some past activities and states of affairs that violate those same ideals. In other words, the historical emergence of modern liberalism has not just certain causes, but certain necessary causes: injustices were a necessary causal condition.

Note the relevant modal notion here is not conceptual or logical or absolute necessity. It is not that we cannot *imagine* or *conceive* the historical emergence of modern liberalism, unless we suppose there were preceding injustices; we plainly can, just as we can in that same sense imagine a single human being consuming a whole elephant in one meal. Rather, the relevant modality is a kind of empirical (sociological or historical) necessity. The sense of ‘could not’ in the claim that ‘the historical development of modern liberalism *could not have* come about in *any other way* than by occurrence of injustice’ is similar to the sense of ‘could not’ with which it one could claim, plausibly to my mind, that not only was *The Critique of Pure Reason* not written at the court of Genghis Khan in Outer Mongolia, but a book like *The Critique of Pure Reason* *could not* have been written there, given the social conditions. It is the same ‘could not’ as the ‘could not’ in the claim that there could not be—in the modern world, at present—the existence of a worthwhile life for some people, without the imposition of suffering and deprivations on some others. I doubt this claim could be confidently denied by many.

According to LN, it is a sociological or historical *law* that the evolution of modern liberalism must be preceded by some injustice(s). Whether one thinks this particular modal notion of historical necessity is ultimately defensible would require careful and detailed evaluation of substantive accounts of it.⁴⁰ This is an enormous task.

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⁴⁰ Recent defenses of substantive accounts of the relevant notion of historical necessity can be found in sociological and historical works such as Jared Diamond’s *Guns, Germs, and Steel: The Fates of Human Societies* (New York: W.W. Norton, 1997) and Ian Morris’s *Why
that is more than I can undertake here. So what I want to do instead is defend LN by appealing to intuitive considerations.

One way to motivate LN is by drawing an analogy between forms of ethical life, on the one hand, and personal identity, on the other. Derek Parfit claims that our actions, and the events that influence them, determine not only the conditions of life of our offspring, but also who and indeed whether they are. Events, from the large-scale to the minor ones, can bring into existence individuals who would not have otherwise existed. After a few generations of this, there would become a large number of people whose existence is owed to such contingencies. If this is correct, then events or institutions of the past, such as slavery and the slave trade, and the appropriation of the lands of native people in the New World, would have had a significant effect in determining who is brought into existence and who, after the course of several generations, currently exists. This is because were it not for these practices and the social

the West Rules—For Now: The Patterns of History and What They Reveal About the Future (New York: Farrar, Straus and Giroux, 2010). Among historical philosophers, Marx, Hegel, Rousseau, Nietzsche, and Freud have each offered different substantive accounts. For example, Marx’s view that the development of capitalism must be preceded by feudalism (and communism by capitalism) is an example of a substantive account. Here is a rough sketch of Marx’s view, spelled out in terms of three fundamental historical laws. Marx claimed that (Law 1) the productive forces (e.g., labor power, raw materials, technology) tended to grow and expand; that (Law 2) property relations (or production relations) develop and subsist because they are the relations required for the continuing and further development of the productive forces; and (Law 3) that legal/political/ideological forms arise and persist because they are required for the initiation and maintenance of those production relations required for the maximal expansion of the productive forces. So for Marx, the capitalist social form (with the broadly liberal ideology/institutions/values that attaches to it) cannot emerge unless and until the productive forces were developed to some sufficient degree. And in order for the productive forces to be developed to the requisite degree in order for capitalism/liberalism to emerge, there had to first exist feudalism (and the hierarchical, non-liberal ideology and practice that went with that stage). And the feudal social form/property relations came about because they fostered the development of the productive forces, and could have only come about once the productive forces had developed to a sufficient level. And so on, goes the story… On this sort of account, capitalism/liberalism must be preceded by feudalism/aristocratic hierarchy. Achieving a certain level of development of technology was necessary in order for capitalism/liberalism to emerge. And in order for that level of technological development to have been achieved, certain non-liberal social forms (e.g., feudalism) first had to prevail, social forms which, as judged by the liberal standpoint, are unjust. See Marx’s “Introduction to the Critique of Political Economy,” in Karl Marx: Selected Writings, ed. Lawrence Simon (USA: Hackett Publishing, 1994).

conditions they produced, people would not have met and conceived when they did and different individuals would have been born than in fact were.

Just as one might think that unjust events and institutions condition the identities of those who come into existence, so one might think that certain large-scale unjust events and institutions condition the forms of ethical life that come into existence. Past injustices condition not only whether we are, but also what kind of people we are—what kind of people we aspire to be ethically—and what kind of social world we live in and pass on to the next generation. In discussing the issue of reparations for historical injustices, Jeremy Waldron observes that

> communities may subsist for periods much longer than individual lifetimes. How they fare at a given stage and what they can offer in the way of culture, aspiration, and morale may depend very much on the present effects of events that took place several generations earlier.42

In making this claim, Waldron has in mind primarily the morally important negative effects of these injustices. A great deal has been said and debated by philosophers about the extent and normative significance of these negative effects. But what has not received as much attention, and cannot be easily ruled out, is that historical injustices might have also given rise to morally valuable positive effects, and that (more controversially) historical injustices were necessary causal antecedents of these positive effects. After all, some of these earlier injustices, rooted in theocratic and absolutist modes of thought, helped to promote liberalism as a critical reaction to them, though this was not the only form of their causal contribution.

If we readily accept Parfit’s idea—that the particular individuals now existing in the world would not be here but for the occurrence of certain large-scale past injustices—we should at least think the burden of proof is on the person who is inclined to reject rather than to accept LN. Like personal identities, forms of ethical life are fundamentally contingently brought about by historical circumstances and significantly shaped by them. In “Philosophy as a Humanistic Discipline,” Williams writes that:

> the [same] history that has made us” has also “made our ethical outlook” and “made [our ethical outlook] as something that is ours. … we are no less contingently formed than the outlook is, and the formation is significantly the same. We and our outlook are not simply in the same place at the same time.”43

Indeed, the history of a form of ethical life is also the history of some set of people. That same manifold of historical contingencies and forces that generated our identities also generated our ethical outlook and practice. That same collection of contingencies and forces also accounts for the fact that our ethical life is modern liberalism. From a

43 I have rearranged the sentential clauses. See Bernard Williams, “Philosophy as a Humanistic Discipline” in *Philosophy as a Humanistic Discipline* (USA: Princeton University Press, 2008), pp. 193-194.
sufficiently impersonal, macroscopic vantage point, the causal conditions for the emergence of our ethical life seem just as fundamentally fragile—i.e., just as sensitive to perturbations in the historical circumstances leading up to the emergence of the thing in question—as the causal conditions for existence of our personal identities are fragile. And moreover, the identity conditions of forms of ethical life appear, from that particular vantage point, no less fundamentally stringent, or restrictive, than those for personal identity.44

Due to the achievements of modern biology and the modern decline of superstition, there is a great deal that we presently know, and are certain about, regarding the conditions of personal identity. That same degree of knowledge and certainty just cannot be ascribed to our present understanding of the conditions of the emergence of forms of ethical life. The precise causal sources of our ethical ideas are just not comparatively well understood by social scientists and historians at this time. Given the current state of our knowledge (or rather ignorance), it would be excessively optimistic to suppose that no injustices in general—i.e., no token injustices of any kind—were necessary for the emergence of our ethical life. It may also be overly cheerful to suppose that no particular kinds or types of injustices were necessary for liberalism to come into existence.

Perhaps drawing an analogy between ecology and history might further the plausibility of LN. Ecologists argue that the biosphere is a highly complex and intricately interdependent system: the notion that it would be a better world overall where there were only plants and peacefully grazing herbivores—a world without carnivores like lions tearing apart the flesh of young buffaloes—may turn out to be rather naïve. For it is by no means clear that an ecosystem is best off without vicious creatures like lions and tigers. A significant among of animal suffering may simply be an unavoidable feature in a flourishing ecosystem.45 Of course, these considerations about ecological stability and variety can hardly be simply translated into justifications for the infliction of suffering and deprivation on individuals and populations by a ruler or state to further political ends. Still, in the same way that the biosphere is a highly complex and interdependent system, the processes of history are also very complicated and injustices on massive scale in the distant past may be one of the conditions of stability and justice in our social order now.

To be sure, whether LN is true or false is not obvious; it is certainly difficult to say precisely what (empirical) facts would verify or falsify LN. But to dismiss LN simply on the ground that its claims are far too reaching and complex to make verification or falsification an easy or simple matter would be a mistake.

44 The philosophical problem of personal identity concerns the conditions under which a person who exists at one time is the same person as a person who exists at another time. There could be a similar problem about the identity of a form of ethical life. What are the conditions under which a form of ethical life with one set of historical features would still count as the numerically same form of ethical life as a form of ethical life with a slightly different set of historical features?

5. Lamentable Necessities: Some Historical Cases

Beyond a certain point, our assessment of LN cannot be general but will have to involve the specific study of particular activities and events and their roles in determining the course of human history. In a speculative spirit, I want to provide four historical cases in support of LN and its application to modern liberalism. However, I want to be clear about the status that I am assigning to these cases in discussing them. My investigation is a philosophical one, so unlike the work of historians or sociologists or anthropologists, my primary concern is not to figure out what actual events in the past were in fact necessary causal conditions for the emergence of modern liberalism. Rather, in addition to exploring the general plausibility of LN, I am concerned with the implications for some of our moral judgments, and more generally evaluative attitudes, if certain past activities were necessary for the emergence of modern liberalism. This is a normative question: ‘What should our retrospective attitude(s) toward certain past activities be, given a certain possibility?’ It does not strike me as proper to any of the social sciences. With these things in mind, I want to engage in a bit of stylized historical reflection, recalling what we might have otherwise taken for granted as further support for LN.

Indigenous Expropriation and the Emergence of Liberal States

Consider the tremendous human cost in the death or near death of many indigenous peoples and cultures, which has allowed for the emergence of liberal states in the modern world. Non-indigenous Americans, Australians, New Zealanders, South Africans, and Canadians—all members of paradigm liberal states—are now benefiting from injustices done to indigenous communities. In addition to having their land appropriated, the indigenous peoples faced forced inclusion into the state while being denied the legitimacy of their own cultural forms of life; and in this process, many indigenous peoples were attacked, defrauded, and expropriated.46

Some indigenous scholars claim that:

If the [native people] had not lost their land, and had maintained their traditional relationship with the land on which their well-being depended, then [liberal] society could not have developed in the way that it has, [the people of liberal society] would not enjoy the high levels of well-being they enjoy, [natives] would not have suffered significant losses in self-esteem, nor would they have been so culturally devastated.47

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46 Consider, for example, the Australian policy of forcibly removing Aboriginal children from their families and making them wards of the state, continued until 1969, that led to 100,000 members of a ‘Stolen Generation’ of Aborigines.

The fact some non-indigenous Americans, Australians, and Canadians presently enjoy “high levels of well-being” cannot be adequately explained without reference to the liberal societies in which that enjoyment occurs. But the historical record being what it is—we know the development of some liberal societies is a consequence of broken treaties and settlements on land unjustly seized—the high level of well-being that some enjoy cannot be honestly accounted for without citing the annihilation of many indigenous practices and peoples by conquest. Therefore, it is undeniable that as a matter of historical fact, the expropriation and marginalization of native populations causally contributed to the emergence of modern liberalism.

But are the injustices committed against the native populations strictly necessary causal conditions for the emergence of modern liberal states? Could states such as the United States, Australia, and Canada—all core states of the liberal system—have emerged in any other way than by the destruction of indigenous ways of life, or by something similarly morally horrible? Here, I am inclined to answer “yes” to the first question and “no” to the second. Unless we believe the emergence of liberal states such as the U.S., Australia, and Canada could have happened without the expropriation of indigenous populations in some form, it is difficult to deny that the welfare of many contemporary liberals was made possible by the morally unjustified treatment of indigenous peoples. For what would such an alternative consist in or look like? Genuinely free cooperation and non-coercive, fully informed agreement between the Europeans and the natives resulting in the latter handing over their land to the former, and so in effect voluntarily giving up their way of life? I find this seriously hard to believe—even absurd to consider as a genuine historical possibility, if we are realistic about the limits of human psychological tendencies and the constraints of historical circumstance. Thus, I believe the historical emergence of modern liberalism could not have occurred but for the expropriation of native populations.

Sectarian Violence and Liberal Toleration

A central feature of liberal societies is their toleration, understood as the particular liberal concern with the accommodation and celebration of normative diversity—i.e., diversity with respect to people’s normative and evaluative beliefs. Attitudes and practices of toleration have a central place in the liberal tradition. As a personal virtue or attitude, toleration involves thinking that within certain limits, it is morally good in itself to put up with certain beliefs and practices one finds “blasphemously, disastrously, obscenely wrong.” It also requires “hold[ing] in check certain feelings of opposition

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48 See Samuel Scheffler’s “Immigration and the Significance of Culture” in his Equality and Tradition. Scheffler argues that cultural diversity is not a novel species of normative diversity over and above moral, religious, and philosophical diversity, because cultures are not perceived sources of normative authority in the same sense that moral, religious, or philosophical value is.

and disapproval.” Toleration as a practice or form of behavior involves putting up with the existence of the other, disapproved of group as a matter of fact. This is toleration understood as “the peaceful coexistence of groups of people with different histories, cultures, and identities.” Importantly, practices of toleration need not be sustained by the virtue of toleration, but can be supported by a mix of sources including: 1) “skepticism about fanaticism and the pretensions of its advocates,” 2) evaluative indifference (i.e., ceasing to think that what people do in a certain sphere of their life is a matter of public concern or evaluative assessment), 3) a broad church stance (i.e., the assumption that the issue at stake is important, but that both parties are correct in their own way), and 4) a Hobbesian sense of the need to settle for coexistence given the existing balance of power.

Because the social practice of toleration does not require the personal virtue of toleration, toleration as a social practice had to emerge historically prior to toleration as a personal virtue. If that’s right, then the emergence of toleration as a practice may have had injustice as a precondition, insofar as toleration as a practice took hold as a modus vivendi. As a matter of historical fact, toleration as a practice emerged during and after the European Wars of Religion as a set of practical arrangements introduced with the aim of defusing religious violence by requiring members of religious majorities to accommodate religious minorities. As Scheffler writes, “We may view it as a rare stroke of political good fortune that, in their efforts to defuse violent sectarian conflict, liberal societies devised arrangements and institutions that turn out also to make available their own distinctive satisfactions and rewards.” The need for a modus vivendi may account, in part, for the emergence of liberal institutions for the first time. But once these liberal institutions begin to take hold, a tradition based on liberal thought and institutions developed, and over time, some members of societies with liberal traditions cultivated an ethos that included the virtue of toleration, coming to see the moral good in itself (and not simply instrumental good) of toleration. Note that on this way of thinking about things, the attitude of toleration as a virtue was not present in those who first adopted the practice of toleration, but rather came about only at a later stage of liberalism’s development. If toleration as a virtue could have emerged only after toleration as a practice had taken root in society, and toleration as a practice could have taken hold only given the need for a modus vivendi in the face of sectarianism and violence, then toleration as a virtue could not have emerged in any other way than by the occurrence of

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52 Williams, “Toleration: Am Impossible Virtue?”
53 A modus vivendi is a strategic compromise among contending groups in a society, none of whom is in a position to impose its preferred way of life on the others without unacceptable costs, and each of whom therefore adopts a policy of mutual tolerance as the best that it can hope to achieve under its circumstances.
55 For a compelling account of “the good of toleration,” see Scheffler’s “The Good of Toleration,” Equality and Tradition.
sectarianism and violence. If sectarianism and violence can be considered injustices, then injustices are a precondition for toleration as a virtue.

Absolutism and the Development of the Modern State

John Rawls writes that among the historical developments that deeply influenced the liberal outlook prevalent in modern Western industrial societies were the following three: 1) “the Reformation in the sixteenth century,” which made pluralism “a permanent feature of culture by the end of the eighteenth century.”; 2) “the development of the modern state with its central administration, at first by monarchs with enormous if not absolute power.”; and 3) “the development of modern science beginning in the seventeenth century,” i.e., “the development of astronomy with Copernicus and Kepler, Newtonian physics, and the calculus by Newton and Leibniz.”

Let us assume that Rawls’ historical analysis is basically correct, and focus on the idea that the development of the modern state created the conditions that made possible the development of liberal thought and practice. I want to suggest that modern liberalism would not have come into existence but for occurrence of injustice at two levels: at the level of the activities that allowed for the modern state to originate in the first place and at the level of the form that the modern state took when it first came into existence.

Consider first the origins of the modern state. State government has not existed in most of human history, and has only come into existence about five hundred years ago. Jared Diamond observes that,

Even as late as 1492, all of North America, sub-Saharan Africa, Australia, New Guinea, and the Pacific Islands, and most of Central and South America didn’t have states and instead operated under simpler forms of societal organization (chiefdoms, tribes, and bands).

So how then did state government arise historically? The consensus amongst anthropologists, historians, and archaeologists today is that state governments have arisen independently in many parts of the world under one of two sets of circumstances. The first is external pressure from an encroaching political entity that places a group under such duress that it ceded individual rights to a government of its own that would be capable of offering effective resistance. An example of this case is “the formerly separate Cherokee chiefdoms,” who about two centuries ago, “gradually formed a unified Cherokee government in a desperate attempt to resist pressure from whites.” The second set of circumstances that is possible is chronic competition and conflict among warring non-state entities that ends when one gains a military advantage

58 This claimed is made by Jared Diamond in “Vengeance Is Ours.” See also his *Guns, Germs, and Steel*.
over the others by developing “proto-state institutions.” An example of this case is “the formation of the Zulu state by a particularly talented chief named Dingiswayo, in the early nineteenth century, out of an assortment of chiefdoms fighting each other.” If the current consensus among anthropologists, historians, and archaeologists is correct, then modern states have their origins in either external conquest or internal chronic warfare. So insofar as conquest and chronic warfare can be considered injustices, they were injustices that were needed to create a condition—namely, the development of state government—that made the emergence of liberalism possible.

Injustice is a condition on the development of modern liberal states in a sense that goes beyond the pre-conditions of the development of modern states. The form that modern states took upon appearing for the first time in human history may have also had to have an unjust structure. We know that the modern states were, in their initial stages, ruled by monarchs with virtually absolute power. These absolutist states were constituted by unjust institutions organized around notions like “divine right” and “natural aristocracy”; the “laws” in these states often took the form of a ruler’s arbitrary commands; and many members of these states were under feudal obligations and faced the kinds of censorship and restriction on free-association that is morally objectionable from the liberal standpoint. From a liberal perspective, people in these societies related to each other in unjust ways: they stood in relationships of authority and obedience that are morally objectionable, and were allotted distributions of benefits and burdens that were radically unequal and unfair. If modern states had to take an absolutist form when they first evolved, and the existence of modern states made possible the emergence of liberal thought and practice, then the existence of unjust states condition the emergence of liberalism.

*Greek Slavery and the Invention of Democracy*

Friedrich Engels claims that “Without slavery, no Greek State, no Greek art and science; without slavery, no Roman Empire. Without Hellenism and the Roman Empire as the base, also no modern Europe...” Bernard Williams writes that the “the modern

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According to Hegel, there are four stages of world historical development each of which is necessary for the next. For him, historical development is the development of human freedom, or more precisely, the development of different forms of state each of which realizes a further stage of human freedom. Despotism (what we might call authoritarianism) is the first stage. This is followed by Aristocracy or Democracy. (Hegel has in mind the Greek-city states of the Ancient world.) What follows these are Constitutional Monarchies. In these states, all members are recognized as being free citizens and bearers of rights. On the Hegelian account, once we’ve reached this final stage, there can still be struggles over rights and inclusion.
world was a European creation presided over by the Greek past.”62 If Engels and Williams are both correct, and if, moreover, liberalism is taken to be the characteristic form of ethical life in the modern world, then we might think that without the existence of Greek slavery, there would be no modern liberalism.

It has been said that the Greeks practically invented democracy.63 But given the historical constraints of their time and place, would there have been Greek democracy without the existence of Greek slavery? This question has been asked and debated by historians for several centuries. The historian Moses Finley claims there is a necessary relation between slavery and Greek democracy.64 Roughly, he argues as follows: It is precisely in democratic Greek societies that the most extensive positive rights were accorded to citizens; and the more extensive these rights, the wider the gap between citizen and non-citizen. The existence of these positive rights of citizens results in chattel-slavery given some form of unfree labor that already exists in the background, for it is only in a society in which citizens’ rights are so far developed that a concept of private property exists that people can own slaves. Hence, slavery in democracies like Athens is intertwined with the political organization (and rights) of citizens. Greek democracies were, after all, slave-societies in ways in which societies where individual citizen-rights were less highly developed (e.g. Sparta) were not. Slavery, Finley concludes, is thus intrinsic to ancient democracies.

Another related line of argument in support of the conclusion that Greek democracy depended on slavery is this: In order that every citizen in Athens could have the right and responsibility to participate in the public assembly that was the decision-making body of the city-state, there needed to be an economic underclass to perform the daily work of providing the necessities of life. That this is so is more compelling once one understands the time-consuming character of Greek direct democracy and the state of technological development at the time. Given these constraints and others, there had to be a class of people who did not have the rights and responsibilities of free citizens to serve as an economic base, if there was to be Greek democracy, and so, in essence, there had to be a slave underclass. If this reasoning is correct, and if the existence of modern liberalism is conditioned on the Greek invention of democracy, then modern liberalism is also, in turn, conditioned on Greek slavery. Admittedly, this is a dramatic line of thought. But if it is correct, this would mean that the circumstances, or pre-conditions,

62 See Williams, *Shame and Necessity*, p. 3.
63 The Greeks invented the word “democracy.” While the Greek city-states were freer than the forms of social life that historically preceded them and also those that were contemporaneous with them, the freedom in the Greek city-states was still more limited than those of modern liberal societies: More than half the population did not have political rights; slavery, not just inequality, still existed; there was no conception of a written charter or constitution that guarantees rights that are fundamental for every citizen (or person) as such.
in which liberal thought and practice are possible historically have been created in part by the injustice of Greek slavery.\textsuperscript{65}

6. \textit{All-In Historical Regret}

I want to recap where we are at this point. I began with a brief description of modern liberalism and then characterized the attitude of valuing modern liberalism immensely, outlining some of its possible grounds. I then presented and motivated the lamentable necessities thesis—the claim that the historical emergence of modern liberalism could not have come about in any other way than by the occurrence of certain injustices. I want to now argue that a form of regret is rationally ruled out for those who attach immense value to the liberal tradition and accept the lamentable necessities thesis. To do so, I need to explain the notion of regret relevant to that argument—\textit{all-in historical regret}.

I will draw on Bernard Williams’ and R. Jay Wallace’s respective discussions on the nature of regret to help me characterize this particular notion of regret.\textsuperscript{66} I begin with regret in general. The OED defines regret as a kind of “sorrow” or “pain” or “disappointment” that is occasioned by reflection on something that one has done or left undone, or in response to some external circumstance or event.\textsuperscript{67} According to Williams,

The constitutive thought of regret in general is something like ‘how much better if it had been otherwise’, and the feeling can in principle apply to anything of which one can form some conception of how it might have been otherwise, together with consciousness of how things would then have been better. In this general sense of regret, what are regretted are states of affairs, and they can be regretted, in principle by anyone who knows them.\textsuperscript{68}

\textsuperscript{65} Consider historical explanations of the movement toward the more universalistic conceptions in Greek ethical thinking over the course of eight centuries, beginning with the Homeric world through the time of Aristotle and up to the age of Cicero and the Stoics. By the end of that period, the notion of human goodness irrespective of who one is—i.e., irrespective of one’s gender, one’s status as a slave or non-slave, etc.—began to appear for the first time. What accounts, at least in part, for this thinning out in the ethical concepts of the Greeks over time, according to classical historians, is the political conquests and expansions of Alexander the Great, which increased intercultural contact and made the Greek world more cosmopolitan.


\textsuperscript{67} This definition is quoted in Wallace, “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life.”

In addition, the cognitive content Williams identifies, I think regret is also constituted by the attitude of wishing or preferring that things in some respect would have been otherwise than they were. I want to say that regret also involves desires about the past, given beliefs about what happened in the past. Of course, desires are typically conceived of as being future-directed—they are about things that have not happened yet (or if they have already happened, we don’t yet know that or how they’ve happened.) In these respects, the desires involved in regret are different than desires ordinarily understood, since the desires in regret are directed to states of affairs in the past and presuppose knowledge or belief about the past leading up to the present. Indeed it is an interesting fact about the psychology of regret that reflections on whether to regret X often involve a peculiar movement of the mind whereby we imagine ourselves back into the past, with everything (or nearly everything) exactly as it was, but for the fact that we are there (again) with our present knowledge about how things had actually unfolded. The question then presents itself—at precisely the moment just when the object of contemplation is set to happen—whether we would still want it to happen, knowing everything that we do about how things will unfold if it does.\(^69\) In any case, to regret involves wanting or preferring that things had happened differently (in some respect) to how they have actually happened.\(^70\)

Williams distinguishes between agent and impersonal regret. “Agent regret” is a sentiment that “a person can feel only towards his actions (or, at most, actions in which he regards himself as a participant).”\(^71\) The attitude is available only to those whose

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\(^{69}\) This movement of the mind is very natural in the case of reflections on whether to regret. However, when we scrutinize it philosophically, things can seem puzzling. In the case of prospective reflection—suppose we are thinking about a prospective event, in particular, whether to intend some end—it certainly makes sense that we would consider the necessary conditions of achieving that end, namely, the means. And certainly, if one intends the end, one is committed to the means. If all things considered, we prefer that the end occur, and all things considered, we prefer that the means do not occur, it is important for us to figure out which we value or prefer more, given that we cannot have the end without the means. But why are we so often inclined to also impose on ourselves a similar constraint when we reflect retrospectively? Why do we allow ourselves to regret some object only after we have considered its necessary conditions? Why do we not just consider its value, abstracting from the necessary conditions? I suspect the answer will in part have something to do with a deep and admirable need to be realistic and honest, to be grounded in reality.

\(^{70}\) We may contrast regret with gladness. We can wish that something had happened differently in the past. Here we regret that things happened as they did. But we can also prefer what has actually happened in the past, preferring what has actually happened to what would have happened otherwise. In this case, we are glad things happened as they did. Between these two cases, we have the case of not wishing that something happened differently in the past, but also not preferring what has actually happened in the past. In this intermediate space falls ambivalence and indifference about what has happened in the past.

\(^{71}\) Williams, “Moral Luck,” p. 27.
agency were involved in some way in bringing about the unfortunate past occurrence. The attention of the person who feels “agent regret” is focused on the “how [he or she] might have acted otherwise.”\textsuperscript{72} By contrast, “impersonal regret” is an attitude that it is open to anyone to feel about an unfortunate occurrence in the past. To impersonally regret some event in the past is to wish or prefer that it might have been otherwise, without thinking that one (i.e., “I,” the subject who regrets) might have acted otherwise. The content of the attitude of impersonal-regret is thus not first-personal as it is in the case of agent-regret.\textsuperscript{73} The particular sense of regret that I want to focus on—what I call \textit{all-in historical regret}—falls under the latter category of impersonal regret. All-in historical regret takes as its object activities, events, and states of affairs in the distant past; because one’s own agency does not, indeed cannot, play a part in the distant past, historical regret is thus a form of impersonal regret.

Not only can regret have a wide range of possible objects, it can also take many guises or forms. As Wallace observes, regret is an attitude that also has “a wide range of possible inflections and instantiations.”\textsuperscript{74} He points out that thoughts and feelings of regret can also be more or less intense, depending on one’s mood. In some cases, regret is a stable and considered state; in other cases, regret is not stable and can be undermined by sustained and honest reflection about its object.

Wallace distinguishes between “having regrets,” on the one hand, and experiencing “all-in regret,” on the other. In the case of having regrets, there is no overall verdict that one arrives at when one looks back in thought on the earlier action or event. Indeed, the state is compatible with being “essentially conflicted, in a way that precludes a simple answer to the question of whether the earlier occurrence is welcomed or deplored.”\textsuperscript{75} I think this form of regret might be thought of as “pro-tanto” regret.

In other cases, however, one’s retrospective attitudes are less conflicting or indeterminate. What Wallace calls “all-in regret” involves the presence of a single on-balance emotional tendency. In these cases, “a person experiences a stable reaction of sorrow or disappointment about a past action or circumstance, taking into account the totality of subsequent events that [he or she] is aware of having been set in motion by

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\item\textsuperscript{72} Williams, “Moral Luck,” p. 27.
\item\textsuperscript{73} Williams allows “that there can be cases of regret directed to one’s own past which are not cases of agent-regret, because the past action is regarded purely externally, as one might regard anyone’s action.”
\item\textsuperscript{74} Wallace, “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life,” p. 14 of manuscript.
\item\textsuperscript{75} Wallace, “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life.” (manuscript, pp. 15-16.) Wallace points out that someone who is deeply ambivalent might “both want, and not want, that the past occurrence one is reflecting on should not have happened.” (p.15) He says, “we might describe the ambivalent person as ‘having regrets’ about the event they are reflecting on, but it would potentially be misleading to describe them simply as regretting that event.” (p. 15).
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it.” Additionally, the agent who experiences all-in regret “is subject to an overall desire or preference that things would have been otherwise in respect of the action or circumstance that now occasions retrospective sorrow.” (emphasis added) An agent that experiences all-in historical regret about a distant event has an all things considered—or equivalently, on-balance—preference that the event in question had not occurred.

Since everyday talk of regret mostly pertains to things oneself or one’s contemporaries are causally responsible for, my talk of regretting distant activities like the existence of slavery in the ancient world, or 16th century absolutist monarchies, may sound awkward to some ears. However, to the extent that we can be interested the question whether, in the light of our historical knowledge, we prefer on balance the non-occurrence of these distant events to their occurrence—wishing all-things-considered that they never existed—I believe there is a context in which the notion of all-in historical regret can have an useful application. Henceforth, unless I specify otherwise, whenever I speak of regretting historical events, including past injustices, this will be short hand for the notion of all-in historical regret just explicated.

7. Regretting Historical Injustices

I am now finally in position to demonstrate that those who accept the lamentable necessities thesis, and value immensely modern liberalism, are rationally precluded from regretting (in the all-in way) certain past injustices.

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78 If there are historical injustices that we cannot all-in regret (but do regret in the non-all-in sense), the notion of all-in regret (and the distinction between this notion and a non-all-in notion of regret) allows us to characterize a certain kind of tragedy of history. Suppose I learn some history; I look back and realize that pretty much no matter how history could have played out (in any realistic way), the only way modern liberalism could be caused is by being caused by certain morally terrible things. On the one hand, this makes me quite worried because I think those terrible things are genuinely terrible—viewed in their own right, I wish those things had not occurred. Yet, on the other hand, I have the conviction that modern liberalism is really the right form of ethical life; other forms of ethical life are simply not as admirable and just. So if (magically) I were living in pre-history with the moral knowledge I have now, I would believe that modern liberalism must be brought about—I would think there was a need for those terrible ills to be committed. The thinking here is not unlike the thinking of those historical leaders who thought prospectively— “You can’t make an omelet without breaking eggs”—and committed morally awful actions, but did so because they had the vision to, say, unify warring factions and establish political stability.
79 The argument that follows is indebted to Wallace’s discussion of the “inaccessibility of regret” to the young mother looking back on her earlier decision to conceive. See his “Justification, Regret, and Moral Complaint.”
Let us suppose that an agent, S, values immensely modern liberalism and also accepts LN. In particular, suppose S believes the occurrence of some activity—say, the marginalization of native populations (or native marginalization, for short)—instantiates LN. That is, our agent believes that the historical emergence of modern liberalism would not have been possible but for the occurrence of native marginalization. Also, let us suppose that S also all-in regrets native marginalization.

I argue that given these suppositions, it follows that S violates what I think is an intuitive rational constraint on our preferences, the preference coherence principle of rationality (or PC, for short):

**PC:** For any event, rationality requires an agent not to (simultaneously) both

1. prefer all things considered that event’s occurrence over its non-occurrence, and
2. prefer all things considered that (very same) event’s non-occurrence over its occurrence.

Here is an example to clarify the principle: if an agent prefers all things considered the occurrence of the recent earthquake in Japan (over its non-occurrence), and also, at the same time, prefers all things considered the non-occurrence of the recent earthquake in Japan (over its occurrence), that agent is incoherent or irrational. The rational requirement that all-things-considered preferences be consistent strikes me as an intuitive (synchronic) rational constraint on an agent’s preferences.

Here it might be objected that there cannot be a rational requirement on an agent to have her all-things-considered preferences be consistent because it is impossible for an agent’s all-things-considered preferences to be inconsistent. The reason is because whenever we have a case in which two all-things-considered preferences are obviously inconsistent, and (it is purported that) the agent is aware that she holds both preferences and that the preferences are inconsistent, we can start to lose our hold on the notion that the agent has both preferences. Similarly, when two beliefs are obviously inconsistent, and (it is purported that) the agent is aware that she has both beliefs and that they are inconsistent, we can start to lose our hold on the notion that she actually has both beliefs. Still, people do commonly have inconsistent beliefs because they fail to realize the beliefs are inconsistent, perhaps because the beliefs are not obviously inconsistent. They can also fail to know what they believe—i.e., fail to know the contents of their beliefs—even if they are well aware that, say, two beliefs (contents) which in fact they accept are inconsistent. Likewise, I claim that people may hold inconsistent all-things considered preferences because they either do not realize the preferences in question are inconsistent or they do not realize they hold both preferences. In fact, both of these cases can apply to the agent who accepts the lamentable necessities thesis, attaches immense value to modern liberalism, and regrets (all-in) certain historical injustices.

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So here is why PC is violated for our agent S81: On the assumption that S all-in regrets native marginalization, S prefers all things considered the non-occurrence of native marginalization to its occurrence. And since, by hypothesis, S believes that native marginalization instantiates LN, and values immensely modern liberalism, S prefers all things considered the occurrence of native marginalization to its non-occurrence. But now, we have deduced both that S prefers (on balance) the non-occurrence of native marginalization to its occurrence and that S prefers (on balance) the occurrence of native marginalization to its non-occurrence. Holding these preferences violates PC. Thus, S is inconsistent or irrational.82

Let me connect this conclusion back to the pair of questions that Williams put to those partial to Kantian, universalistic conceptions of morality. Recall that Williams asks the following:

If one accepts that historical and social developments were necessary to the emergence of universalistic morality—which is hard to deny— … does one accept that among the conditions of the emergence of universalistic morality were many historical activities that depended on the non-acceptance of universalistic morality? … [D]oes the Kantian [or universalist] really wish that Kantian [universalistic] morality had prevailed?83

The basic point of Williams’s question, as I see it, is this: To be a Kantian (or, for purposes this discussion, a liberal universalist) involves holding a certain moral outlook—to maintain certain attitudes toward certain activities. Thus, one has to believe that every society should give all of its members an equal voice, that everyone ought to be able to practice their religion, that no one should not be arbitrarily denied access to economic roles because of their race or sex/gender, that all persons should enjoy equal freedom, that diverse ways of life should be tolerated, and so on. One also has to morally reject such things as slavery, serfdom, absolutist monarchy, the persecution on the basis of people’s ethnic origins, and so on, and moreover to see them as morally wrong for everyone, everywhere, at all times.84 But suppose the historical instantiation of the liberal universalist outlook would not have been possible, were it not for the occurrence in the past of the very kinds of activities the liberal universalist has to morally reject—slavery, absolutism, sectarian violence, etc. After all, on the assumption that LN is true, the

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81 This argument is also outlined in more explicit terms in the Appendix. Additionally, another variant on this argument is offered there.

82 Note that S can still regret (all-in) that historical circumstances were such that modern liberalism could not have emerged but for the occurrence of certain injustices.


84 I put to the side utilitarian versions of contemporary liberal theory, as I worry that utilitarianism’s aggregative character renders it incapable of providing a sufficiently secure foundation of individual rights. For this reason, I focus on nonutilitarian (or deontological) versions of liberalism.
liberal universalist outlook could not have historically emerged in any other way than through the occurrence of these or similar injustices. What stance, then, is the liberal universalist supposed to adopt, on reflection, with respect to past activities on which the historical instantiation of his moral outlook depends in this way? Specifically, can the liberal universalist—if she really values her liberalism—(all-in) regret in good faith their occurrence? Williams’s suggestion, as I see it, is that the liberal universalist cannot, and because she cannot, she should question her universalism (that is, her view that liberalism embodies the one true or correct ethical system). In other words, one cannot consistently be a liberal universalist and fail to all-in regret the occurrence of certain historical activities that violated liberal principles.

Here, one might have the following worry about whether Williams’s argument, as I’ve construed, can even get off the ground: Suppose we grant the lamentable necessities thesis (LN); in particular, a version of LN according to which, say, Greek slavery was a necessary condition for modern liberalism. Now imagine the situation faced by those in Ancient Greece. It may appear that the only alternatives available to the Greeks were:

1. to have the practice of slavery in a way that eventually led to the emergence of modern liberalism, or

2. to have the practice of slavery in a way that would never have led to the emergence of modern liberalism.

Note that scenario (1) represents what actually happened—a world in which some “bad” activity X is done (Greek slavery exists) and then a “good” social order eventuates (modern liberalism is historically instantiated). Scenario (2), by contrast, looks even worse from our perspective, as it is a world in which some activity equally “bad” is done (Greek slavery exists) and the “good” social order never eventuates (modern liberalism does not come into existence). The worry is that it appears the options for our retrospective “choice” here is between, on the one hand, a world in which bad thing X is done and the good things eventuate, and, on the other, a world in which something equally bad is done and the good things never eventuate. Given these alternatives, what is there to even regret about how things actually unfolded? After all, scenario (3), a world in which the Greeks did not have slaves because they had already achieved modern liberalism is not a genuine possibility, since ex hypothesi the emergence of modern liberalism is not possible until the occurrence of slavery.

I think this worry dissolves once we recognize that though (3) might not have been possible for the Greeks, (1) and (2) do not fully capture all of the options that were available. In particular, the Greeks might have declined to have slaves without thereby having achieved full modern liberalism. So, there exists yet another scenario where the Greeks did not engage in the morally abhorrent, non-liberal practice of slavery, but otherwise kept their still significantly less-than fully liberal ethical system intact. Call this option (4). (4) is a world that never leads to modern liberalism. We could then suppose that, in regretting all-in the fact that the Greeks had slavery, what we are regretting all-in is that they had slavery rather than taking option (4), an option that, unlike (3), was
genuinely available to them, even granting LN as a premise. This would allow the worry to at least get off the ground, because now the question that Williams asks—“Does the [liberal universalist] really wish that liberalism had prevailed?”—can be understood as the question whether we should really all-in regret that (1) obtained rather than (4), both of which were genuinely possible.

So the central question is whether the value we attach to liberalism is on balance worth (by our lights) the horrible past injustices (e.g., Greek slavery) which made liberalism’s emergence possible. This question probably cannot be answered satisfactorily unless and until we have a sufficiently filled-in account of how far away from modern liberalism history would have taken us had certain past injustices not happened; and how far away from the occurrence of certain past injustice could history have drifted while still having the emergence of modern liberalism come about as a result. To achieve this fuller account would require a significant amount of historical, causal, and counterfactual knowledge that is probably beyond what anyone at present could realistically achieve.

However, I believe something like the following might be close to the truth: there are certain injustices such that history could have gotten a little bit away from them and still something close to our form of modern liberalism would have developed; but history could not have gotten very far away from these injustices, and still have had something close to our form of modern liberalism emerge; if history had gotten very far from these injustices, then something very different than modern liberalism would have developed. If all of this is right, then I think we may still have reason to attach immense value to modern liberalism. After all, we believe modern liberalism is an admirable and just way to order society. We also see that it makes possible our self-fulfillment, enabling opportunities for us to exercise our talents and realize ourselves. Few people could say truthfully that they would give this all up if (contrary to fact) they could choose the non-occurrence of historical injustices that were necessary causal conditions for the emergence of modern liberalism. For it would be rather strange to care more deeply about the lives of people in the distant past—to care more about whether those people have their rights violated and are able to live in an just and admirable social world—than about whether we (and future generations too) are treated justly and live in an admirable social world that enables our flourishing.

85 While there are of course important differences between this kind of very difficult historical question and other kinds of very difficult historical question such as whether Hitler at the age of twelve had an odd or an even number of hairs on his head, I think it is still humanly possible to answer these questions, even if it is not humanly possible at present.

86 Here one response could be that ambivalence about certain large scale injustices done to historically distant individuals is actually the appropriate attitude in the face of things. To the extent that these injustices were a condition for the possibility of modern liberalism, they are things that we feel we do not wish had been otherwise. And, at the same time, to the extent the historical events in question were, after all, horrible injustices on a massive scale, we feel that we do wish that things had been otherwise, that they had not happened. Thus, one can be in a state of tension, and neither arrive at either an all-
Nonetheless, even if we should continue to attach great value to modern liberalism, this does not mean we should attach absolute value to it. We should not cling that tightly to modern liberalism as it in fact (in the course of events) emerged. We should not value modern liberalism so highly that we would not prefer (to the actual history) an alternative history in which things would have gone a little bit away from certain past injustices (say, the Greeks had indentured servitude instead of slavery) with the result that a form of ethical life that was not exactly our form of modern liberalism, but had a close family resemblance to it, evolved. Correspondingly, there may be historical injustices such that we should not all-in regret, if the non-occurrence of those injustices would still have resulted in something sufficiently close to (though different than) our form of modern liberalism.

8. A Problem for Liberal Universalism?

In the last section, I argued that if one values immensely modern liberalism, and accepts the lamentable necessities thesis, this rationally precludes all-in regretting the occurrence of past injustices necessarily bound up with modern liberalism’s emergence. If my argument is sound, what are its ramifications? What, in other words, is at stake philosophically in whether or not we can rationally regret certain past injustices? In the remainder of this chapter, I examine whether the conclusion that we cannot regret certain historical injustices poses a threat to liberal universalism.

There is a certain assumption about the relationship between (moral) justification and regret that might be driving the suggestion that not being able to regret certain historical injustices is a problem for liberal universalism. The idea is that the inability to rationally regret some activities of the past amounts to something like a retrospective justification of these activities. This is a line of thought that Williams is sympathetic too, at least in some of his writings.87 In “Moral Luck,” he suggests that our decisions can be assessed retroactively as justified or not justified in virtue of outcomes that were not and could not have been foreseen with certainty in advance our decision. It could be that we cannot always act in such a way that we will have no reason to regret, whatever happens. In his words,

The perspective of deliberative choice on one’s life is constitutively from here. Correspondingly, the perspective of assessment with greater knowledge is necessarily from there, and not only can I not guarantee how factually it will then

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87 In “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life,” Wallace examines the idea, which he identifies in the philosophy of Bernard Williams, that the inability to regret amounts to something like a retrospective justification. My discussion is indebted to his paper.
be, but I cannot ultimately guarantee from what standpoint of assessment my major and most fundamental regrets will be.\textsuperscript{88}

Luck can determine whether what we have done is justified or not, as the events which our actions set in motion will determine the standpoint of retrospective assessment on our earlier action.\textsuperscript{89} In paraphrasing Williams’ argument, Wallace states the point as follows:

If we are lucky, the later standpoint will be one from which we cannot regret the earlier decision, so that the decision is vindicated by the course of events. But it is also possible for things to develop in a way that leaves us only with regret about the earlier decision, and in that case the decision may turn out retroactively to have been “wrong” and “unjustified.”\textsuperscript{90}

To illustrate the idea, Williams discusses the example of Gauguin, or someone like him, who abandons his family in Paris in order to pursue his art in Tahiti, and who will be able to regard the choice retroactively as justified if, and only if, he turns out to be a great artist.\textsuperscript{91}

The project in the interest of which the decision is made is one with which the agent is identify in such a way that if it succeeds, his stand-point of assessment will be from a life which then derives an important part of its significance for him from that very fact; if he fails, it can, necessarily, have no such significance in his life.\textsuperscript{92}

Importantly, the situation is one in which Gauguin cannot in the nature of the case know in advance the outcome of his decision. But—as Wallace emphasizes in his analysis of Williams’ discussion—the events that Gauguin’s decision set in motion will ultimately determine retroactively whether the decision was in fact justified. As Wallace elucidates the idea,

[Gauguin] will be left only with regrets, and this fact will function to render the decision unjustified. If on the other hand he turns out to be an artistic success, then he will be unable, looking back, to regret his earlier behavior. His success will determine that he takes an affirmative attitude toward his life, as it has actually gone, and this will preclude his regretting the earlier decision that was a

\textsuperscript{88} Williams, “Moral Luck,” pp. 35-36.
\textsuperscript{89} Wallace makes clear this point in “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life.”
\textsuperscript{90} Williams, “Moral Luck,” p. 25.
\textsuperscript{91} Williams, “Moral Luck,” pp. 35-6.
\textsuperscript{92} Williams, “Moral Luck,” p. 35.
necessary condition of its turning out as it did. His decision will in this case be justified ex post facto by his success.93

Thus, the idea is that our retrospective attitude toward a decision we have made can determine whether that decision was or was not justified after all.94

So how might these ideas from “Moral Luck” translate over to the case that has been my focus—that of modern liberalism and the activities that condition its historical emergence? One thought is that the fact that we cannot rationally regret past activities that condition the ethical life we attach great value to would amount to something like a retrospective justification for those past activities. But what would it mean for these activities to be justified by history, absent the supposition that there exists a superintending agent of history, about whom it could be claimed did not exhibit a deliberative failing? By “superintending agent,” I mean an agent who has the capacity to act with the intention of promoting the ethically good and the just for human beings at the world-historical level and who has the power to achieve this end (e.g., God, perhaps Hegel’s Geist). A superintending agent would be the counterpart in the historical case to agents like Gauguin in the individual case. Many people cannot, however, take seriously the notion that there exists a superintending agent, and without this notion, I doubt we can give much sense to past activities being justified or unjustified apart from their being morally justified or unjustified (by our lights).

Perhaps what is motivating Williams’s response to Korsgaard is a slightly different thought: the fact that we cannot rationally regret past activities that condition the emergence of the liberal tradition would amount to something like a retrospective moral justification for those past activities. If past events such as slavery in the ancient world and the European conquest of the New World cannot be regretted by us, then they are retrospectively morally justified through historical development. If this is right, the liberal universalist should then give up her universalism—i.e., give up viewing Ancient slavery and the European conquests as unjust. So if, for example, a historical analysis of the necessary causal conditions for the historical emergence of liberalism

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94 Does this mean that for Williams, Gauguin’s success as an artist renders his decision to abandon his family morally justified? I think an answer to this question hinges on whether the moral justification of a person’s action needs to silence the complaints of others to have been wronged by it. What Williams says is that the fact that Gauguin cannot use the fact of his artistic success to justify himself to his family does not show that he is morally unjustified. Wallace has argued that according to Williams, Gauguin is not morally justified by his success: Gauguin’s success as an artist does not render his earlier decision morally justified, because Gauguin’s success cannot silence the complaints of his wife and children about how he has treated them. Whatever side one comes down on this issue, Gauguin’s inability to regret his decision will entail that his earlier immorality was not in fact a serious deliberative failing. See Williams’s “Moral Luck” pp. 23-4, 39; Wallace, “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life.”
demonstrates conclusively that the existence of slavery in the Ancient world was one such condition, then the liberal universalist should not, on reflection, conclude that slaveholding by the Ancients was unjust.\textsuperscript{95}

However, I do not think this is the way we should be thinking about matters. The notion that the justice or injustice of past activities (in particular, large-scale activities) can be determined by the long-range overall historical effects and outcomes of these episodes goes deeply against the grain of our intuitive moral thinking. To see this, consider our intuitive reactions to smaller-scale cases. In his memoir \textit{Man's Search for Meaning}, Viktor Frankl suggests that, as a result of his imprisonment in a Nazi concentration camp, he developed certain resources of character, insights into the human condition, and capacities for appreciation that he would not otherwise have had.\textsuperscript{96} Let us suppose for the same sake of argument that Frankl's mistreatment by the Nazis was indeed a \textit{necessary} condition for the richness of his later life and outlook on the world, and that, had the Nazis behaved differently toward him, his life would have been, on balance, less full and good.\textsuperscript{97} Frankl might highly value and affirm his own life and outlook, but I doubt most of us would be inclined to say that he thereby has reason to deny that his imprisonment in a concentration camp was an injustice.

Or suppose I had promised to drive you to the airport but ended up flaking on you at the last minute. As a result, you end up missing your flight.\textsuperscript{98} However, the flight that you were supposed to be on ends up crashing, with no survivors on board. In this case, I doubt that you would all-in regret the fact that I failed to pick you up as I had promised I would. You will instead feel very lucky to have been caused to miss the flight. Still, I do not think that just because you would (could) not all-in regret the fact that I broke my promise to drive you to the airport, you would, for that very reason, now think that my act of promise-breaking was morally justified. Nor should you think that.

Analogously, activities such as Greek slavery, the European conquest of the New World, and Absolutist monarchy may condition the existence of modern liberalism, and so our liberal identity. If we attach immense value to our liberal ethical life and identity, this may mean that we cannot regret in the all-in way these activities; but it should \textit{not} mean that we should give up viewing these things as massive injustices. The fact that some historical activity cannot be rationally regretted does not entail that it was morally justified. Therefore, the conclusion that certain historical injustices cannot be rationally regretted does not threaten universalism.

\textsuperscript{95} Those who think that it is implausible to deny that wrongdoing should always be all-in regretted would find this conclusion especially difficult to reject. So too would those consequentialists and Marxists who are inclined to strongly instrumental, goal-oriented, assumptions.


\textsuperscript{98} This example is adapted from Wallace, “Justification, Regret, and Moral Complaint: Looking Forward and Looking Backward on (and in) Human Life.”
9. Conclusion

I want to conclude by situating the position I’ve defended in relation to the others I’ve considered. Williams, I’ve suggested, argues in the following way: if we cannot regret certain past activities (in particular those “injustices” that condition the existence of our ethical life), then liberal universalists should give up on universalism. We cannot regret these activities. Therefore, liberal universalists should give up universalism.

Williams’s argument might be objected to on the grounds that the claim that we cannot regret certain past injustices is false. This could be argued in two ways. The first way is by denying that past injustices were necessary for our ethical life. If these activities were not necessary for our ethical life, then it is open to us to regret them. I suspect some people’s resistance to the thought that certain past injustices were necessary for the historical emergence of our ethical life is explained by their deep commitment to that ethical life, perhaps on universalistic grounds or perhaps on others. Because of the near-absolute worth that they attach to their ethical life, they cannot bring themselves to face the idea that morally horrific activities may very well have been necessary to bringing it into existence. This is a kind of motivated irrationality, some mix of denial, wishful thinking, and willful ignorance that relies on the fallacy that the existence of things genuinely wonderful cannot have really awful actions and events as preconditions. As mentioned earlier, I am not as sanguine, and see this position as much too optimistic. In *Truth and Truthfulness*, Williams remarks that

Our ethical ideas are a complex deposit of many different traditions and social forces, and they have themselves been shaped by self-conscious representations of that history. However, the impact of these historical processes is to some extent concealed by the ways in which their product thinks of itself.

Earlier, I argued that injustices might very well have been a necessary feature of the historical processes that produced modern liberalism. The point I am making now is that this may be one of the facts “concealed” (or denied) by the product of the historical process in question—namely, (some) liberal people.

A second way to disagree with the claim that we cannot regret certain past injustices is to deny that we attach enormous value to the liberal ethical life. If we do not value our ethical life very much, then we are open to regret its necessary conditions. Here, I wonder whether some people’s hesitation to acknowledge their deep attachment to liberalism may be explained by a kind of survivor guilt grounded in the very worry that liberalism’s historical emergence probably would not have been possible but for the occurrence of certain past injustices. When confronted with all the horrible injustices and great human suffering in history, and the possibility that some of it was necessary to create some of the features of their lives that they value most or that make the things they value most possible, they think maybe they should not adopt such a strongly affirmative attitude toward their ethical life after all. I think we need not be so diffident.

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and hesitant to acknowledge the enormous importance we attach to our ethical life—e.g.,
the significance our ethical life has for our flourishing and self-development.

My own view about these matters, and the one that I have argued, is that we can
hold onto liberal universalism—and indeed we can treasure our ethical life, modern
liberalism, and at the same time acknowledge that some injustices were necessary for it to
come into existence. This position strikes me as perhaps the most historically and
ethically honest—about the necessary horrors that conditioned the historical emergence
of liberalism and about the enormous value we attach to liberalism. But in order to
maintain this view—to be true to history and to our values—we need to give up an
assumption shared by Williams’s and perhaps also those who would disagree with him in
the two ways just mentioned): the assumption that not being able to regret a past activity
entails that we cannot view it as morally unjustified.
Chapter Three: A Theory of Error for Liberal Universalism

“Today, makes yesterday mean.”

(Emily Dickinson)

1. Introduction

I turn now to explore whether and how our historical reasoning—specifically our explanations of historically distant people and societies—can be constrained to go in a certain direction, given an assumption of universal validity in our ethical outlook. In particular, I focus on the case of “liberal universalism,” the widely-held view that liberal values are universally valid. In the last chapter, I asked whether we can consistently hold this view, if we are unable to rationally regret certain large-scale historical injustices. In this chapter, I ask how liberal universalism can explain, in a way that is satisfying, why those in the distant past were not liberals.

Bernard Williams suggests that liberal universalism lacks a plausible theory of error, claiming that “there is no story about the subject matter of [of ethics] and about these past people’s situation which explains why those people got it wrong about that

100 Quoted by Roger Lundin in his *Emily Dickinson and the Art of Belief* (Grand Rapids, Michigan: William B. Eardmans, 1998).


It should be noted that the “political liberalism” of the later Rawls does not aspire to universal validity and justification, stopping short of the kind of universalistic ambitions that Williams targets. For instance, in *Political Liberalism*, Rawls argues that a liberal society’s commitment to “political values” should not be supported by a common commitment to (what it takes to be) universal moral values and the idea of universal moral rights. Here, Rawls denies both that his theory aspires to universal validity and that it rests on any comprehensive conception of value. Rather, he presents his justification of liberal institutions and defense of his liberal conception of justice as being addressed to modern democratic societies at a certain historical moment. In *The Law of Peoples* Rawls argues for a “liberal law of peoples” that does not require non-liberal societies to become liberal. He asserts that “Not all regimes can be reasonably required to be liberal.” *The Law of Peoples*, (Cambridge: Harvard University Press, 1999).
subject matter.”

Williams also claims that liberal universalists, who believe that “if a morality is correct, it must apply to everyone,” are committed to the view that what explains why past societies were non-liberal is that people back then “were bad, stupid, or something on those lines.”

The idea is that unless liberal universalists claim that members of past societies were motivationally or cognitively deficient, they cannot account for the failure of the historically distant to recognize the allegedly universal liberal values. More generally, Williams worries that universalism may be an impediment to the achievement of historical understanding.

In what follows, I contend that liberal universalists can provide an adequate theory of error and that they are not committed to saying that distant people were non-liberal because they were motivationally or cognitively deficient. Instead of appealing to personal factors to account for the non-liberal tendencies of earlier societies, such as the moral and cognitive constitutions of their members, a liberal universalist can appeal to structural factors, such as the way that one’s historical situation can limit (or enable) one’s access to important moral considerations. In fact, far from inhibiting the historical understanding of past societies, universalism actually contributes to a realistic sense of them; for some liberal concepts are precisely needed to characterize how past societies are different from our own. Or so I shall try to demonstrate.

The structure of my discussion is as follows: I begin by elaborating a bit more on Williams’s demand for an error theory. I then present liberal universalism in terms of two main underlying assumptions. In the course of outlining these assumptions, I distinguish between different classes of moral judgments that a liberal universalist could make. I then introduce a third assumption, which Williams also identifies with liberal universalism, to help motivate his suggestion that a liberal universalist is committed to the view that distant people were non-liberal because they were either morally or cognitively deficient. After motivating William’s suggestion, I argue that a liberal universalist actually need not be committed to it. I point out that a liberal universalist who accepts this explanation should, however, allow that she cannot provide reasons acceptable to all for endorsing liberal values, and that it would be inappropriate to blame members of past societies for failing to recognize liberal values. Nonetheless, a liberal universalist can still legitimately bring her liberal outlook to bear in some classes of moral judgments about the past. I end the chapter by setting my discussion of liberal moral judgments in the broader context of our efforts to achieve historical understanding.

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102 Williams, “Human Rights and Relativism,” *In the Beginning was the Deed: Realism and Moralism in Political Argument*, edited by Geoffrey Hawthorn (Princeton: Princeton University Press, 2005. (pp. 66-67). The stretch of argument that is the focus of this chapter occurs on pages 65-68.


105 Williams’s demand for an error theory is presented in “Human Rights and Relativism.”
2. Williams’s Demand

For the purposes of reflecting on the error theory that Williams demands of liberal universalism, I shall suppose that liberalism is the dominant moral-political outlook of present-day Europe and North America and that it did not arrive on the scene historically until the eighteenth century. Recall Raymond Geuss’s remark, quoted in the previous chapter, that “one can trawl extant historical literature in search of anticipations of the liberal temper, but almost anyone can see that the catch will be very meager until the eighteenth century.”106 To take just one example, even Machiavelli, whose ideas are often associated with the dawn of modern political thought, though not liberal thought, never uses the language of rights but instead speaks of the enjoyment of individual freedom as one of the benefits to be derived from living under a well-ordered government.107

I shall also suppose that there are independent moral-political facts (as distinguished from whether these facts are universal). That is, I shall suppose that there are facts or truths about how to live and how to order society that hold independently of any actual moral-political attitudes held by any particular person or in any particular society.108 Of course, this supposition allows that the truth of the statement ‘Stalin was wicked’ depends in part on Stalin’s attitudes about moral and political matters, in the sense that if Stalin had respected certain of his people’s concerns (which in fact he did not), then it would not be true that he was wicked. But given that Stalin did not respect these concerns, then it can be true, independent of what anyone thinks, that Stalin was wicked. According to this assumption of realism, the claim that ‘Stalin was wicked’ can be true in a way that is prior to and independent of any view that we (or Stalin) might hold toward the claim.

In his paper, “Human Rights and Relativism”, Williams poses the following question: “If liberalism is correct and is universal in the way that [Thomas] Nagel takes it to be, so that the people of earlier times had ideas which were simply in the light of reason worse than ours, why did they not have better ideas?”109 He demands that “the outlook of liberal universalism” provide a “theory of error for correctness”: “a story about the subject matter [of ethics] and about past people’s situation which explains why those people got it wrong about that subject matter.”110 A theory of error would explain on liberal universalist terms why members of past societies had non-liberal tendencies, accounting for the apparent and frequent failure of past people to have what, according to liberal principles, are “correct” ethical and political views. Stated conversely, such an error theory would explain, as Robert Pippin has put it, “why essential features of a

106 Raymond Geuss, *History and Illusion in Politics*, p. 70.
certain form of life, say essential features of modern moral and ethical and political identity, have come to have the grip they now do.”

Why so belatedly and only relatively recently in the history of human life?

For example, we believe that in some sense every human being deserves equal consideration, and this is one of our fundamental ethical commitments. But we also know that most people in the past have not shared this belief and we also know that there are other people in the world presently who do not share it. To give another example, most political philosophers today—at least those in Western societies—assume that good government must mean that in one way or other another, the people must rule. But for many centuries beforehand, the opposite view prevailed: good government was thought to be government by a wise monarch, or an enlightened aristocracy, or property-owning males, or perhaps some combination of these. For example, neither the Mohists nor the Confucians of the Classical Chinese Philosophical Tradition—or anyone else in ancient China, for that matter—even considered democracy as a political system. Given the liberal universalist assumption that liberal values are universal in their validity, how come no one before the last two hundred years could see that every human being deserves equal respect or that good government must mean some kind of liberal-democratic government? Why has it taken several thousand years and many complex human civilizations to recognize these ideals? An immediate response may be that cultures take a long time to develop an understanding of difficult topics like moral-political values. But why should it take so long, and what does this intuitive response imply about the psychologies of distant people and about their social conditions? These are among the questions that an adequate theory of error for liberal universalism would have to address in a satisfying way.

Williams is skeptical that the liberal universalist can provide a plausible answer to why liberal values have been adopted only relatively recently, and only in certain parts of the world. He doubts that ethical theory could “generate an adequate theory of error and account generally for the tendency of people to have what, according to its principles, are wrong beliefs.” And claims that

there is no plausible cognitive account that explains why people in certain parts of the world should recently have grasped the moral rightness of the principles of a liberal society, by which I mean one that aims to combine the rule of law with a

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112 Williams uses the word “recognize” in the following way: to recognize liberal values is to think of them and accept them. It is not merely to understand that there are these particular values, or standards of evaluation, but also to adopt and embody them given that understanding. There is of course another sense of recognize, one different from Williams’s usage, according to which in recognizing a set of values, one thinks of them without necessarily accepting or holding them. In this chapter, I follow Williams’s usage.

liberty more extensive than in most earlier societies, a disposition to toleration, and a commitment to some kind of equality. At any rate, he criticizes “many liberals” for not being “interested enough” in how their “[liberal] convictions got there.” And says that liberal universalists “lack an explanation of something which, surely, cries out for one”; that “so many liberal philosophers want to avoid any [such] question of the history of their own views.” Williams also suggests that the commitments of the liberal universalist exert a pressure toward accounting for non-liberal societies by supposing that “all those past people who were not liberals . . . ought to have been liberals, and since they were not, they were bad, or stupid, or something on those lines.” To motivate this suggestion, and Williams's demand for an error theory more generally, I turn now to discuss some universalist assumptions implicit in the outlook to which his demand is posed.

3. Liberal Universalism

Liberal principles represent an ideal for how societies should be ordered and designate certain rights and duties possessed by those to whom the principles apply. In general, liberals are committed to certain ideals: the rule of law, to the protection of basic individual liberties, to the democratic process as a procedure for electing government officials, to the equality of status in society of its citizenry, and to the view that the individual human being is the fundamental unit of justification. Thus, I will assume for this discussion that liberal universalism, being a version of liberalism, shares with its non-universalistic liberal counterparts a commitment to core liberal ideals, such as liberty, dignity, equality, and toleration, even if there can be disagreements (even among liberal universalists) about how to interpret and prioritize these fundamental ideals.

Liberal universalism also has something in common with non-liberal universalistic views, namely a commitment to universalism. Thomas Pogge characterizes a “universalistic moral conception” as follows:

A moral conception . . . can be said to be universalistic if and only if (A) it subjects all persons to the same system of fundamental moral principles; (B) these principles assign the same fundamental moral benefits (e.g., claims, liberties,

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115 Williams, “Philosophy as a Humanistic Discipline.”
117 Williams, “Philosophy as a Humanistic Discipline.”
119 Though I characterize the object of a liberal’s commitments in terms of a set of ideals, the object of a liberal’s commitments could also be characterized in terms of certain traditions of practice. Thus, a liberal is someone who is committed to a form of life constituted by certain institutions such as constitutions, rights, elections, safeguards for private property.
powers, and immunities) and burdens (e.g. duties and liabilities) to all; and (C) these fundamental benefits and burdens are formulated in general terms so as not to privilege or disadvantage certain persons or groups arbitrarily.  

Suppose one accepts this account of a universalistic moral conception. In principle, a view could satisfy Pogge’s three conditions but still fall short of being liberal.

So here is Williams’s statement of the position of liberal universalism: “The outlook of liberal universalism holds that if certain human rights [or more generally, liberal values] exist, they have always existed, and if societies in the past did not recognize them, then that is because either those in charge were wicked, or the society did not, for some reason, understand the existence of those rights [values].”

Two key universalistic presuppositions or assumptions are implicit in the outlook demands an error theory from. The first, shared with other versions of liberalism, is that liberal concepts, ideas, and considerations apply to “the issues of one’s own time and place.” At times, Williams expresses this first assumption in “existential” terms: that a liberal accepts that liberal values “exist” in the world around him. Because Williams himself has some reservation with this way of putting the matter, and I share the feeling that the “existential” talk about liberal values can be a bit awkward, I shall primarily stick with the vocabulary of the applicability of liberal values to the world around us.

Williams says he is in agreement with the liberal universalist about this first assumption. He believes that if one is a liberal, one must “apply his liberalism to the world around him.” In other words, being a liberal universalist involves taking liberal principles to be the one true or correct set of moral-political principles for the world around us. An immediate issue is how the expressions such as “the issues of one’s own time and place” and “the world around [us]” are meant by Williams to be interpreted.

There are two possible ways to understand these expressions. The first is a causal interpretation. On the one hand, Williams allows that if the liberal universalist actually confronts another society in the present such as the traditional caste society in present-day India, she may rightfully judge it by appeal to liberal standards of assessment; she ought to, for example, question “whether their hereditary inequalities are justified.” In doing so, Williams says, the liberal universalist would be applying her liberalism to the world around her, and with good reason. On the other hand, Williams contrasts being confronted with a present-day traditional caste society with being “presented with the description of [a non-liberal] society” from a distant historical period such as antiquity or the Middle Ages. In providing this juxtaposition, Williams notes that the societies of the

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121 Williams, “Human Rights and Relativism,” p. 65; emphasis added. Williams attributes liberal universalism to Thomas Nagel. See Nagel, *The Last Word*. Although Williams’s treatment of “liberal universalism” focuses explicitly and exclusively on the views of Nagel, there have been other defenders of the view in the philosophical tradition going back to Locke and Kant.
ancient world and Middle Ages are not part of the world around us. Thus, one might infer the following causal reading of the expression “the world around us”: those people we would count as members of the world around us would be those with whom, given our relations to them (one of causal reach?), there is a need for regulation via some scheme of ethical norms. Since we cannot interact with the people of the distant past—for we cannot practically engage with those long dead—and since a real confrontation with them is impossible, given that their social worlds no longer present real options for us, there is no need for some scheme of ethical norms to govern our relations with those of the past. Therefore, those of the distant past do not count as being part of “the world around us,” although members of non-liberal societies that are contemporaneous with our own might still count as being part of “the world around us,” since with them, there is the possibility of (causal) interaction.125

A different interpretation rejects that Williams’s expression, “the world around us,” is best understood as hinging strictly on causal interaction. Imagine a science fiction case of de-facto separation, whereby a society that is substantially morally similar to ours (perhaps the group was even formerly part of our society) is no longer within our causal reach. Suppose they are now permanently and irreversibly transported to the other side of the universe but we are still somehow able to see them via a closed circuit television. Even though we cannot causally interact with them but can only observe them on this television, I think Williams would, or should, permit the liberal to apply liberal values in making evaluative claims about these people. If this is right, then the relevant notion of interaction is not strictly or de-facto causal, but rather mental, where there is imaginative accessibility or immediacy. Thus, perhaps a reading in terms of a certain metaphorical sense of distance makes more sense. The distance interpretation of the expression, “the world around us,” would also appear to be consistent with Williams’s often made observation that “Today all confrontations between cultures must be real confrontations” rather than merely notional ones, where these confrontations are distinguished by the fact the latter case (but not the former) fails to present “a real option” for members of the confronting parties.126

For the purposes of this discussion, what is important is that on both of the interpretations discussed, the relevant notion of “the world around us” or “our own place and time” for the liberal need not always be understood in a very local or rigid way so as to necessarily exclude other contemporary societies from being part of that world, however different the content of their society may be from a broadly liberal one. I shall thus use the expressions “the world around us,” “our own place and time,” and “our

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125 Later in the relevant essay, Williams says that “because the past is not within our causal reach … a relativism of distance is a sensible attitude to take.” (p. 68-69) A relativism of distance involves a refusal to extend all of one’s moral judgments to the past. I discuss Williams’s relativism of distance in more depth in Chapter 4, section 8.

126 See Williams, Ethics and the Limits of Philosophy, pp. 159-161. For Williams, if an alternative moral outlook is to constitute a real option for a given group of people, they must be able to “live inside it in their actual historical circumstances and retain their hold on reality, not engage in extensive self-deception, and so on.”

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social world” in a way that excludes the societies of the distant past but can include those contemporaneous culturally distant societies.

On the basis of liberal principles, a liberal universalist deploys ethical and political values in assessing features of her social world. One way of distinguishing between the different kinds of assessments that a liberal could make about her social world is in terms of their object. Below, I identify different kinds of negative moral judgment that liberals can make about their social world; the classifications are not meant to be exhaustive but rather list some familiar judgments.

1) **Agent-directed judgments**, which target individuals (or a set of individuals acting collectively) for violating liberal principles. Within this class of judgments include:

A) *ought judgments*, which express claims about how a person or members of a group ought (or ought not) to act in virtue of violating liberal principles. (E.g., ‘Christian Fundamentalists ought to tolerate the practices of same-sex couples.’);

B) *blame judgment*, which assign moral blame or culpability to a person or members of a group in virtue of failing to respect liberal principles. (E.g., ‘Elites in traditional Hindu societies are culpable for upholding caste systems.’);

2) **Outlook-directed judgments**, which target some moral outlook or evaluative belief system held by an individual or members of a group, and considers it as morally (un)acceptable, (in)appropriate, or (in)tolerable in virtue of liberal principles. (E.g., ‘The Mujahideen outlook is morally intolerable given its commitment to suicide bombing.’);

3) **Practice-directed judgments**, which assess the moral appropriateness or acceptability of specific actions or practices in virtue of liberal principles. (E.g., ‘It is morally unacceptable that captured suspected terrorists are denied the due process of law by the U.S. government.’);

4) **Society-directed judgments**, which assess a society on the basis of whether its institution(s) violates or conforms to some liberal norm of justice pertaining to rights or the distribution of social goods in a society. (E.g., ‘The present distribution of wealth in Russia makes it an unjust society.’)

All of these judgments involve a commitment to the first assumption of liberal universalism: liberal values apply to the world around us, to the issues of our time and place.

The second key assumption of liberal universalism is that if liberal values apply to the world around us, they must also apply beyond that world, applying everywhere or to everyone. As Williams characterizes the assumption, “if liberalism is correct, it must
apply to all those past people who were not liberals”\textsuperscript{127}; “you cannot really believe in liberalism unless you hold it true in a sense which means that it applies to everyone.”\textsuperscript{128}

It is a good question what the source of this assumption might be for liberal universalists. Williams does also attribute the following similar but more general claim to the liberal universalist, one that is practically the contrapositive of the second assumption just characterized: “if one does not think of one’s morality as universally applicable to everyone, [then] one cannot confidently apply it where one must indeed apply it, to the issues of one’s own time and place.”\textsuperscript{129} (my emphasis) The idea is that the liberal’s confidence in making moral judgments depends on her being able to apply her morality universally. The need to have this confidence is thus bound up with the universalistic assumption.

A different but related claim, argued by Nagel, is that the universalistic assumption in our moral thought expresses a deep need to view and accept ourselves from an external or impersonal point of view.

The [alienation of the individual from his projects and commitments] can be avoided only to the extent that the personal projects and individual action can be harmonized with universal requirements, requirements that are apprehended from an impersonal standpoint and typically expressed by certain moralities. Those universalistic moralities are supposed, after all, to answer to something very important in us. They are not imposed from outside, but reflect our own disposition to view ourselves, and our need to accept ourselves, from outside. Without such acceptance we will be in a significant way alienated from our lives.”\textsuperscript{130}

Thus, not being able to apply one’s morality universally can result in a kind of alienation from one’s personal projects and commitments.

Still another possible view is that the source of the second assumption of liberal universalism lies in the fact that “self-evidently, moral judgment must take everyone everywhere as equally its object.”\textsuperscript{131} (my emphasis) As Williams remarks elsewhere, “once the question of the distant is raised, moral judgments seem to find it quite easy to work up the energy to reach the target.”\textsuperscript{132} On this kind of view, the assumption that liberal values are universally applicable can be understood as an application of a more general and fundamental universalist assumption, that “if a morality is correct, it must

\textsuperscript{127} Williams, “Human Rights and Relativism,” p. 67.
\textsuperscript{128} Williams, “Human Rights and Relativism,” p. 67.
\textsuperscript{129} Williams, “Human Rights and Relativism,” p. 67.
\textsuperscript{130} Nagel, \textit{The View from Nowhere}, p. 198.
\textsuperscript{131} Williams, “Human Rights and Relativism,” p. 66.
To restate, the second strand of liberal universalism says that if liberal values apply anywhere (particularly, here), they apply everywhere.\textsuperscript{134}

In accepting this second assumption, the liberal universalist who takes liberal values to apply to the issues of her own time and place also takes it to be appropriate to extend the scope of application of those values beyond the context of her social world, applicable to potentially everyone or all societies. Here are some examples of the kinds of moral judgments that apply liberal values to the distant past. (It will be necessary to remember these classes of judgments, as I shall return at the end of the chapter to whether a liberal universalist should consider give up making some of these judgments.):

1) \textit{ought judgments}: (E.g., ‘Louis XIV ought to have tried to democratize his government.’);

2) \textit{blame judgments}: (E.g., ‘The first Chinese emperor, Qin Shi Huang, is blameworthy for banning (burning) books that questioned his moral and political views.’).

3) \textit{outlook-directed judgments}: (E.g., ‘The values of the Ancient Greeks were deficient; the Greeks supported cultural leisure for some people at the cost of enslave other people, and denied women access to certain roles in public life.’)

4) \textit{practice-directed judgments}: (E.g., ‘The Crow Native American practice of scalping their opponents in war is morally unacceptable.’);

5) \textit{society-directed injustice judgments}: (E.g., The aristocratic forms of social ordering that prevailed in pre-industrial Europe were unjust, because they relied on inherited privilege and a belief in divine right to rule.’)

Taken as a whole, the judgments above reflect the claim that liberal values apply to everyone, everywhere, a claim that is entailed by the conjunction of the two main assumptions of liberal universalism.

In addition to the notion that liberal values are universally applicable, there is a further notion that Williams identifies with liberal universalism—that liberal values are universally \textit{justifiable}. Eventually, I will argue that a liberal universalist who wants to meet Williams’s demand for an error theory should not take this assumption onboard. The assumption that liberal values are universally justifiable includes not just the notion that the reasons and considerations that support the acceptance of liberal values are stronger or better than those that support non-liberal ones; but also the idea that these justifications do not simply come to an end within the point of view of liberals, or have

\textsuperscript{133} Williams, “Human Rights and Relativism,” p. 66.

\textsuperscript{134} Putting the idea in existential terms in application to human rights, we have the claim that “if [human rights] exist, they have always existed.” Williams, “Human Rights and Relativism,” p. 65.
morally persuasive force in the light of standards that are accessible only to liberals. Williams frames the notion in negative terms: “the [non-liberal] people of earlier times had [non-liberal] ideas which were simply in the light of reason … worse than [liberal ideas] ….”\textsuperscript{135} One thing that is implied here is that there is such a category of thought as reason, or reasoning, on the basis of which non-liberal ideas are evidently worse than liberal ones.\textsuperscript{136}

Nagel’s universalist claims in \textit{The Last Word} represent the target of Williams’s concerns about the liberal universalist assumptions about reasoning and justification. There, Nagel argues that in thinking some principles valid, we must suppose that our reasons “should also persuade others who are willing to listen to [them].” I take it that what Nagel means is that the liberal’s reasons for liberal values should also rationally persuade everyone. Suppose that I am a liberal, and I believe in liberal values on the basis of other beliefs that I take to be good reasons to accept them. If Nagel is right, when I accept liberal values on the basis of reasons, I should believe that others should also be able to find reasons to deem liberal values correct. Furthermore, I should take the considerations on the basis of which I accept liberalism to be rationally acceptable to all: anyone who is a competent reasoner should also be able to acknowledge the force of the justifications I offer for liberal ideas, provided they are open to considering them.\textsuperscript{137}

What seems to motivate Nagel to hold this view is his observation that reasons are “general” in the sense that “\textit{Unless} we think that anyone should draw the same conclusion from the same premises, we cannot regard the conclusion as justified by reason.”\textsuperscript{138} If this is what moves Nagel to think that in thinking some principles valid, we must suppose that our reasons should also persuade others who are willing to listen to them, then I disagree with him. Even if it is true that unless we think that others can grasp why our conclusion follows from our premises, we cannot regard the conclusion as justified, it does not follow that others must be able to see a reason to embrace the conclusion itself; they may reject the premises from which the conclusion follows while recognizing that the conclusion follows from the premises.\textsuperscript{139}

\textsuperscript{135} Williams, “Human Rights and Relativism,” p. 66; emphasis added.
\textsuperscript{136} The third assumption has roots in the Enlightenment notion that reason is common to all human beings, indeed definitive of what it is to be a human being, and in the Kantian idea that moral motivations and actions are requirements of rationality, so that \textit{any person} who reasons correctly should be motivated to act morally. On these conceptions, the capacity to reason, which is fundamental to the person each of us is, also lacks any specificity and particularity since it is a quality also reflected in every other person.
\textsuperscript{137} Nagel, \textit{The Last Word}, p. 4.
\textsuperscript{138} Nagel, \textit{The Last Word}, p. 79.
\textsuperscript{139} Conversely, we may understand that certain considerations are good reasons for others without holding that they are good reasons for us: “We can understand perfectly well why certain groups of Muslims might want to kill Rushdie—he is a threat to their identity—and we can fully appreciate that the considerations that move them are quite good reasons \textit{for them} without in the least thinking that they, or anything like them, are or would be reasons for us (and also without thinking that we stand under any obligation.
Reflecting on Nagel’s claim that “To reason is to think systematically in ways anyone looking over my shoulder ought to be able to recognize as correct,” Williams questions whether those in the distant past, such as Louis XIV, really ought to recognize the thoughts involved in liberal reasoning to be correct when they were in their “own world and not yet faced with the task of trying to make sense of ours.” Suppose a liberal were to rationally discuss with Louis XIV the legitimacy of his absolute rule and the justice of seventeenth-century France’s hierarchical social structure. If Nagel’s claim is correct, then assuming that Louis XIV is open to consideration of that which the liberal brings up as relevant, he should be able to eventually recognize the correctness of the liberal’s arguments; admitting the rationale of liberal principles, he would be forced to acknowledge that his political authority is illegitimate, his society unjust.

4. Appealing to Cognitive and Moral Deficiency

As I mentioned at the outset, Williams attributes to liberal universalism the claim that if people in the distant past were non-liberal, this is because they were either cognitively or motivationally deficient. In light of the preceding presentation of liberal universalism, I want to explain how the view can be naturally thought to lead to this theory of error.

Recall that Williams takes the liberal universalist to be someone who accepts the universal applicability and justifiability of liberal values. That is, the liberal universalist holds that not only are liberal values universally applicable in moral judgment, and that she has reasons to accept these values, but also that she can give reasons not just for liberalism, but for her very reasons for liberalism—as if the liberal universalist could transmit, by the force of reasons, her sense of why the considerations she adduces for liberalism are reasons. Williams’s concern is that the liberal universalist cannot seem to make sense of a certain kind of historical person who holds to some moral views that are incorrect from the liberal standpoint. This past person need not be assumed to be unaware of the moral issue or dispute between his outlook and the liberal outlook. After all, we understand the person to be holding onto moral principles that are of the same subject matter, so to speak. So the liberal universalist can construe that person as not unreasonable, as understanding the words that the liberal is saying, as discussing the matter in good faith, but as remaining unmoved by them. It may seem that the liberal universalist cannot account for this person except by attributing cognitive or moral deficiency. Let me explain why.

whatever to fail to try to protect Rushdie from their acting on their good reasons.” See “Morality and Identity,” Raymond Geuss’s response to Christine Korsgaard, The Sources of Normativity, (p. 197).

140 Nagel, The Last Word; quoted by Williams, p. 66 of “Human Rights and Relativism.” In The Last Word, Nagel argues that “reason” offers “a method of transcending both the merely social and the merely personal” in the formation not only of beliefs, but of desires, intentions, and decisions.

Take the sort of informed imaginative historical encounter of which we are at least in principle capable of engaging in. On the one hand, because the liberal universalist cannot persuade our imaginary Louis XIV to accept liberal principles, a liberal universalist might be tempted to ascribe to him some defect of intellect. When Williams claims that the liberal universalist has to say that past people were non-liberal because they were stupid (if not wicked), he is deliberately being polemical and amusing. Stupidity is one form of epistemic defect, but there are others: one could be irrational, unreasonable, unimaginative, or thoughtless. One might be intellectually lazy—i.e., disinclined to work to get past mere appearances—or intellectually careless—i.e., habitually unwilling to take care in getting at the truth. An agent may also be cognitively deficient in virtue of being bad at distinguishing between reliable and unreliable authority, or at determining when a sufficient amount of evidence has been gathered. These are just some of the cognitive defects that could be cited to explain why members of past societies failed to appreciate the force of liberal reasons.

At least part of what is driving the liberal universalist tendency to ascribe such intellectual defects to past non-liberal people—a tendency which Williams’s caricature helpfully draws attention to—is a specific notion of what it is to justify our moral principles to Louis XIV (or someone like him). The liberal universalist wants, from an independent standpoint, to be able to give past non-liberal people reasons why they should be moved by the liberal universalist’s reasons for liberal principles. But these past non-liberal people, one imagines, are aware of the reasons, consider them, but are just not persuaded that they should accept liberal principles. The liberal universalist does not know what else to say except to repeat his reasons. But the repeated insistence on these reasons is ineffective. Before long, it can also begin to seem like a poor way of justifying something to someone who remains unconvinced. Out of frustration and irritation, a liberal universalist throws her hands up, and concludes that these people are stupid (or something along those lines), accusing them of not having Reason aright their soul.142

On the other hand, if the liberal universalist does not go the route of ascribing a cognitive defect, she might be tempted instead to charge our imagined Louis XIV with some kind of moral defect—e.g., she might insist that our Louis XIV is “wicked.”143 Again, Williams’s talk of ‘wickedness’ is a useful caricature that highlights the tendency of some liberal universalists to label those who do not accept their values as morally deficient. ‘Wickedness’ is, of course, not the only moral defect that agents can exhibit;

142 See Lewis Carroll’s “What the Tortoise Said to Achilles,” Mind 4 (1895): 278–280. The object of frustration for the liberal universalist could be seen as the moral analogue of Carroll’s tortoise.

143 In following the terms of Williams’s demand for an error theory to liberal universalism—in particular, Williams’s claim that liberal universalism holds that pre-liberal societies in the past were wicked or stupid (where these are meant to be contrast cases—I will present deficiency of character (e.g., moral wickedness) as if it is separable from deficiency of the intellect. There are, however, good reasons to think that competence in reasoning, in particular practical and moral reasoning, has something important to do with the quality of one’s character, but I do not think anything significant rides on this for the purposes of this discussion.
they can also be greedy, complacent, selfish, lacking in empathy, corrupt, or just plain mean. A morally vicious agent may lack compassion, i.e., be someone ill-disposed to be moved to relieve the suffering of others when confronted with it; or ungenerous, i.e., someone who lacks basic concern for the welfare of others and whether they possess enough of the goods of life.

Notions of moral vice like these are both psychological and moral. When we apply them to someone, we ascribe to them a psychological trait and make a negative moral assessment about them in virtue of their possession of that trait. Crucially, that someone has certain moral-psychological attributes can also function as an explanation. In arguing that moral statements about particular persons (as well as actions and practices) can have explanatory force, Nicholas Sturgeon calls attention to the central role that psychological characterizations play in explanations of behavior. He claims, for example, that if asked to explain the fact that Hitler instigated and oversaw the degradation and death of millions of persons, one might appeal to his moral depravity. He also claims that “it would be difficult to find a serious work of biography, for example, in which actions are not explained by appeal to moral character.”

If asked to explain the fact that someone thinks or behaves in a way that is morally unacceptable, it is often natural simply to appeal to a moral deficiency in that person’s psychological constitution. So, if the liberal universalist does not want to assume that there is a deficiency in Louis XIV’s moral reasoning, alternatively she might suppose that something is defective in his moral character that prevents the recognition of injustice to motivate opposition to it. In this way, a liberal universalist can end up attributing moral (and motivational) deficiency to members of past societies.

To be sure, I do not deny that some cognitively deficient and morally depraved individuals existed in the distant past, and that political power has sometimes been in the hands of such individuals. There is more than a little moral evil and stupidity in both past and present—in nearly every period of human history, some display of willful ignorance, simplemindedness, cruelty, brutality, and viciousness—and we can understand how this fact can go a long way towards accounting for many non-liberal practices. But a general worry with ascribing either cognitive or moral deficiency to account for all of the non-liberal tendencies of earlier societies is that it seems intuitively untruthful and unfair to the past. It just doesn’t have the ring of truth. Perhaps it allows us to feel superior to past people and to congratulate ourselves, but it does not seem to

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145 There are many different ways by which people can fail to be motivated to act as morality requires even when they have the right moral beliefs and reasons. People may be hypocritical, self-deceived, morally weak-willed, etc. We needn’t think that every time one of these is exhibited that it coincides with moral deficiency. If these failures are conceived of as cognitive limitations—that is, failures in reasoning—they could form a special class under explanations that the appeal to cognitive deficiency. If instead they are thought to be excusable non-cognitive deficiencies, they would mark a third class of explanation (perhaps, called “the appeal to practical irrationality”) for the liberal universalist in addition to the explanations that appeal to moral and cognitive deficiency.
interpret those of the past in a way that feels satisfying. Why, after all, should we have to think that those of the past were in general "stupid or wicked or something along those lines"? Confucius, Mencius, Thucydides, Plato, Aristotle, and Thomas More all did not subscribe to liberal ideas, but were any of them either stupid or wicked? It is just not obvious that any of them were. The point is not just that these individuals are considered to be generally intelligent and decent, but that they are also held to be intellectually and practically wise in ethical and political matters.

A further potential worry with thinking that appealing to epistemic and moral deficiency could suffice as an adequate error theory is that it may commit one to a biologically untenable asymmetry in intellectual ability and motivational structure between people of the past and the present. That is, one might also be concerned about the biological implications of assuming that people in the past were morally and/or intellectually inferior to us, and in particular that they were naturally, or genetically, so.\textsuperscript{146} It is true that human nature did emerge as a result of various complex evolutionary pressures, which under different environmental conditions might have produced beings with different intellectual and moral characteristics. But these evolutionary pressures operated over many millions of years, and there is solid evidence that the human species has remained biologically stable for millions of years. Certainly there is a wealth of cultural evidence (e.g., works of literature and art) that strongly suggests that contemporaries of Confucius and Plato were pretty much identical to modern liberals, biologically speaking. Since many of the non-liberal people of the past were our close biological ancestors, being that they are of the same biological species, they would be naturally or genetically similar to us in make-up. Thus, it would seem unlikely that they would be naturally less intelligent and more disposed to morally questionable behavior.

These considerations suggest that appealing only to cognitive and moral deficiency to explain the tendencies of past societies to be non-liberal is uncharitable and implausible.

5. Appealing to Socio-Historical Conditions

If, then, the liberal universalist is restricted to ascribing unintelligence and wickedness to explain the failure of past societies to recognize liberal values, Williams’s demand for an error theory is indeed a formidable, if not an insurmountable one. However, one might offer the liberal universalist another way to make sense of the fact that past societies were non-liberal. Because I think it represents the most natural and strongest kind of response for the liberal universalist when faced with the request for a theory of error, I want to put forward, as a suggestion to the liberal universalist, an explanatory possibility that does not involve ascribing cognitive and moral deficiency. After presenting this alternative, I will delineate some consequences for the liberal universalist who accepts it.

At a fairly intuitive level, we can start by observing that any given culture sets boundaries to the ethical understanding of its people, constraining their access to ethical

\textsuperscript{146} This potential worry requires making the (non-trivial) assumption that genetic make-up somehow determines intelligence and moral commitments.
ideas. By looking around, we can see that being a member of a particular sub-cultural or sub-societal group can be essential or helpful to knowledge of certain moral matters and to adopting certain moral sensibilities and modes of moral thinking. If this is true at the sub-cultural and sub-societal level, certainly something similar must also be true at the cultural and societal level; the ease or difficulty of access to some ethical ideas varies with one’s cultural and social group. We can also notice that like epistemic access, effective moral motivation also depends in part on the character of one’s social and institutional surroundings; culture also shapes the psychological bases of effective moral motivation. It is not empirically controversial that people in their moral development tend to internalize the widely shared or prevailing norms of their society. The particular character of the social institutions and practices under which a person lives strongly influences the motivational power that a given set of moral considerations can have; it can shape whether certain things are treated by individuals as reasons for action. What we are motivated to do can depend on how we have been educated and socialized, and these are things that are in turn dependent on the institutional structure and broader practices of the society in which we live.

Even if we allow that liberalism need not be necessarily linked (conceptually) to any specific religious or scientific outlook, nonetheless it is psychologically more compatible with some rather than other such views, more amenable to certain socio-historical circumstances than others. There may be no logical impossibility in the idea of those of the distant past recognizing liberal values, but we might say there is a historical and psychological implausibility to it: given the circumstances in which people in the past were placed, it is hard to imagine how they could have grasped liberal values. We are often unsurprised to learn that people of certain situations were non-liberal, given what else we know about the conditions of their time.

Building on the idea that social conditions can place moral considerations closer to and farther from cognitive and motivational reach, perhaps a more promising and historically charitable theory of error for liberal universalism could be formulated by appealing to the particular and concrete conditions of the past social-historical situations to show that they: 1) made liberal values and their justifications epistemically inaccessible and/or 2) made motivations to live up to liberal values unavailable. Certain socio-historical circumstances rather than others favor to greater and lesser extents the achievement of liberal ideas; until relatively recently in human history, the circumstances favoring the recognition of liberal values in thought and action did not exist. I shall call this explanatory possibility the appeal to socio-historical conditions.

In general terms, this explanation states that social facts, such as the state of technology, the progress of modern science, the existence of certain forms of legal systems and economic structures, the size of one’s social world and the extent of its exposure to and interaction with other cultures and societies, the character of the prevalent set of religious and metaphysical ideas, and the literacy rate, are crucial factors in determining peoples’ ability to understand the force of certain values and their justifications. They can also make a significant difference in determining the motivations available to people such that they can actually or realistically aspire to live in accordance with values that they believe apply to their lives. Drawing on considerations such as
these, a liberal universalist could construct an explanatory alternative that need not require construing everyone of the past as either intellectually or morally defective. John Rawls’s idea of “the burdens of judgment” can be thought of as providing a similar response to Williams’s request that the liberal universalist provide a theory of error. Although Rawls applies his idea to explain the fact of reasonable pluralism within societies at a particular historical moment—i.e., in modern, technologically advanced with a democratic tradition—the idea could also be applied to explain the non-liberal tendencies of those in distant societies to form a response to Williams request for an error theory. For Rawls, the question was why “Under the political and social conditions secured by the basic rights and liberties of free institutions, a diversity of conflicting and irreconcilable—and what’s more, reasonable—comprehensive doctrines will come about and persist if such diversity does not already obtain.”

A “comprehensive doctrine” is a system of moral beliefs not only about the specific subject of political institutions, but also about a wider range of subjects, such as how best to lead one’s life, what sort of virtues to aspire to, what sort of relationships to have, and so on. Suppose that there is a group of people with roughly similar powers of thought and judgment. That is, they are all (more or less) equally good at thinking about relevant factors, drawing inferences, weighing evidence, and balancing competing considerations. Why do they arrive at different “comprehensive doctrines”? According to Rawls, it is because of the “burdens of judgment”:

a. The evidence—empirical and scientific—bearing on the case may be conflicting and complex, and thus hard to assess and evaluate.

b. Even where we agree fully about the kinds of considerations that are relevant, we may disagree about their weight, and so arrive at different judgments.

c. To some extent all our concepts, and not only moral and political concepts, are vague …this indeterminacy means we must rely on judgment and interpretation....

d. To some extent the way we assess evidence and weigh moral and political values is shaped by our total experience, our whole course of life up to now; and our total experience must always differ. In a [diverse] modern society … citizens’ total experiences are disparate enough for their judgments to diverge, at least to some degree, on many if not most cases of any significant complexity

e. Often there are different kinds of normative considerations of different force on both sides of an issue and it is difficult to make an overall assessment.

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147 Cf., John Rawls, Political Liberalism, p. 36.
148 For Rawls, comprehensive doctrines frequently also involve views about the metaphysic and epistemology of the moral beliefs in questions. Examples of comprehensive doctrines include religions, utilitarianism, Kantianism.
f. Any system of social institutions is limited in the values it can admit so that some selection must be made from the full range of moral and political values that might be realized.\textsuperscript{149}

I think these considerations could also form the core of an explanation of why equally good thinkers who are separated by centuries of human history can arrive at radically different ethical conclusions. In fact, the case for these sources of disagreement would be even easier one to make when what we are considering is the ethical disagreement that exists in the whole of human history rather than within a single modern society. Given the vast diversity of socio-historical conditions that have been instantiated in different periods of human history, and the fact that ethical thought and practice has complex origins in human history, it is only to be expected that people with roughly similar powers of thought and judgment would end up accepting very different ethical systems.

6. Some Historical Examples

My discussion of the appeal to socio-historical conditions has so far operated at a rather general and abstract level. I want to now take up some more concrete cases to motivate that historical context can set epistemic constraints on the understanding of liberal values. Consider those people thousands of years ago who lived long before the appearance of the Judeo-Christian religious tradition, and in conditions which made even its very rise impossible to envision and anticipate. (One need not go as far back as human prehistory, when there may not have been anything we would recognize as social life, or as far back as the earliest stages of human association.) Untouched by the cultural developments of the last three thousand years, it is doubtful that members of these societies arguably could have understood some of the central universalistic moral notions and principles that the Judeo-Christian tradition brought in its wake and which the liberal tradition elaborated (e.g. that all human beings have dignity or are in some normative sense equal, that retribution and vengeance should be morally rejected, etc.). This example, and others like it, might generate the worry that that appeals to structural factors that prevent epistemic access to moral considerations ultimately reduces to personal factors, such as cognitive deficiencies. In response, I would say that while epistemic structural problems may sometimes involve cognitive deficiencies, an informative distinction can still be drawn between “structural” and “personal” factors, for structural factors often explain the relevant cognitive deficiencies, and hence are more fundamental.

To give another example, one that was touched on in the last chapter, it is hard to believe that the value of religious toleration could have been widely appreciated long before the development of single polities with heterogeneous populations. Since the emergence of national societies with substantial diversity in their population’s background beliefs and values, and a public discourse that reflected this pluralism, took place only after the sixteenth/seventeenth centuries, it seems the recognition, certainly

\textsuperscript{149} See John Rawls, \textit{Political Liberalism}, especially pp. 54-58.
the celebration, of the value of religious toleration significantly prior to that period was highly unlikely.\textsuperscript{150} In fact, liberal toleration in the form of institutional arrangements emerged as practical measures aimed at defusing religious violence within these societies.

Consider the historian Thomas Haskell’s account of the demise of slavery in the U.S. Haskell argues that new conceptions of “personal agency and moral responsibility” were necessary in order for those in England and America to morally condemn and reject slavery.\textsuperscript{151} He traces the origins of these new conceptions, and the appearance between 1750 and 1850 of a new sentiment of “humanitarianism” and a “new moral consciousness” to the development of the capitalist market economy, which, he argues, helped expand the concept of causation and enlarge confidence in the power of individuals to intervene in the course of events. In addition to altering people’s sense of self and responsibility, the rise of national and international markets also made slavery more visible as an institution than ever before. These factors help to explain the changing moral attitudes toward slavery. While questions about the precise causal sources (and effects) of our ethical ideas are difficult and complex, Haskell’s analysis, if it or something like it is correct, suggests that oftentimes historical developments (e.g., the development of capitalism) give rise to new kinds of human experiences and needs (e.g., an expanded sense of agency and responsibility) that contribute to the development of liberal attitudes such as anti-slavery, anti-racism, anti-discrimination, and so on. In many of these cases, historical developments helped to place people in position to question the moral justification of long held practices.

If socio-historical circumstances can enable the appreciation of certain moral considerations, certainly they can also hinder them. In \textit{Shame and Necessity}, Williams himself offers a kind of appeal to socio-historical conditions to explain the “standard Greek attitude to slavery.”

the main feature of the Greek attitude to slavery, I have suggested, was not a morally primitive belief in its justice, but in the fact that considerations of justice and injustice were immobilised by the demands of what was seen as social and economic necessity.\textsuperscript{152}

Williams explains that the Ancient Greeks acknowledged that slavery rested on coercion and was terrible for those who experienced it and that “slaves had reason to complain.” However, they did not think that slavery was a just institution; or, that it was an unjust institution. Rather, slavery was seen as a necessary institution, and for those subjected to it, it was bad luck. In that sense, Williams claims, slavery \textit{lay outside the considerations of justice} for the Greeks. That is, the Greeks in general neither questioned the legitimacy of slavery nor sought to justify it, because it was seen as a social and economic necessity.

\begin{itemize}
\item \textsuperscript{150} See Rawls’s discussion on how a constitutional consensus in which liberal principles are themselves affirmed might come about in \textit{Political Liberalism}, p. 159.
\item \textsuperscript{152} Bernard Williams, \textit{Shame and Necessity}, p. 125.
\end{itemize}
Mistaken non-moral views—scientific, metaphysical, and religious—also contributed to the non-liberal tendencies of those of the past. Aristotle, for example, believed that some human beings were naturally slaves: lacking the capacity for deliberation and foresight, they are appropriately subordinated to those possessed of adequate powers of deliberation and foresight. According to the explanatory alternative I have presented as another option for liberal universalism, it is not because Aristotle was cognitively defective that he believed in the natural subordination of slaves to masters (and of women to men), but rather partly on the basis of prevalent adherence to misinformed biological theories that he did so. By contrast, our modern scientific view of the world makes it easier for us to reject the notion of natural subordination, and other non-liberal ideas like divine authority. Modern biology does not hold that within any species, nature provides its members with a right way to behave. Evolutionary theory is plainly incompatible with the thought that a long time ago, there was a time when divine beings communicated with humanity through prophets.

Specific historical cases can also be cited to support the claim that social conditions influence the kinds of things that people are willing to do and the kinds of considerations on the basis of which people do them. Historical movements and forces can generate and encourage the felt need to morally justify certain practices. The inability to provide an adequate justification, can over time lead to the development of structures of motivations that shrink from certain courses of action “as an impossibility,” to use J.S. Mill’s expression.

That the Western world of modernity is much more secular than, say, the Western world of the middle ages implies significant differences in the kinds of considerations that can move the people of these respective historical situations to act. For people within the Western tradition, religious considerations (e.g., appeals to religious authority and institutions) were undoubtedly more motivationally effective in the Middle Ages and before than they are at present. The notion that the royal line has an extremely ancient pedigree going back to a demigod is plainly ineffective in the secular modern world as a political device for bolstering the loyalty of subjects to a political head or as a legitimization of political power.

153 It has also been widely noted that cultural representations of slavery as reasonable help to explain the level of compliance among the slaves to their condition: “existing power is made more powerful by public ideas that represent it as necessity, make a virtue of such necessity, and thereby suggest that the terms of order are an object of common consent and that subjects willingly comply. It seems indisputable that slavery was sustained in part by the acceptance on the part of slaves of religious and ethical views that presented their status as suitable for them, and by the more willing compliance resulting from such acceptance.” Joshua Cohen, “The Arc of the Moral Universe,” Philosophy and Public Affairs, Vol. 26, No. 2, p. 108.


155 J.S. Mill, Utilitarianism, Ch. 3; See Utilitarianism and Other Essays, ed. by Alan Ryan (London: Penguin Books 1987).
Like the character of a society’s religious conviction, the level of its homogeneity and integration also shapes the motivation of its people. For most contemporary liberals living in a socially fragmented and atomistic social order wrought by the Industrial Revolution, it is difficult to wrap their minds around the thought of being motivated to kill oneself and many others in a single act of martyrdom, carried out for the sake of achieving political ends demanded by religious or nationalistic decree. But for some Islamic fundamentalists today and for many Japanese during WWII, this is not something so unimaginable to ask oneself to do.\(^{156}\)

Consider the following depiction of life in a highly integrated traditional warrior society:

War was not a concern of a class nor even of the male sex, but of the whole population, from cradle to grave. Girls as well as boys derived their names from a famous man’s exploit. Women danced wearing scalps, derived honor from their husbands’ deeds, publicly exhibited the men's shield or weapons; and a woman's lamentations over a slain son was the most effective goad to a punitive expedition....

Most characteristic was the intertwining of war and religion. The Sun Dance, being a prayer for revenge, was naturally saturated with military episodes.... More significant still, every single military undertaking was theoretically inspired by a relation of a story in dream or vision; and since success in life was so largely a matter of martial glory, war exploits became the chief content of prayer.

Training for war began in childhood. Apart from athletic games, the boys counted coups on game animals, made the girls dance with the hair of a wolf or coyote in lieu of a scalp... On the subject of warfare the older generation, otherwise little inclined to interfere with youth turned didactic. “Old age is a thing of evil, it is well for a young man to die in battle,” summed up the burden of their pedagogy.\(^{157}\)

Existing over one hundred years ago, the Native American Crow tribe was a nomadic group whose territories shifted with their migrations. Survival and welfare for the tribe depended heavily on their success at hunting animals. The totalizing character of the warrior concerns and sensibilities of the Crow can be explained in part by the fact that it was literally a matter of life or death that they defend their boundaries from other nomadic tribes in order to secure their food resources.\(^{158}\) It is hard to conceive how,

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\(^{156}\) Emile Durkheim’s *Suicide* (USA: The Free Press, reprint 1997) attempts to understand suicide as a social phenomenon.


\(^{158}\) See “Differences Between Tight and Loose Cultures: A 33-Nation Study,” by Michele J. Gelfand, et al., which discusses the differences between cultures that are “tight” (have many strong norms and a low tolerance of deviant behavior) and those that
with the exception of powerful external pressures on the tribe, anyone deeply acculturated in this tribe could develop, much less be tolerant of, motivations that strayed from the totalizing concerns of war. But we need not view their non-liberal patterns of emotional, motivational, and practical response as moral viciousness, if we can see that their harsh environment did not set the conditions for them to treat liberal considerations as reasons for action.

With members of such historically distant societies, we can sometimes learn enough about their culture, about the history of their culture, and perhaps also about human beings in general, to be able to see how the patterns of emotional and practical response they have come to develop help them to navigate the particular circumstances in which they find themselves. And we can learn enough about the particular circumstances in which they find themselves to be able to see that these circumstances make understandable their holding the patterns of emotional and practical response that they do. It seems to me that in those cases where we are able to do this, we start to lose the sense that we are warranted in thinking the individuals in question have a defect of character (something in the way of what Williams might call a form of wickedness), even if we want to leave open the possibility of describing them as embodying a kind of moral deficiency in virtue of their blindness to certain important aspects of moral life. (This idea is taken up further in the next chapter, where I consider our reluctance to assess the characters of historically distant individuals as indecent despite their failure to acknowledge important considerations that bear on a thing’s moral significance or status.)

A liberal universalist is therefore not committed to saying that distant people were non-liberal because they were motivationally or cognitively deficient. Instead of appealing to personal factors to account for the non-liberal tendencies of earlier societies, such as the moral and cognitive constitutions of their members, a liberal universalist can appeal to structural factors, such as the way that one's historical situation can limit one's access to important moral considerations. The strategy that I have suggested to liberal universalism to meet the demand for an error theory is to cite concrete socio-historical conditions and developments as factors that enable liberal values to be accessible to those in the modern Western world but not those in the distant past. These developments, which of course take time and reasonably favorable conditions, include

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are “loose” (have weak social norms and a high tolerance of deviant behavior). The authors argue that that tightness-looseness is explained by a broad array of ecological and human-made societal threats (or lack thereof) that nations have historically encountered. Ecological and human-made threats increase the need for strong norms and punishment of deviant behavior in the service of social coordination for survival—whether it is to reduce chaos in nations that have high population density, deal with resource scarcity, coordinate in the face of natural disasters, defend against territorial threats, or contain the spread of disease. Nations facing these particular challenges develop strong norms and have low tolerance of deviant behavior to enhance order and social coordination to effectively deal with such threats. By contrast, nations with few ecological and human-made threats, by contrast, have a much lower need for order and social coordination, affording weaker social norms and much more latitude.
the remarkable advances in science and technology in recent centuries; the continuing revolutions in travel and communications; and the increased economic and political interdependence among the societies of the world.

Let me connect this point more directly back to Williams’s demand for an error theory. I take it to be one of the main points of Williams’s demand that to account for the recent historical emergence of liberalism, it is not enough to point out the good reasons and grounds that support a liberal society. It is also not enough to say simply that liberal beliefs and practices came about because people came to perceive liberal values, for one would then want to ask, and seek to understand, how liberal values could have become visible when they were previously invisible. And this is not the end to what we would want to ask and understand. Just because, although not yet in a liberal society, we are in a position to acknowledge its value, it does not follow that we are in a position to obtain it, to take the practical measures to bringing it about. Even once people are in a position for liberal ideals to recommend themselves to them, they may still not be in position to follow their recommendation—perhaps because the level of technological development are inadequate or because the motivations and dispositions of the members of society at large are not quite what they have to be in order for certain forms of social cooperation to be possible. (This is certainly the case with some members of contemporary non-liberal societies who have a desire to emulate the way of life present in liberal societies.)

Still, we should not overlook the difference between what explains why liberal institutions came into existence, on the one hand, and the justifications we accept for such institutions, on the other. It is quite possible that sometimes there are historical forces that do not involve the recognition by members of a society of liberal justifications that actually explain the emergence of liberal institutions in that society, with the justifications for such institutions coming into view for those members only at a later stage.

7. Implications: Withdrawing Universal Justifiability and Blame

Having offered the appeal to socio-historical conditions as a suggestion to the liberal universalist, I want to elaborate some implications of its acceptance. Specifically, I will point out two implications that the liberal universalist who accepts this explanation should allow: 1) that liberal values are not universally justifiable, and 2) that judgments of blame and blameworthiness of past people for failing to be liberal are inappropriate.

*Universal Justifiability*

In characterizing the universal justifiability of liberal values, I said that liberal values were ones whose rationale everyone (who meets the required kind of cognitive criteria—i.e., is not cognitively deficient) should admit, irrespective of their historical situation. But universal justifiability here is in tension with the appeal to socio-historical conditions—i.e., with citing structural factors, such as the specific ways in which one’s historical situation can limit access to liberal considerations, to account for the non-liberal tendencies of past societies. If liberal values are universally justifiable, this would
rule out the possibility of applying the appeal to socio-historical conditions, because the universal justifiability of liberal values implies that the social conditions necessary for liberal justifications to be epistemically accessible are equally present everywhere. Conversely, the appeal to socio-historical conditions depends on the idea that liberal values are sometimes epistemically inaccessible—their grounds are not ones those to whom we are applying that explanation can find rationally acceptable—and therefore, not universally justifiable.

To address the tension, I believe the liberal universalist need not deny that there are liberal justifications—i.e., there are good grounds for liberal values, arguments for a liberal society that can be acknowledge by some people—but she must deny that certain individuals of the distant past such as Louis XIV, in virtue of their historical circumstance, could access those justifications. This claim assumes, as seems to me plausible, that whether someone who is intelligent and informed can find reason to deem liberal principles correct and to admit their rationale will depend on what other beliefs and assumptions that person accepts.\(^{159}\) Those of the past may not have been in the position to see a reason to embrace liberal values and considerations, for their other convictions may be quite different from ours as a consequence of their historical situation. Even if we assumed that all human beings share certain natural concerns about things like pain, reproduction, nourishment, physical aggression, and death—and that they all need some sort of cultural-normative framework to live together as a group in some kind of peace and order—still, I find it doubtful that there are sufficiently substantial bases of agreement implicit in the background norms, institutions, and practices of all cultures throughout history, sufficient common ground or enough “fixed points” to serve as premises in an argument for liberal ideals which all may be able to agree.\(^{160}\)

Thus, what is justifiable to one person given that person’s historical situation may well not be justifiable to another given that person’s historical situation. It seems like wishful thinking to suppose that by simply raising questions on liberal grounds to an

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\(^{159}\) Of course, in the case of Louis XIV, one may want to say that what explains why he insisted on his absolutist principles was moral deficiency—i.e., that he was pompous, arrogant, self-conceited, etc.

\(^{160}\) See Rawls’s strategy in *Political Liberalism*. Rawls attempts to identify certain bases of agreement that are implicit in the public political culture of modern societies that have a tradition of democratic thought and constitutional interpretation, have a wide diversity of comprehensive moral and religious doctrines, and have deep disagreements about fundamental political questions. In response to the worry how a shared and workable conception of justice for these societies can be arrived at, Rawls attempts to identify certain bases of agreement that are implicit in the public political culture and which therefore represent common ground among citizens of the societies in question. He then attempts to use these “fixed points” as premises in an argument for a conception of justice that may command widespread agreement despite the pluralism and disagreement that characterize the societies in question. For a helpful discussion of Rawls’s strategy, see Samuel Scheffler’s “The Appeal of Political Liberalism,” *Boundaries and Allegiances* (New York: Oxford University Press, 2001).
intelligent person in the distant past, we should be able to set him straight, even if he considers our questions honestly and with an open mind. Louis XIV, for example, would certainly need significantly more or different cultural experiences than those he actually had in order for it to be true that looking over my shoulders, he ought to find the justifications I give to support liberalism to be morally persuasive. We would not expect him to drop his absolutist hat at the drop of a liberal’s argument, even a very good one. To change his mind would require (per impossibile) engaging in some complex process of restructuring the way of life of French society during his time, and more particularly, his upbringing. A liberal universalist should thus acknowledge that it is only within the points of view available to those of some but not all historical formations that liberal justifications have rationally persuasive force, and reject the assumption that liberal values “are simply in the light of reason” superior to other sets of values.

But what has the liberal universalist lost, if anything, by giving up on the assumption of universal justifiability? I mention one lurking worry. If there are liberal judgments that might not be justifiable specifically to some of the agents to whom they apply, then one might wonder if they really apply to them in their full literal meaning. At least this will be true for those judgments which seem to imply that the agent whose actions are being characterized had reason to comply with them, such as “Louis XIV treated some of his contemporaries impermissibly as he ought not to have done.” For if an agent did not have epistemic access, in virtue of his or her historical/cultural situation, to the justifications for doing X, it might be wondered whether they really could have had reason to comply with the requirement to do X. (The plausible assumption here is that reasons must be epistemically accessible to the person who is said to “have” them, or about whom we would say that they ought to comply with them.) Perhaps we could say, from our present perspective, that “there was” reason for them to do X; but the historically distant agents did not really “have” reason so to act, the reasons in question were not really reasons for them.161

One potential consequence of this kind of concession is that the idea that liberal values are universally applicable could also be threatened. If whether a set of moral-political values is applicable to a given society depends on whether it could be justified to its members, the fact that liberal values cannot be justified to everyone would imply that liberal values are not universally applicable. One might then be forced into adopting a non-universal liberal position and hold that liberal values “apply only to advanced capitalist societies.”162 Thus, one might reject that there are universal principles such as: “Every society should be a representative democracy.” and ‘Every society should give all of its members an equal voice.’ Note, however, that such a position is still compatible with maintaining some moral universalistic ambitions completely, just not liberal universalistic ones. One could still hold that there are universal moral-political principles, albeit more abstract than liberal principles. Examples include: ‘Human suffering is bad, and other things being equal, society should do what it can to prevent

161 This issue cannot be settled without a careful and thorough examination of the notion of reasons, or about action judgments that seem to entail claims about what the agent had reason to do. This is more than I can address here.

162 See Joseph Raz’s The Morality of Freedom.
and relieve suffering’ and “Manifestly cruel treatment of human beings for the purposes of entertainment is impermissible.”

**Blaming the Past**

Acknowledging that the rational acceptance of liberal values may be rooted in only certain socio-historical situations does not entail that a liberal universalist has to give up completely on the idea that liberal values are universally applicable in moral judgments. Nonetheless, adopting the appeal to socio-historical conditions to explain why those of the distant past did not recognize liberal values does require that the liberal universalist not bring her liberal outlook to bear in at least one class of moral judgments about the past. Specifically, I contend that the set of evaluative statements that issues blame and assigns culpability to the members of past societies in virtue of their non-liberal tendencies should now be seen as inappropriate.

To say that a person is blameworthy is to say that it would be appropriate or fitting to blame that person, where blame is to be understood as involving a range of emotional responses including resentment, guilt, and indignation.\(^{163}\) The emotions of blame presuppose that the target of the emotions have epistemic and deliberative access to the relevant reasons. If it was historically very difficult or unlikely for those of the distant past to both recognize and act on liberal values, the liberal universalist could not justifiably or appropriately blame them for failing to do so. This claim turns on the notion that judgments of blame and blameworthiness are appropriate only if it is reasonable to expect the target of such judgments to have known better and acted differently. Reasonable expectation in the relevant sense here is conditioned on being able to view the other as being in a historical position to understand the relevant moral consideration and treat it as a reason for action. For example, it would not be reasonable to expect a distant person to reject slavery if every person in that person’s lifetime and before regarded it as acceptable, and moreover, if the practice’s significance was embedded in their normative and religious framework. If we think that due to their socio-historical conditions, many of the non-liberal people of the past were not in a position to access liberal considerations, blaming them for their non-liberal tendencies would be inappropriate. Insofar as a liberal universalist thinks that Louis XIV did not have access to liberal values, she should thus agree with Williams that we should “not to get indignant with Louis XIV.”\(^{164}\)

To be clear, I am not claiming on behalf of the liberal universalist that judgments of blame directed at those in distant past societies are always inappropriate, but rather judgments of blame in virtue of violations of liberal principles are. For example, murderers of the distant past may still be judged blameworthy for failing to adhere to the

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\(^{163}\) In *Responsibility and the Moral Sentiments*, (Cambridge: Harvard University Press, 1994), R. Jay Wallace argues that to treat someone as a responsible agent is to hold that person to a set of normative standards or expectations. To hold a person to a set of normative standards or expectations is, in turn, to see that person as having reason to live up to those standards, and as an appropriate object of blame if she fails to do so.

\(^{164}\) Williams, “Human Rights and Relativism,” p. 66.
consideration that it is wrong to take the life of an innocent person. The reason these wrongdoers are blameworthy is that they had access to the relevant moral consideration in these cases. And indeed, many of their contemporaries thought this and blamed them too.

**Universal Applicability**

But even if the liberal universalist recognizes that it would be unfair or inappropriate to blame those of the distant past, given their historical situation, for failing to think or do what they could not reasonably be expected to think or do, this does not mean that the liberal universalist would have to remain agnostic about all matters of moral evaluation regarding the distant past. She need not reject *wholesale* all universalistic applications of liberal ideals in her moral evaluations. The liberal universalist is still permitted to make certain *agent-, outlook-, practice-, and society-directed* moral assessments on the basis of liberal values about the past. For example, she could still claim that those non-liberal actions and practices performed by members of past societies were morally wrong and that they should not have done what they did. She could judge the lives of members of past societies as impoverished in certain respects—less rich and admirable than they would have been had they been informed by liberal values. She could maintain that liberal principles designate rights and duties possessed by all persons as such, which determine the just distribution of goods for all societies. She could criticize the ethical systems of past societies for not serving the needs of all their members, for excluding groups within society from the chance of developing their talents properly. A liberal universalist may even hold that past non-liberal outlooks and societies were morally underdeveloped, not fully realized, deficient, or something along those lines, because they did not allow their people to direct their lives without undue interference or did not allow for the flowering of a significant range of their people's talents and capacities. But what a liberal universalist should not do is blame past people for failing to live up to liberal principles in these various ways.

**8. Historical Understanding**

I want to end this chapter by setting liberal universalism in the context of our efforts to understand and realistically describe past societies. When Williams presents his demand for an error theory to liberal universalism, he remarks that we should not blame Louis XIV because “if we don’t, we may do better in understanding him and ourselves.”\(^\text{165}\) Judgments of blame are, of course, a central class of moral judgment, and Williams may have worried that liberal universalists, thinking that liberal values are universally applicable in moral judgment, would assume that it is appropriate to blame members of past societies for their non-liberal tendencies. As I discussed earlier, blameworthiness presupposes access to the relevant moral considerations—people cannot be appropriately blamed for not being guided by values they could not understand. One of Williams’s concerns would thus have been that liberal universalists

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\(^{165}\) Williams, “Human Rights and Relativism,” p. 66.
who blamed or judged as blameworthy members of past societies for their non-liberal
tendencies would misunderstand past societies, in particular their members’ lack of
access to important moral considerations. I share the thought that by blaming those of
the past, we can cut off opportunities to learn the conditions of the past. But though
sympathetic as I am to the notion that blaming those in the past can lead to historical
misunderstanding, I believe there are nonetheless still some ways in which liberal
universalism—and specifically the idea that liberal values are applicable to the past—can
actually contribute to our understanding of the past. By comparing and contrasting the
ethical outlook and practices of historically distant societies with our own, we can come
to understand both them and ourselves better.

A significant part of the process of appreciating historically distant societies
consists in coming to understand the particular values, commitments, and practices of
their members. In coming to understand the values, commitments, and practices of
other societies, we begin to grasp the kinds of considerations that their members treat
(and do not treat) as reasons for action. What a society values most, and what its
members regard as morally fundamental, is manifest in their reasons, and in the way
those reasons get expressed through their practices and institutions. It is through
learning about the reasons that a group recognizes that we get a sense of the structure of
their member’s motivations and of their deepest evaluative concerns.

When trying to characterize past people’s perceived reasons, it helps that we
understand how, if at all, they are different from our own. This is where liberal concepts
can have a role in the process of historical description. To understand the reasons that
some members of a past society recognize, we have to know the degree to which they are
compatible with the reasons recognized by individuals in our own society. The better we
understand the considerations that those in some distant society treated as reasons, the
better we understand the relation that those considerations stand in to those we consider
to be reasons. For example, our understanding of the outlook of those of medieval
Europe is deeper if we grasp not only how the people of that time treated roles in a
religious hierarchy (layperson, pope) or aristocracy (vassal, lord) as sources of political
claims, but also how that treatment is morally different from the liberal notion of
citizenship as a basis of such claims.

When the considerations of the historically distant stand opposed to liberal
considerations, we will naturally see them as mistaken and deficient. As liberals, we
cannot but morally reject past attitudes toward slavery and women, and the
considerations that supported them. When we learn about Greek slavery, part of what it
is to understand the life of a Greek slave is appreciating how that life is different from
the life of a citizen in a liberal-democratic state. It is appreciating the moral significance
of the fact that while modern liberal-democratic citizens enjoy the right to make
demands on social institutions to advance their interests, Greek slaves were not
permitted to make any such claims. In some cases, the way we characterize some feature
of the past directly implicates the moral value we place on it. To apply a liberal concepts
such as racism or discrimination to describe a situation in the distant past is, in part, to
evaluate the situation, and typically this will involve saying something about what reasons
there are for the agents in that context to do or not do certain things. This is something
we can come to appreciate through historical inquiry.
The resources of liberal concepts are also important to our attempts to understand distant social practices. Understanding the practices of those in the past requires understanding their evaluative concepts. To understand their evaluative concepts, we have to know the degree to which they are compatible with our concepts (liberal concepts). The deeper our understanding of the evaluative concepts of those in distant societies, the better we understand the relation those concepts stand in to our evaluative concepts. For example, we have a deeper understanding of the traditional Hindu practice of ‘suttee,’ if we know not just that the practice may involve ‘force’ or ‘coercion,’ but also that it is not based on the notion of ‘persons’ as ‘free’ and ‘equal.’

I have been suggesting that understanding the moral deficiencies of the past can be a kind of heuristic—we attain a better understanding for their cognitive and affective situation by seeing how it contrasts with our own. But one might argue that this heuristic use of evaluative assessments of the past is compatible with their being strictly dispensable: though it helps us to appreciate the outlooks of past societies to see how they differ from our own, we could in principle achieve the same understanding without relying on our evaluative assessments of them. However, I think there are still aspects of the situation of people in the past that can only be appreciated if we are willing to apply our own liberal values in assessments of their cultures and social practices. For example, once we evaluate Greek chattel slavery as involving violations of peoples’ rights or entitlements, we will naturally feel the need to get clear about the features of their epistemic and social situation that prevented them from seeing clearly this fact that is now obvious to us. What social facts account for their blindness to certain morally salient features of their situation? We are thus compelled to try to understand their historical situation in a way we would not otherwise, were we not to hold certain moral evaluations about them.

It is relevant when trying to understand past societies to ask whether their institutions are just, and whether they respect the rights of its members and promote their well-being. To ask these questions, we will have to invoke liberal conceptions of such notions as ‘rights,’ ‘justice,’ ‘liberty,’ ‘equality’ and ‘well-being,’ and suppose that they refer to things that would make a difference in the lives of past people. Liberal notions are also helpful in allowing us to characterize the institutional features of past societies, and the ways in which these are similar to and different from our own. For example, we may see the structure of a past society as unjust for being hierarchical, for placing obstacles in the way of social mobility, for favoring the interests of the privileged at the expense of the poor, for stifling liberty and free expression, for standing in the way of equality, and so on. Once again, how we describe some feature or other of a society can have direct implications for how we morally evaluate it. This is not to overlook that the process of understanding distant societies may also reveal to us elements of their lives that are admirable, or able to teach us something. In all this, we are reminded that our view of those in historically distant societies is intimately connected with our view of ourselves, of what we value about ourselves. We are also reminded of how far we, in liberal societies, still have to go to live up to liberal principles in our own social world.
Chapter Four: The Relativism of Character Assessments

“The Past is a foreign country: they do things differently there.”

(L.P. Hartley)

1. Introduction

While the focus of the last chapter was on explaining why those of the distant past were not liberals, the focus of this chapter is on explaining ourselves—specifically, a feature of our moral judgments. It is an often noted fact that we are more generous in evaluating the characters of historically distant individuals. Most of us, for example, are reluctant to judge our grandfathers as morally horrible or indecent people for favoring their sons over daughters when providing them the means to pursue a college education. Yet, if we were to learn that one of our colleagues treated his children unequally in the same way many of our grandfathers treated theirs, we would be more inclined to view that person as morally indecent. Take another example. Although we assess positively the characters of some past individuals who would be considered racist by contemporary standards, we do not seem open, or as open, to positive character assessments of someone today, who is considered racist by those same standards. It appears we are less open to assessing positively the characters of present-day racists than we are the characters of past racists.

What these cases suggest is that other things equal, some forms of morally unacceptable thought and behavior count less against a past person being judged as indecent, than against a present person. If we are less harsh in our character assessments of past individuals, one thought is that what accounts for this is uncertainty about the moral status—the rightness or wrongness—of certain forms of conduct exhibited by those in the past. But this cannot be the correct account, as most of us are in fact quite confident that practices such as sexism and racism are morally objectionable, whether they exist in the past or the present. In spite of these convictions—and our reflective awareness of these convictions—we continue to judge the characters of past individuals who engage in these oppressive practices more generously than their present counterparts. Why?

In this chapter, I examine the relativism of character assessments—that feature of our moral thinking whereby moral wrongdoing seems to differently affect our assessments of the character of the wrongdoer, depending on where the wrongdoer is located in history. My discussion will be organized as follows: I begin by describing the historically relativized feature of our character judgments. I then present an initial, commonsense explanation of this feature. This “naive” account is based on the idea that

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166 The Go-Between (New York, Knopf, 1954), Prologue, opening sentence.
our character assessments factor into account the prevailing moral judgments and practices of the society of the person being judged. I then discuss a counterexample that Peter Unger raises to this initial account and consider his proposed explanatory alternative. Unger’s view appeals to the temporal-historical positioning of the wrongdoer, specifically whether the wrongdoer exists before or after the relevant form of wrongdoing has been “historically surpassed.” Although I think Unger’s view is also inadequate, the objection he presents to the initial account, and the arguments he provides in favor of his view, help to make salient the limitations of the initial explanation. The account that I end up defending incorporates elements of the initial explanation, but also extends it by drawing on the notion of cultural distance to explain the relativism of character assessments. I then relate the relativism of character judgments to Bernard Williams’s idea of the “relativism of distance.” I conclude by arguing that the relativized feature of our character assessments is morally justified.

2. A Puzzling Feature of Our Moral Evaluation

Cognitivism in ethics is the view that moral sentences such as ‘slavery is wrong’ express truth-evaluable propositions; in sincerely uttering such sentences, we express beliefs that we hold. On the cognitivist picture, moral evaluation involves the ascription of moral value. Its basic structure is as follows: We have in mind some object—some action, practice, institution, person, disposition, etc.—and we apply to it some ethical term. In putting something under an ethical concept, we represent that thing to ourselves as being some ethical way. For example, in morally evaluating the practice of slavery in the Ancient world, we attribute to it certain moral qualities—we say that it is wrong, impermissible, unjust, abhorrent, oppressive, exploitative, and so on. In morally judging Hitler’s character, we say that it is immoral, evil, wicked, depraved, indecent, and so on.

For the purposes of this discussion, one can assume that logically speaking, the concepts “moral impermissibility” (as applied to practices) and “moral decency” (as applied to individuals) are not rendered inapplicable by the mere fact of great historical distance. That is, I take for granted that the applicability of these concepts is not restricted to objects (i.e., actions and characters) in one’s time and place. But even if no logical or semantic rule precludes our applying these concepts to distant practices and persons, there is still the question of how these concepts are commonly applied, as a matter of fact. In fact, an interesting pattern of asymmetry emerges when we juxtapose our moral permissibility judgments of certain practices with our judgments of the decency of character of those individuals who participate in those practices.

A. The Universality of ‘Permissibility’ Judgments

Our commonsense judgments of the rightness and wrongness—or equivalently, moral permissibility or impermissibility—of certain practices are universal. That is to

167 I will speak of practices being morally “wrong,” “impermissible,” “unacceptable,” “intolerable,” and “illegitimate” synonymously.
say, according to the moral outlook of commonsense, certain kinds of actions, conduct, patterns of behavior, practices, activities, policies, institutions, etc. are seen as morally impermissible for everyone, everywhere, at all times. More precisely, most of us accept that there exists some class of practices $u$—call this class ‘universal moral wrongdoings’—such that any agent $a$, at any time $t$, who engages in a practice $p$ that falls under $u$, acts wrongly. $^{168}$ The judgment that $p$ is wrong, where $p$ represents a practice of a certain form or structure, is universal or non-indexical—its scope of application goes beyond any particular set of social boundaries, conventions, or historical periods.

Take the widely held in the modern Western world that it is morally wrong for people of any society or culture of any historical period to engage in the practice of slavery. Of course, a great variety of forms of slavery has existed in history. (Just compare chattel slavery in the ancient Near East in the Biblical period with the racial enslavement practiced in the U.S. until the end of the Civil War; not only are there many significant respects in which these two forms of slavery were differently practiced, there are also significant differences in the material conditions that supported them.) Nonetheless, by virtue of being forms of slavery, these practices all share a similar structure. They involve in some way or other the systematic use of force to control and exploit another person’s powers, including that of disposing the means of production, of selecting a place of residence, of associating with others and establishing stable bonds, of deciding on the manner in which one’s children will be raised, and so on. To be a slave is to be forced to engage in a range of activities whenever one’s master requires it, and to be precluded from pursuing them whenever one’s master prevents it. In short, the institution of slavery is a form of social organization that involves the ownership of a group of people and the use of force or the threat of force to get them to do productive work. $^{169}$ Now whether a practice that satisfies this general description of slavery is instantiated in the Ancient World, in the Early American and Ante-bellum United States, in a contemporary tribal society in Sub-Saharan Africa, or in a modern industrial society, and so on, it will be practice we judge to be morally impermissible. Presumably, this is because we think that what makes slavery wrong holds no matter what the culture, the place, or the time is of its practice, even if, of course, certain social and historical conditions can make the existence of a slave practice more or less likely.

In addition to slavery, there are many other practices of a general type (or structure) that we similarly view as universal wrongdoings. A list of universal wrongdoings might include rape, serfdom, human sacrifice, genocide, infanticide, female

$^{168}$ Different practices, in the sense that is relevant here, can have lesser and greater support requirements, spanning from individual actions, to collective action (which require shared intention and belief), to institutions (which entail complex structures with supporting social institutions).

$^{169}$ Of course, this general definition is not meant to overlook the fact that certain sorts of positive incentives that do not strictly speaking constitute force or its threat also help to sustain the practice of slavery. In particular, I have in mind the acceptance of slaves of certain ideologies—beliefs that are formed and sustained only because they serve the interests of socially powerful groups—that presented their status as suitable and acceptable.
genital mutilation, hereditary caste systems, racial segregation, persecution or subordination on the basis of gender or ethnic origins, the denial of certain religious and political freedoms, the use of torture in the conduct of war, terrorism, etc. Of course, while the inclusion of some of the items on this list is more controversial—e.g., torture, terrorism—there are others that are less disputable—e.g., slavery, genocide. (And even if not all will agree that all of the practices I’ve listed are categorically wrong in all places and times, most will agree that all of them bear an especially high burden of justification in all circumstances.) Though we could provide an account of why these and other practices should be together classified as universal wrongdoings, the aims of this chapter do not hinge on the details of an account of what unifies these practices as a class or require that we settle on which practices do and do not fall under this category. All that needs to be supposed for present purposes is just that by our lights there is some such class, that there exists some types of practices that we take to be universally morally impermissible.

B. The Relativism of ‘Decency’ Judgments

I am interested in the ethical concept of “decency” that we can apply to people. Although users of ordinary language may have not yet settled on a common vocabulary that picks out the class of character assessments that I want to focus on—judgments I want to call ‘decency judgments’ or ‘overall judgments of character’—these judgments are familiar and commonplace. When people gossip, they make these kinds of judgments all the time, in the midst of sharing stories about so and so having done this or that. One often hears talk of so and so being described as being deep down “a decent person,” “a good human being,” “an alright gal.” More positively, we describe individuals as being fundamentally “an exceptional person,” “a really decent man,” “quite a good human being.” And we also describe others as being at bottom “a bad person,” “an utterly indecent person,” “an awful human being,” “thoroughly inhuman.” We make these judgments about our associates and intimates, as well as distant individuals we read about in history books or see depicted in films.

Whether or not someone is a decent person is often a matter of degree. When we make these overall character judgments, we base them on what we know about how a person leads his life—from individual discrete acts, to broader conduct or segments of behavior, to recurring patterns of behavior. We may even consider his life as a narrative whole, and base these judgments on the life of a person lived to completion. In short, in evaluating a human being in this way, we observe their dispositions, their habitual forms of behavior. Inevitably, included in these observations are the realities of life, or social circumstances, faced by the person whose character we are assessing. So we might say judgments of decency are formed in the light of the totality of what we know about a person, including their conduct and life circumstances. Taking into account all of these facts, we arrive at an overall moral verdict about what the person, the agent, is like. People we think are decent and good in the relevant all things considered sense will be people we are likely to describe as being in general pretty generous, considerate, just, compassionate, honest, and so on. The judgment could be understood as a function of how virtuous he or she is in each of these dimensions of virtue. Henceforth, when I
speak of character judgments or assessments in this chapter, this will be shorthand for the all things considered judgments of character just discussed.

Let us juxtapose our character judgments of George Washington and Thomas Jefferson, on the one hand, and the hypothetical character judgments that we would give to someone suitably analogous in the present-day United States, on the other.\textsuperscript{170} Despite the fact that most people today (or at least most in our part of the world) view slavery as morally impermissible and abhorrent, Washington and Jefferson—two of the American Founding Fathers who during the course of their lifetimes were slaveholders—are still widely considered to be great heroes of U.S. history. The two are among the handful of historical Americans who need no introduction; their names frequently show up on counties, cities, schools, streets, etc. The names ‘Washington’ and ‘Jefferson’ are frequently associated with some of the most esteemed and cherished values in American public life—e.g., liberty, democracy, the rule of law, etc. Anyone who has come through the U.S. school system would acknowledge that Washington and Jefferson are widely esteemed as morally, and not just politically, exemplary figures; there are personal and public dimensions to what we admire in them. The historian Gordon S. Wood has said that “Washington became a great man and was acclaimed as a classical hero because of the way he conducted himself during times of temptation. It was his moral character that set him off from other men.”\textsuperscript{171} Describing what he takes to be the common and prevailing view of Washington and Jefferson, Peter Unger has said that “we think that Washington was, at the very least, quite a good man”; that “we also greatly admire Jefferson”\textsuperscript{172}; We consider them to be “decent [people].”\textsuperscript{173} For the purposes of this discussion, I shall assume that Unger is accurate in his description of the commonly held attitudes toward Washington and Jefferson.\textsuperscript{174}

\textsuperscript{170} A variant of this example is given by Peter Unger in \textit{Living High and Letting Die Our Illusion of Ignorance} (New York, NY: Oxford University Press, 1996).

The morally problematic forms of behavior exhibited by Washington and Jefferson that are Unger’s focus include both the fact that they held slaves as well as that “they lived lavishly.” To avoid complicating things, I will focus on the slaveholding aspect of their morally problematic conduct.


\textsuperscript{172} Unger, \textit{Living High and Letting Die}, p. 15.

\textsuperscript{173} Unger, \textit{Living High and Letting Die}, p. 16: I will place to the side the question whether we ought to accept Unger’s assumption that thinking ‘someone was a decent person’ and ‘thinking their total behavior was all right’ are equivalent.

\textsuperscript{174} Of course, Washington and Jefferson were also judged very positively by their contemporaries. Congressman Henry Lee, a Revolutionary War comrade and father of the Civil War general Robert E. Lee, described Washington as follows:

First in war, first in peace, and first in the hearts of his countrymen, he was second to none in humble and enduring scenes of private life. Pious, just, humane, temperate, and sincere; uniform, dignified, and commanding; his example was as edifying to all around him as were the effects of that example lasting…Correct throughout, vice shuddered in his presence and virtue always
Now contrast the positive character assessments of Washington and Jefferson with the character assessments that we would formulate of someone like Winston Churchill or Franklin D. Roosevelt (or substitute any suitably comparable esteemed public figure in recent contemporary life) had he been a slaveholder. Though this exercise may strike some as ridiculous, the invitation to reflect on and to juxtapose various character assessments of individuals across history is not meant to advocate the assignment of “moral grades” or “moral rankings” to historical figures. That exercise would be pointless and absurd. Rather, the point of considering it is to highlight the fact that holding slaves would differently affect our character assessments of a Churchill than it would Washington or Jefferson. That the Churchill in this hypothetical is a slaveholder would seem to count against him to a significantly greater degree in our overall estimation of his character than the fact that Washington and Jefferson were slaveholders counts against them. I submit we would be less open to judge Churchill to be a decent person if in fact he had been a slaveholder.

But, if I am right, why are our judgments of Washington and Jefferson so positive? Why are we so hard on our hypothetical Churchill in assessing his character and so easy on Washington and Jefferson? More generally, why are we more generous in our character assessments of those in the past given their moral wrongdoings and more harsh in our character assessments of those in the present for theirs?

Here, one may take issue with my appeal to Washington and Jefferson as examples of slaveholders whose character we judge positively, on the grounds that Washington and Jefferson also merit a large amount of credit for their other great achievements. Moreover Washington and Jefferson are also bound up in various myths that Western school children are imbued with through grade school that may invariably and unfairly corrupt our character judgments of them. Thus, one might think it would have made more sense to juxtapose our character assessments of everyday eighteenth-

felt his fostering hand. The purity of his private character gave effulgence to his public virtues.


Consider Jefferson’s judgment of Washington in his “Notes on the State of Virginia”:

In war we have produced a Washington, whose memory will be adored while liberty shall have votaries, whose name will triumph over time, and will in future ages assume its just station among the most celebrated worthies of the world…


He was, indeed, in every sense of the words, a wise, a good and a great man…. On the whole his character was, in its mass, perfect, in nothing bad, in few points indifferent; and it may truly be said, that never did nature and fortune combine more perfectly to make a great man, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance.

From Jefferson’s letter of January 2, 1814 to Dr. Walter Jones; see Thomas Jefferson; *Writings*, p. 1319.
century slaveholders and those of hypothetical ordinary present-day slaveholders. However, the reason why I focus on Washington and Jefferson rather than consider an abstraction of a slaveholder (e.g., “an ordinary 18th century slaveholding person”) is because the latter may be too insubstantial, lacking sufficient personality qualities and individual life facts to provide an adequate basis for us to judge his character. It is very important here to work with realistic and detailed examples, to the extent possible.

Another potential worry with appealing to the foregoing example of a slaveholder is that to be a slaveholder requires a fairly robust set of necessary supporting social institutions—e.g., slave markets, slave trade, etc. It is awkward, and perhaps incoherent, to imagine certain present-day Western Europeans and Americans as slaveholders in the absence of these institutions in the modern West. Moreover, one might end up concluding that the phenomenon in our moral thinking that I am after always depends on there being differences in different historical periods in whether necessary supporting social institutions (in the relevant sense) exist.

To show that this is not the case, however, here is an example that sidesteps this worry. Take our belief that sexist attitudes and practices are morally objectionable, on the one hand, and our character assessments of the individuals who exhibit sexist attitudes and behave in sexist ways, on the other. I shall understand sexism as the subjection and subordination of women—the systematic denial to women of certain opportunities in life and certain roles in public life. Sexist attitudes can involve the belief that women are inferior, less deserving of consideration, and less worthwhile and valuable. Sexist practices can take the form of economic discrimination against women, restrictive gender roles, inegalitarian marriage, ideals of self-sacrificing motherhood, among other things. While we think sexism in all of its different forms is morally wrong whenever and wherever it occurs, the fact that someone from the past behaved in a sexist way, or believed in the subordinate role of women, seems to count against that person less in our assessment of their character than such a fact would in our assessment of a present-day sexist individual’s character.

Imagine a typical middle-aged, middle class man living in America in the 1920s—call him Smith—and his attitude towards his male and female children. Smith is the sort of complacent sexist who takes it for granted that his sons are entitled to expectations, considerations, and claims to which his daughters are not. He has encouraged his sons to pursue a college education, leaving aside money for the purpose. But like any typical man of his time and place, he has not done anything comparable for his daughters. Smith thinks it is obvious that his sons, and not his daughters, have a claim against him to provide them the adequate financial means to pursue a college education to an extent that is reasonable given his economic status. If asked to explain why he was treating his daughters differently than his sons, Smith would respond, without much hesitation, “Because they’re girls,” as if the sufficiency of that answer was obvious. Now compare Smith to Jones, who is similar to Smith in all the ways I just described Smith except for the fact that Jones is an American living in the year 2011. Despite the fact that we judge both the sexism occurring in the 1950s and the sexism in the present to be morally unacceptable, I believe most people would judge Jones’s character more harshly and negatively than they would Smith’s character. And most people would be less open to think that Jones could be on the whole a decent person than they would Smith.
The perplexing feature of our character judgments that I have been drawing attention to can be characterized as follows:

*Phenomenon of the Relativism of Character Assessments (RC):*

Wrongdoing differently affects our assessments of the character of the wrongdoer depending on where the wrongdoer is located in history. (Or equivalently, we are more open to giving positive character judgments—or at least non-negative character judgments—for past people when they act in certain morally unacceptable ways, but are less open to giving positive character judgments for present people who act in those ways.)

Notice that I am interested in wrongdoing as a “pro tanto” reason to judge a person to have a bad character, a reason that could be opposed by others. My question is this: If wrongdoing is a “pro-tanto” reason to judge someone to have a bad character, why is it that that reason is weightier when the wrongdoer is in certain historical locations than in others? Why does participation in certain forms of universal moral wrongdoing count more or less against a person’s being judged decent, depending on where we locate that person in history?

A final caveat: My aim is to illuminate how we judge others’ characters—how we come to form the kinds of character assessments that we do and what the underlying thoughts are that form the basis of our character assessments. None of the explanations that I shall consider appeal to features that are brute psychological or non-rational—e.g., an explanation citing the amount of sleep a person received the night before making the character assessment. People ordinarily can cite, when asked, their reasons for forming the character judgments that they do, and it will be an assumption of this discussion that these reasons play a causal role in the formation of our character judgments. Indeed, I take as desiderata in an explanation of our character judgments that it assumes that people are rational, and that it makes sense of how people are judging the characters of others on the basis of reasons, more specifically, moral reasons. After all, part of our conception of ourselves is that we are rational and reasonable and that our character assessments are based on (moral) reasons. I believe an explanation that shows that we are deeply sensitive to moral reasons—that makes sense of how our character judgments may incorporate moral principles that we accept—is preferable to an explanation that does not because it better supports a conception of ourselves that is coherent and has fewer revisionary implications for our practices of moral evaluation. Thus, the explanations that I will consider are rational explanations, ones structured around characterizing the beliefs and reasons that people in fact have for assessing character in the way that they do.

3. Explanation One: The Simple Prevailing Norms Account

A natural explanation of RC is that our assessment of the character of a wrongdoer is less negative when we judge that the wrongdoer’s acceptance in thought and action of (what is by our lights) morally unacceptable practice(s) is influenced by the
wrongdoer’s prevailing societal norms—i.e., the prevailing moral attitudes and practices of the wrongdoer’s culture or society. To fill out and motivate this intuitive account, consider our generally positive character assessments of Washington and Jefferson, and comparatively negative character assessment of the hypothetical Churchill.

We might think that the reason why many people today judge Washington and Jefferson to be decent people in spite of the fact that they were slaveholders has something to do with the fact that slavery was a common and standard practice in the society in which Washington and Jefferson lived. Slavery was, one might say, a normal part of life in Early America, certainly in Old Virginia, and considered by a good majority of the members of that society to be acceptable. By holding slaves, Washington and Jefferson were not in violation of a societal norm of that time and place.

Unger highlights some general societal differences between Washington and Jefferson’s social world and our own, factors which seem relevant to explaining why Washington and Jefferson are judged to be decent people in spite of being slaveholders:

By contrast with our society now, in old Virginia things were like this:
First it was a common practice to hold slaves. Second, by many engaged in the practice, it was held that slaveholding wasn’t a morally terrible thing. Third, through interaction with folks who behaved and thought like that, for a given Virginian social pressure made it psychologically very hard to choose to become slaveless.¹⁷⁵

In other words, in early-American society, slavery was a prevalent practice and widely condoned as a morally permissible practice. The combination of the widespread practice of slavery and common belief that it was morally acceptable made it psychologically very difficult for Washington and Jefferson to reject slavery. For many people in that society, it was second nature to think that slavery was morally acceptable, even if the human suffering entailed in its practice did not go unacknowledged. Given an historical setting where norms widely viewed as moral sanctioned slavery and where the practice of slavery was prevalent, Washington and Jefferson were in a situation that made it improbable that they would change their attitudes toward slavery. While perhaps not impossible, they were in a position that certainly made it more difficult for them to think and act in a way that reflects acknowledgement of slavery’s injustice than for those people in 20th century America and Western Europe.

Note the difficulty for Washington and Jefferson was not simply an intellectual one, not merely a matter of being misled epistemically from seeing matters aright. An Early American would also face social and interpersonal pressures. Holding onto one’s moral convictions and acting to uphold them when they are at odds with the prevailing moral views and practices in one’s cultural milieu can be difficult in the face of opprobrium and disapproval that one would naturally be subjected to in such a situation.

¹⁷⁵ Unger, Living High and Letting Die.
We are reminded of a related point that Philippa Foot has made about virtue.\textsuperscript{176} She argues that we identify virtues in cases in which the average person has a natural tendency to do what is wrong, and the virtuous person is distinguished in this respect from the average person. People tend to be selfish, and so there is a virtue of generosity. People tend to be cowardly, and so there is a virtue of courage. The person who displays a particular virtue does well in the sort of situation in which people tend to fail. If we accept Foot’s basic point, but think about the average person \textit{in a given society}, then we might think that being anti-slavery in thought and action would be a virtue in Washington and Jefferson’s world, but not so much a virtue today. After all, the average American today has a natural tendency to reject slavery, while arguably the average American during the time of Washington and Jefferson did not have such a tendency. Perhaps this has something to do with our positive character assessments of Washington and Jefferson despite their slaveholding.

Given our recognition that people in Washington and Jefferson’s social world were in a less favorable position to have thought and acted better—it was harder for them to have known and done better—we take this into account (perhaps at an unreflective, spontaneous level) in our character assessments of Washington and Jefferson’s characters. Applying this general idea to judgments of overall character, we could formulate the following explanation of our relatively positive character assessments of Washington and Jefferson.

\textit{The Naïve Prevailing Societal Norms View (PN)}:

We are more open to giving a person, p, who engages in an ethically deficient form of behavior, w, a positive character assessment, or at least a non-negative character assessment, if we judge that p lives in a society where w is commonly practiced and believed to be morally acceptable (or not widely believed to be morally unacceptable).

Here, talk of the common moral views and practices of a society should not be taken to imply that members of that society never fail to conform in behavior to the standards generally endorsed in that society.\textsuperscript{177} Neither does it imply that the mere verbal expression of commitment to a standard rarely regarded in the actions of those in a society is sufficient to make that standard part of the practice of that society. Rather, the expression should be understood to refer to a general but not fully determinate degree of


\textsuperscript{177} Compare: “If we say that the members of some society—the citizens of ancient Sparta, for example—subscribed to an ideal of solidarity that required them to make great personal sacrifices for the common good, this can only be a generalization about the commitments of individuals members of that society. As such, it is likely to be only roughly true. In any society of any size, over a significant period, there is bound to be some disagreement about such a question…” T.M. Scanlon, \textit{What We Owe to Each Other}, (Cambridge: Harvard University Press, 1999), p. 346.
endorsement along with a similarly general and unspecified degree of compliance in practice.

According to PN, what accounts for the disparity between our character assessments of Washington and Jefferson, on the one hand, and the hypothetical Churchill, on the other, are differences in what was viewed to be morally acceptable and what was standard practice in the respective societies of these individuals. Because slavery was a common practice and widely viewed to be morally acceptable in Early America, we are more open to giving slaveholders such as Washington and Jefferson a positive character assessment, or at least a non-negative assessment; but because slavery was neither a common practice nor widely viewed to be morally acceptable in the Great Britain of Churchill’s day, we would be less inclined to give him a positive character assessment if he had held slaves.

PN seems to also explain the discrepancy between our character judgments of the sexists, Smith and Jones. Smith thinks it is legitimate to favor his male children over his female children in part because the people in his social world whose views on these matters he respects find it to be legitimate. It was standard practice, we might say, for parents in Smith’s time to favor their male children when it came to providing for them the means to pursue a college education. It was also a standard view in the day that there is nothing wrong with this practice. Given this fact, we may think he is in a hampered position to know that it is unfair and wrong to deny his daughters equal consideration in regards to pursuing a college education. The same could not be said of Jones and his position with respect to thinking the unequal treatment of one’s children along gendered lines is unjust, given the standard treatment of women of his time. Our sensitivity to these facts would thus appear to explain why we are less negative in our assessment of Smith’s character than we are of Jones’s, in light of their respectively sexist treatments of their daughters.

4. Unger’s Counterexample

While I think the basic thought behind PN—that our consideration of other people’s social norms explain differences in our character assessments across historical distances—has to be right, I believe PN is ultimately insufficient as an explanation of RC. To motivate this, I want to present a version of an argument that Peter Unger has leveled against a view such as PN.

Let us return to the aforementioned issue of why slaveholding does not preclude Washington and Jefferson from being judged to have good moral characters.\(^\text{178}\) In

\(^{178}\) The stretch of Unger’s discussion which is the focus of my critical reconstruction occurs on pp. 14-20 of *Living High and Letting Die*. Unger presents the “Puzzle of the Historical Virginians and Imaginary Australians” to motivate the thought that we may be overrating the morality (moral acceptability) of our current behavior. My discussion of Unger’s puzzle will leave to the side Unger’s claim that our moral intuitions often do not “accurately reflect our Values.” After arguing that “Our Idea of Moral Progress” influences our moral thinking, Unger goes on to argue that “the influence of that Idea is far stronger than it should be: mainly owing to that, we’ll overrate the behavior of a form
Unger’s discussion, he is specifically concerned with divergences across history in our judgments of whether someone is “a decent person” and whether his “total behavior was all right,” when participation in morally impermissible behavior is held fixed. To argue for the inadequacy of appealing to prevailing societal norms, Unger invites us to contrast “the actual case of old Virginia with a hypothetical case that is centered on a whole contemporary society where, year after year, many still engage in slaveholding.”

In particular, he has us consider the case of a modern-day “imaginary Australia,” which he describes as follows:

the early Australian settlers enslaved the island’s Aborigines and, even today, many wealthy Australians have slaves work on their vast ranches and farms. Still, insofar as it’s possible with folks kept as slaves, these masters treat them well . . .

Furthermore, we are to imagine that “apart from slaveholding,” these people’s conduct is much better than almost everyone’s today. For example, each year, they give away almost all of their income from their “organic fruit orchards toward the saving of many young lives in the Third World, and toward lessening other serious suffering.” We are then asked by Unger to imagine our intuitive moral assessment of a couple of these slaveholders who believe that “while slavery’s certainly bad, it might not be all that horribly bad.” Specifically, he has us consider whether we would judge these present day Australian slaveholders as “decent people” and their “total behavior alright,” and reflect on whether our judgments of them diverge from our judgments of Washington and Jefferson.

According to Unger, when we morally assess the decency and “total behavior” of these imaginary Australians, “most [of us] respond, it’s rather bad. But a couple of questions show this negative judgment to be very puzzling. Why do we judge the imaginary Australians conduct negatively, but judge the old Virginians’ positively?” Unger’s suggestion is that while most of us do think that Washington and Jefferson are “decent people” and that their “total behavior was all right,” most of us do not think these thoughts about the imaginary Australians. Notice that Unger equates judgments of a person’s decency with judgments of a person’s total behavior being all right. Since I reject that equivalence—in part because I am not clear I understand what Unger means that’s been surpassed . . . And, as regards the whole of their conduct, we overrate those who, before it was surpassed, did engage in such bad behavior.” In other words, after giving an account of the role that a notion of moral progress plays in our moral thinking, Unger argues for a revisionary proposal—that we change our moral thinking so that notion of moral progress would not play the role it currently plays in our moral thinking. I will not consider these aspects of Unger’s argument.

179 Unger, Living High and Letting Die, p. 17.
180 Unger, Living High and Letting Die, p. 17.
181 Unger, Living High and Letting Die, p. 28.
182 This is a belief that Unger also attributes to Washington and Jefferson.
183 Unger, Living High and Letting Die, p. 28.
by the notion of judging whether someone’s “total behavior is all right”—I will consider Unger’s hypothetical Australians in terms of assessments of their character.

The idea, then, is that with respect to the slave-holding people of present-day Australia, intuitively, we are not very open to judging that they are decent people at all, in spite of the fact that *ex hypothesi* slavery is a common practice in their society and widely believed by members of that society to be morally acceptable. Since these hypothetical present-day Australians—like Washington and Jefferson in Old Virginia—live in a society where the practice of slavery is not seen as morally unacceptable, and experience social pressures that make it difficult to become slaveless, we would expect—if PN is correct—that there would not be any disparity, or certainly any great disparity, between our evaluations of the quality of the hypothetical Australians’ characters, on the one hand, and those of Washington and Jefferson, on the other. But Unger’s point is that there is in fact a disparity between our character judgments of the hypothetical Australians and those of Washington and Jefferson, which are positive. Thus, the differences between our character assessments of Washington and Jefferson, on the one hand, and of these (imaginary) present-day Australians, on the other, cannot be explained by PN, since in the respective societies of both Early America and the hypothetical modern Australians, slavery is taken to be a common practice and widely judged to be morally acceptable.

It appears that we have identified a putative case where the prevailing moral ideas and practices of a person’s society reflects acceptance of a moral practice that we judge to be morally impermissible, and yet our character judgments are still quite negative—we do not seem open (or as open) to thinking that these Australians have good character, even if they act well in other respects. This suggests that appealing to prevailing practices and moral beliefs is insufficient to explain variations in our character assessments across different historical distances. At the very least, it suggests that the conditions on which a view such as PN is based need to be further specified.

5. Explanation Two: Unger’s Moral Progress View

In light of his counterexample, Unger proposes that what actually explains the variations in our judgments across history of whether someone is “a decent person” and whether his “total behavior was all right” is the tacit assumption of a certain notion of moral progress at the world-historical level, which he calls “Our Idea of Moral Progress.”

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184 Note the disparity in our evaluations of character that I point to is not a disparity in indignation, though I do not deny that such a disparity may also be present. Because the Australians would be our contemporaries, the existence of slavery in Australia would be something we could do something about. This may at least in part explain why we would be more inclined to be indignant with the Australians.

185 Another counterexample that could motivate this same point is Apartheid in South Africa. We judge the characters of the whites who upheld Apartheid (quasi-slavery/serfdom) very harshly even though it was a socially acceptable practice for those people in that time.
Here is how Unger characterizes his notion of moral progress and its role in our moral evaluation:

in our moral judgments, we’re greatly influenced by: Our Idea of Moral Progress. With regard to certain morally bad forms of behavior, (we have the idea that) humanity has morally progressed beyond its being even the least bit normal for anyone to engage in behavior of those forms. … Here’s a suggestion about that Idea’s influence: Once a very bad form of behavior is (taken by us to be) surpassed, we’ll give negative assessments to the total conduct of those (taken to be) engaged in behavior of that form after what’s actually (taken to be) the time of the surpassing (unless they break with the form, soon enough, and then don’t resume such bad behavior). By contrast, when someone’s engagement in a bygone form is all before that actual time, we’re open to giving her total conduct a positive assessment.\textsuperscript{186}

According to Unger, our assumption that “slaveholding is one of these morally surpassed forms” is what explains the disparity between our moral judgments of the Australians and of Washington and Jefferson. It is not clear to me whether Unger’s view includes the idea that we are inevitably heading closer and closer to a more perfect moral world, that collective moral views are necessarily progressing, and not just changing, through time. However, I think it is possible to read off a version of Unger’s view that does not imply historical teleology.

To further motivate the plausibility of his explanation, Unger presents a different example that involves a morally unacceptable social practice taken to be historically surpassed by the time of Washington and Jefferson—\textit{gladiatorial combat}, the practices common in the Roman games in which human beings and animals were slaughtered and tortured in elaborately staged bloodbaths for the entertainment of crowds. Specifically, Unger asks us to imagine that

For all of the 18\textsuperscript{th} and much of the 19\textsuperscript{th} century, to entertain themselves and other white folks, certain Virginian masters occasionally made one of their slaves fight to the death with the slave of another wealthy slaveholder. As we’ll suppose, while Washington took care never even to so much as attend any such ghastly event, Jefferson was one of these ‘Neo-Roman’ practitioners and, as odds had it, some of his slaves were killed in these ‘backyard spectacles.’\textsuperscript{187}

Unger argues that given these further suppositions, we would judge that “Washington’s total conduct would have been good and Jefferson’s bad.” I take it that for Unger, what explains why we would judge Jefferson in this further-imagined scenario less generously than Washington is that we think gladiatorial practices had been morally surpassed by the

\textsuperscript{186} Unger, \textit{Living High and Letting Die}, p. 19.
\textsuperscript{187} Unger, \textit{Living High and Letting Die}, p. 19.
18th century. In fact, a fairer comparison ought to be between this Jefferson and a Washington who also engages in a further form of wrongdoing that is just as equally morally bad as the neo-Roman practices but which had not been historically surpassed by the time of Washington and Jefferson. In any case, I think we get Unger's point. While I do not think Unger's explanation can ultimately work, considering it is helpful in drawing out what is needed in a successful explanation of RC. As I noted earlier, since Unger's assumption that thinking 'someone was a decent person' and thinking 'their total behavior is all right' are equivalent is questionable, I want to put that assumption to the side and focus simply on applying his basic idea to our character judgments. Thus, I want to reformulate the explanation Unger defends in terms slightly different than his own so that it applies to the relevant character assessments:

**Unger's Moral Progress View Reformulated (MP):**

We suppose that human history (at the world-historical level) passes a point where it is no longer common for anyone to engage in certain ethically deficient practices. Once we judge an ethically impermissible practice, w, to be historically surpassed in this way, we will give negative character assessments to those who engage in w from that time onwards. However, when someone engages in w before that time, it may still be open for us to give that person a positive character assessment.

The claim that we are assuming tacitly some such idea of moral progress occurring at the world-historical level need not imply our conscious thought or acknowledgment of the idea. Moreover, the presupposition of this notion of moral progress need not also imply that there always exists exact or determinate points in history during which practices becomes either widespread or practically extinct. We need not suppose that the drawing of sharp boundaries is easy in such matters, or even that such sharp, non-vague, boundaries exist. After all, moral transitions are often gradual and hard to detect. What MP does imply, however, is that there will be at least certain transitional periods in human history, before which a person failing to have certain moral beliefs and actions would be open to a positive character assessment, but after which time they would not.

As I am understanding it, accepting that human history at the world-historical level passes a point where it is no longer common for anyone to engage in certain ethically deficient practices is compatible with accepting that there can exist some (albeit not very many) societies with prevailing norms and practices that support an ethically deficient practice after that practice has been historically surpassed. This is because to say that a form of wrongdoing has been historically surpassed implies that it is no longer common, or perhaps more precisely, that it is no longer common because people have

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188 There is a more general point here that we should not exaggerate the degree to which moral agents are influenced by fully worked-out moral conceptions. We should recognize that we have moral beliefs, and beliefs about moral progress, but acknowledge that these are generally loosely structured and changeable, whose influence on our actions and responses can occasionally be sporadic.
come to judge it as morally unacceptable. It does not, however, imply that the practice has totally died out or become completely extinct. Thus, precisely where PN and MP may diverge in their predictions of our character assessments will be in our character assessments of those in societies where an ethically deficient occurs despite the practices being “historically surpassed”: PN predicts that we will be open, or more open, to non-negative character assessments of these people; by contrast, MP predicts that we will be inclined, or more inclined, to negative character assessments.

How would MP explain why our character assessments of the hypothetical modern day Australians (and the hypothetical Churchill) are more negative than those of Washington and Jefferson? The idea would be that we suppose that human history has already passed a point where it is no longer common for anyone to engage in the practice of slavery. Given this assumption we will judge the characters of present-day slaveholders and those who think slavery morally acceptable—the hypothetical modern-day Australians and the hypothetical Churchill—to some degree more negatively than we will the characters of those slaveholders (and non-slaveholders who nevertheless morally accept slavery) who lived prior to that point in human history where it became no longer common for anyone to engage in slavery.

MP would seem to also explain why, despite their similar morally bad treatment of their daughters, we are less harsh in our character assessment of Smith than of Jones. Again, the thought is that we suppose that human history has now, in the 21st century, passed the point where it is common for people to treat their daughters unequally to their sons when providing them educational opportunities. Given this supposition, we will assess the characters of present-day sexists, specifically those who morally accept the preferential treatment of their sons is (e.g., Jones), to some degree more negatively than a 1920’s sexist such as Smith who lived prior to that point in human history when it became much less common to practice preferential treatment of one’s male children.

6. Limitations of the Moral Progress View

Although I think Unger’s example of the hypothetical Australians presents a helpful challenge to the prevailing societal norms view, and his alternative explanation is intriguing, I think his account is not the correct explanation of RC.

If the problem with Unger’s account is not immediately apparent, it is probably because the social context of Unger’s example—present-day Australia—is so naturally taken to be a Western society (or a society whose historical roots are in the Western tradition) that we can easily bring to bear all sorts of illicit assumptions in judging his Australians. Even if one allows that we would negatively assess the characters of Unger’s hypothetical modern-day slaveholding Australians, is it true that we would also likewise

189 Indeed, the stability or retention of departures from slavery—i.e., the absence of “wandering” from slave arrangements to non-slave arrangements and then back to slave-arrangements—has been widely noted by scholars. See William D. Phillips, *Slavery From Roman Times to the Early Transatlantic Trade* (Minneapolis: University of Minnesota Press, 1985); Robin Blackburn, *The Making of New World Slavery: From the Baroque to the Modern 1492-1800* (London: Verso, 1997), Ch. 1.
negatively assess the characters of individuals partaking in modern-day forms of slavery that presently exist in certain parts of Africa, South America, and Asia? I believe the limitations in Unger’s account become evident once we consider our actual character assessments of individuals in culturally distant contemporary societies. In particular, I have in mind those individuals of isolated, non-literate contemporary tribes that have not encountered, or have had minimal contact with, people from technologically sophisticated modern state societies, and whose practices we deem to be morally unacceptable (e.g., the Sentinel Islanders, the pre-contact or minimal contact tribes in places such as South America and Papua New Guinea). Some of these societies have practices which we would not hesitate to judge to be universal moral wrongdoings—forms of slavery, racism, sexism, etc.

Consider the Kaluli aboriginals of Papua New Guinea and their adolescent sexual initiation rite, a practice which we might describe as ritualized coming-of-age homosexual “gang rape” by tribal elders on their youth.\(^\text{190}\) Or certain East African Muslim societies and their practices of female genital cutting, whose defenders claim that it is indispensable to maintaining the integrity of the family as it is conceived in those communities.\(^\text{191}\) Or practices in some villages in northern Nigeria that call for the stoning of the woman, and only the woman, involved in an adulterous act.\(^\text{192}\) Surely, we think practices like these are morally unacceptable, but would we not be at least somewhat more generous, less harsh, in assessing the characters of these wrongdoers? Would we decisively conclude that, say, the male tribe leader who endorses such practices has a bad moral character, or a character just as bad as an individual who engages in such a practice in the context of a contemporary Western society?\(^\text{193}\) I submit that we would, at very least, hesitate before we conclude that these are bad people. And even if we do ultimately conclude that they are not decent people, that negative judgment will be softened somewhat in light of what we know of their socio-historical circumstance. That we would judge them to be thoroughly bad people on this basis alone is doubtful.

If I am right about our intuitive responses to these cases, then MP cannot be a correct explanation of RC. The reason for this need not be based in doubts about there being ethically deficient practices that are no longer common, ones human history has surpassed. Rather, the reason is that on the assumption that there are such practices, there are cases like the ones just cited in the preceding paragraph where participation in such practices does not necessarily mean a negative character assessment for the wrongdoer.

\(^\text{193}\) Consider the case of Khalid Adem, an Ethiopian immigrant to US, convicted in 2006 of circumcising his daughter.
So how then should we explain the differences between our character assessments of the hypothetical modern-day Australian slaveholders and the actual modern-day slaveholders in minimal-contact aboriginal societies? I think some reflection on the source of the divergence in responses reveals that the intuitive appeal of Unger's own example of the imaginary Australians trades on the fact that Australia is quite easily supposed in our reflections to be either part of or in contact with the broadly Western world. After all, in his thought experiment, Unger asks us to imagine that “the early Australian settlers enslaved the island's Aborigines…” (my emphasis) and many would have naturally to have supposed that these settlers arrived mostly from England (or Western Europe) sometime around the late 18th century. We then took for granted that the contemporary people in the hypothetical Australia, being the cultural descendents of the earlier settlers, would have a culture that had significant elements in common with parts of our own culture, elements not present in the cultures of traditional people in isolated societies in certain parts of Africa and Asia. Moreover, most of us likely had other assumptions operating in the background about globalization in the modern world, naturally assuming in a vague way that these hypothetical Aussies had televisions, internet connections, air travel, etc., that gave them significant access and exposure to the “outside world.” These assumptions invariably but illicitly factored into our reflections on the characters of the hypothetical Australians.

Unger's counterexample involving the hypothetical Australians was meant to show that we cannot appeal simply to prevalent norms of a society to explain why we judge members of that society in a certain way; the prevailing norms of the Old Virginians were supposed to be the same as that of the contemporary Australians, and yet we assess the characters of the former differently from the latter. But I think it is important to distinguish between two senses of the prevailing norms in a society: the prevailing norms in a society with respect to a particular practice (e.g., slavery), on the one hand, and the wider or general prevailing norms in a society, which include a set of norms that pertain to a host of practices in a society, on the other. Unger's case of the hypothetical Australians would be a counterexample to an explanation of RC that appeals to prevailing norms in the former sense. It would not be a counterexample to an explanation based on prevailing norms in the latter sense. Put another way: if Unger's counterexample includes the premise that the wider prevalent norms of Old Virginia and the hypothetical Australians are the same, then this is a premise we should reject on the very terms of Unger's own description of the hypothetical Australians. After all, Old Virginian (or Early American) norms would have presumably exhibited not just a commitment to the permissibility of slavery, but to a host of other norms (concerning equality, justice, etc.). One might well wonder whether these commitments were supposed to hold in the case of the Australians as well. In fact, Unger's appeal to the concerns of the slave-holders “toward the saving of many young lives in the Third World, and toward lessening other serious suffering” suggests that this is not so. It suggests that these Australians hold slaves and yet are in many respects just as morally informed, technologically advanced, and aware of global challenges such as world poverty as “we” (the judge in these character assessments) are. But if so, then their wider norms and their intercultural awareness cannot be assumed to be the same as that of the Old Virginians. And among other things, this could mean that the moral outlook of the
Old Virginians is at least more internally consistent than that of the contemporary Australian slaveholder. By reflecting on these differences, one could reasonably conclude that the wider prevalent norms are not the same between Old Virginia and Unger’s hypothetical Australia after all, and therefore Unger’s case of the hypothetical Australians would not constitute an obvious counterexample to an explanation of RC that appeals to wider prevailing norms.

Recall, however, that our naïve account, PN, appeals not to the wider prevailing norms of a society but to the prevailing norms of a society with respect to a particular form of wrongdoing, and so is vulnerable to Unger’s counterexample. An explanation that is going to be adequate to meet Unger’s challenge would thus have to appeal to something like the wider prevailing norms of a society and not simply the prevailing norms with regard to a particular practice.

7. Explanation Three: The Cultural Distance View

I want to now present what I think explains RC. My account could be seen as an attempt to refine PN in light of our reflections on Unger’s counterexample and account. What explains the relativity of our character assessments is the following:

*Cultural Distance View (CD):*

We will be more open to giving a person, p, who engages in an ethically deficient practice, w, a positive character assessment, or at least a non-negative character assessment, the greater the cultural distance (as judged by us) between that person’s society and ours.

This account posits a notion of cultural distance that operates implicitly in our character assessments. The notion of cultural distance presupposes the notion of culture. Samuel Scheffler has provided a helpful general definition of a culture as “a web of formal and informal practices, customs, institutions, traditions, norms, rituals, values, and beliefs.”

Of course, a culture need not embrace a uniform normative outlook and practice—indeed many cultures (including our own) exhibit a high degree of diversity in its norms and practices.

With this basic conception of a culture in mind, I want to characterize the implicit notion of cultural distance as follows:

*Implicit Criterion for Degree of Cultural Distance:*

A society is more culturally distant the more significant the divergence in conceptual resources, religious outlooks, metaphysical worldviews, scientific achievement, technological development, material conditions, ideals of interpersonal relationships, degree of exposure to other human societies, etc., between that society’s culture and ours.

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194 See his “Immigration and the Significance of Culture” in *Equality and Tradition.*
Cultural distance is a matter of degree. According to CD, we are more generous in our judgments of character the greater the conceptual, or metaphorical, distance there is thought to be between the content of the social world of the person whose character is being judged and ours. The fact that a person engages in a morally impermissible form of behavior will weigh less against him being a decent person the more culturally distant his society stands from ours.

I hypothesize that people generally assume that historical (i.e., strictly temporal) distance tracks cultural distance—that the more historically distant a society is, the more normatively distant it will be. Of course, even if, as a matter of fact, historical distance is often a good rough indicator of cultural distance, conceptually historical distance is neither necessary nor sufficient for cultural distance. So to assume that historical distance implies cultural distance would be, strictly speaking, to commit an error of overgeneralization. Nonetheless, given that the assumption that historical distance implies cultural distance will hold true in many central cases, people are not necessarily unreasonable to hold it.

On my view, we can make sense of the fact that our character assessments of those slaveholders in contemporary minimal contact societies are comparatively more generous than those of Unger’s hypothetical contemporary Australia, once it is recognized that we view the slaveholders in the former as inhabiting a more culturally distant society in relation to ours than the latter. If we are less generous in assessing the characters of the hypothetical contemporary Australians than we are of Washington and Jefferson’s, it is because we view the society of Early America to be more culturally distant than that of the hypothetical Australians.

A very culturally distant society will be one that we typically assume to have very different moral resources available to its people than those available to the people of our own society and to those in societies that are comparatively less culturally distant. And furthermore, these resources are typically assumed to be worse than ours. (I shall return to this point.) By “moral resources,” I mean factors that determine the level of epistemic and motivational access to moral considerations. Different cultures will have different—and differently effective—ways to challenge or critique its prevailing or dominant unjust norms. A sense of cultural distance factors into people’s character assessments of others, because people accept (often unreflectively and pre-theoretically but not unreasonably) that cultural content determines the level of moral resources and that the level of moral resources available to a person is morally important in character assessments.

I want to highlight three classes of moral resources that are particularly important. The first is moral conceptual or normative resources—a society’s values, principles, or ideals. Every group of human beings living in a moderately stable and peaceful order will share some set of ethical understandings—some norms and concepts that govern their relations. However, what moral conceptual resources actually exist in a given social order can vary dramatically. This is significant because what concepts are available to a person determines what possibilities of thought and action are open to him.
Elizabeth Anscombe has argued that acts come “under a description.” The idea is that in acting intentionally, there is (in some sense) something that we think we are doing. If this is correct, then human intentional action is conceptually shaped. Put differently, in acting intentionally, we act under a conception, and the concepts under which we act are acquired from our culture. Just think, for example, the concepts that one would have to grasp in order to cast a vote: ‘election,’ ‘candidate,’ ‘choice,’ ‘representation,’ etc.) While the availability of concepts determines the possibilities of thought and action, what concepts are available to a person is in turn a function of the content of his society. Culturally distant societies do not have concepts like ‘human dignity,’ ‘moral equality,’ ‘rights,’ ‘discrimination,’ ‘sexual harassment,’ ‘rape,’ ‘child abuse,’ ‘exploitation,’ ‘unlawful,’ and so on, that we have and are second nature for us. They may also have other concepts that we do not and would morally reject. In other cases, culturally distant people may have these concepts, but (by our lights) do not correctly categorize certain morally unacceptable practices under them. Moreover, moral progress in a culture may require the modification and acquisition of certain ethical concepts and principles as well as the expansion of the class of their beneficiaries. For example, consider the history of the concepts of ‘duty’ and ‘dignity.’ The concept of duty was originally rooted in a hierarchical social order. When speakers of Middle English and Anglo-Norman referred to duete, they often had in mind those actions that were incumbent upon one in virtue of one’s position, what one owed to others in the hierarchy. The medieval concept of dignatas was, by stipulation, the possession of a member of the elite. Or consider the fact that many centuries passed between the time that an inclusive definition of ‘humanity’ was first articulated and the time that slavery was finally abolished in the Western world.

The material, or economic, conditions of a society is a second class of moral resources that influences our character assessments of persons. Even if we think that disinterested rational reflection on unjust practices such as slavery and the subjection of women creates a demand for justification that cannot ultimately be met, some people’s harsh environmental circumstances and limited material resources may mean that they have no choice but to live constantly in the present moment, as the demands of mere survival take up all their time and energy. Being always too busy and exhausted, and absent any real opportunity for serious reflection, a lack of concern with, and questioning of, whether they are leading ethically admirable and defensible lives could even evolve significantly over time, becoming a cultural trait of a group of humans. Here, I do not mean to suggest that environment is explanatorily prior to culture and social practice. It is possible that historically earlier cultural and social practices can shape a group of people’s environment, thereby creating selection pressures that stabilize genetically inscribed behavior dispositions. Of course, one may not accept these sorts of accounts; but even those who do not can acknowledge that where a human population is living just at or near subsistence level, it is going to be significantly harder to lead a morally virtuous

196 See Appiah, Experiments in Ethics, p. 137; See also Jeremy Waldron’s Tanner Lectures on Human Values, “Dignity, Rank, and Rights.”
life. As some social scientists have argued, intergroup conflict tends to arise in situations where certain economic, ecological, and material conditions hold that make human life more difficult.\textsuperscript{197} It is with such considerations in mind that Gilbert Harman asserts that the way to improve human welfare is to “put less emphasis on moral education and on building character and more emphasis on trying to arrange social institution so that human beings are not placed in situations in which they will act badly.”\textsuperscript{198}

Finally, informational access to, and communicative contact with, other cultures is another important moral resource. Not all societies embody a conception of the ways in which its ethical norms and practices differ from those of other societies. In fact, not all societies embody a conception of its own ethical norms and practices; ours is a particularly reflective and self-conscious culture. Those in culturally distant societies may not have the knowledge we do of “experiments in living” without these morally unacceptable practices, and even if they did have such knowledge, they may not think these cultural forms realistic alternatives for them. Genuinely isolated cultures may not even have significantly robust knowledge of other experiments in living at all.

In short, culture can make a difference in determining how probable it is for people to understand the force of certain values and their justifications, and in determining the motivations available to people such that they can realistically aspire to live in accordance with values that they believe apply to their lives. CD is intended to capture some appreciation in people’s moral thinking of the idea that moral considerations can be closer to and farther from cognitive and motivational reach, depending on the content of one’s culture or society. In fact, I claim CD is actually an imperfect approximation of the following:

\textit{The Moral Access View (MA)}

We will be more open to giving a person \(p\) who engages in an ethically deficient practice, \(w\), a positive character assessment, or at least a non-negative character assessment, the more limited the epistemic and motivational access we judge that \(p\) has to moral considerations that bear on the wrongness of \(w\).

I say “imperfect approximation” because it is not \textit{necessarily} true that a society’s being more culturally distant from ours means that its people will have more limited epistemic and motivational access to the relevant moral considerations than we do. After all, it is at


least in principle possible for a society to be culturally distant and have moral resources that are better than those of our own, and those of societies that are culturally nearby. And moreover, even if it is contingently true in many, perhaps most, instances that a culturally distant society will have limited moral resources (and more limited ones in relation to that of ours), there are probably some actual cases where this does not hold true. Nonetheless, I claim it is an assumption in ordinary moral thought that the more culturally distant a society is, the poorer its moral resources. Furthermore, I claim that even if this assumption is not necessarily true—or not always strictly true in fact—it will be true in many central if not the peripheral cases. (At least this is an assumption that we almost cannot help holding at least at the level of our first-order moral thinking.) And that the assumption will hold true in enough cases (by our lights) means that holding it as a general rule of thumb is not unreasonable.¹⁹⁹

One result of my argument is that from the external, third-personal perspective, it appears we are more harsh in our character assessments of individuals we deem to be more like us in the sense that the values, principles, reasons and ideals—in short, the normative content—of the judged individual’s culture overlaps significantly with ours. And we are easier in our character assessments of individuals we deem to be not so much like us, in the sense that normative content of the judged individual’s cultural situation does not overlap very much with ours. Put more succinctly, we are harder on those we view to be more like us culturally, and easier on those we view to be less like us culturally. Thus, from the impersonal perspective, it looks like our character judgments are formed, at least in part, on the basis of our sensitivity to the cultural-historical relation that obtains between the judge (us) and the judged. In that sense, the notion of cultural distance has explanatory or descriptive significance.

However, this does not mean that from the inside the notion of cultural distance necessarily has a justificatory role to play in the formation of our character judgments. The cultural distance between their social world and ours does not typically figure in our reasons in forming conclusions about others’ characters. That is, our reasons are not are stated in terms of the relation of cultural distance between the judge and the judged. Instead, our reasons will cite the normative content of the judge’s social world and, more generally, the level of its moral resources themselves. Thus, our reasons may mention features of the judge’s culture such as its practices, customs, institutions, traditions, norms, rituals, values, and beliefs. It is these items of the judge’s social world that provide the direct normative force of our character assessments, and not the cultural

¹⁹⁹ My claim is that what explains RC is CD and CD is an imperfect grasping of MA. This point about ‘imperfect grasping’ bears structural similarity to Henry Sidgwick’s claim that the morality of common sense, or “intuitionism,” is “unconsciously utilitarian” and an imperfect appreciation of the utilitarian principle. Thus, Sidgwick argues that the core of common sense morality can be explained by appeal to utilitarianism, and that it is only in marginal cases that common sense morality conflicts with utilitarianism. In these marginal instances, the morality of common sense fails to recognize that common sense prohibitions do not produce the best outcome in these cases, even though they do produce better results in typical, non-marginal cases. See Sidgwick, The Methods of Ethics, 7th ed., (Chicago: University Press, 1907), Bk. 4, Ch. 3.
distance between that social world (and the items in it) and ours. Thus, from the internal perspective of the judge who assesses others’ characters, the reasons we have to judge the characters of those who are culturally distant less harshly are seen as deriving from the (perceived) limitations in the moral resources of the judged’s culture, and not from the fact that those resources are (perceived as) being more limited than ours.

8. The Relativism of Character Judgments and the Relativism of Distance

I turn now to relate my discussion of the relativism of character judgments to Bernard Williams’s idea of “the relativism of distance.” To do so, I shall first outline his view. Williams distinguishes his “relativism of distance” from “what is standardly called relativism”:

Standard relativism says simply that if in culture A, X is favoured, and in culture B, Y is favoured, then X is right for A and Y is right for B; in particular, if ‘we’ think X right and ‘they’ think X wrong, then each party is right ‘for itself’. This differs from the relativism of distance because this tells people what judgments to make, whereas the relativism of distance tells them about certain judgments which they need not make.\(^{200}\)

The idea of the relativism of distance is that moral judgments are inappropriate (not just “noncompulsory”) beyond a certain sort of distance. Only if a society is sufficiently “close” to ours, in a certain metaphorical sense, does talk of “good” and “bad”, “right” and “wrong,” with respect to their moral system, properly apply; there are cases in which the distance separating two moral systems is such that moral judgment becomes inapplicable. Williams specifies the relevant notion of distance that makes moral judgment applicable in terms of one moral outlook or system’s being in merely “notional” confrontation with another; or equivalently, a moral outlook or system failing to represent a “real option,” from the point of view of those of another. What it takes for a moral system to count as a “real option” for those of another moral system is that the latter “must be able to live inside it in their actual historical circumstance and retain their hold on reality, not engage in extensive self-deception, and so on.”\(^{201}\) If this condition is not met—or not sufficiently met, as Williams does acknowledge that it is a matter of degree\(^{202}\)—then the alternative moral system does not present a real option, and hence moral judgment of it would be inappropriate:


A relativist [of distance] view of a given type of outlook can be understood as saying that for such outlooks it is only in real confrontations that the language of appraisal—good, bad, right, wrong, and so on—can be applied to them; in notional confrontations, this kind of appraisal is seen as inappropriate, and no judgments are made.²⁰³

In his discussion of the relativism of distance in *Ethics and the Limits of Philosophy*, Williams asserts that in the modern era there can be practically no synchronic notional confrontations: “Relativism over merely spatial distance is of no interest or application in the modern world. Today all confrontations between cultures must be real confrontations …”²⁰⁴ The reason, for Williams, is that the world today is globalized economically, politically, and technologically. At the same time, he also claims that “Many outlooks that human beings have had are not real options for us now. The life of a Bronze Age chief or a medieval samurai are not real options for us: there is no way of living them.”²⁰⁵ (emphasis added) These comments indicate that for Williams, the only kind of distance that makes for an application of his version of relativism is over historical distance.

In discussing the relativism of distance in “Human Rights and Relativism,” Williams says the following:

Some people do seem to think that if liberalism is a recent idea and people in the past were not liberals, they themselves should lose confidence in liberalism. This is, as Nagel says, a mistake. But why does the queasy liberal make this mistake? I think that it is precisely because he agrees with Nagel’s universalism: he thinks that if a morality is correct, it must apply to everyone. So if liberalism is correct, it must apply to all those past people who were not liberals: they ought to have been liberals, and since they were not, they were bad, or stupid, or something on those lines. But—the queasy liberal feels, and to this extent he is right—these are foolish things to think about all those past people. So, he concludes, liberalism cannot be correct. That is the wrong conclusion; what he should do is give up the universalist belief he shares with Nagel.²⁰⁶ (my emphasis)

In light of this passage, I suspect that part of what is driving William’s commitment to the relativism of distance is the feeling that certain kinds of character judgments—e.g., the judgment that historically distant individuals are “bad” and “stupid” for not being liberals—are rather “foolish.” Partially on the basis of this feeling, Williams concludes that we should “give up the universalist belief,” and accept his relativism of distance, thereby suspending our moral appraisals of those societies and individuals who are sufficiently historically distant.

²⁰⁴ Williams, *Ethics and the Limits of Philosophy*, p. 163.
I think what I have been calling the relativism of character judgments is tied up with the reluctance to judge, say, someone in the 18th century who denies women the moral status that supports the right to vote as a bad person. While I share the feeling that this judgment is somehow not right, or not the kind of judgment we want to be making, I reject Williams’s relativism of distance. In particular, I argue that a kind of relativism (but not the relativism of distance) is defensible for judgments that are focused on morally appraising persons, or agents—e.g., assessments of character and judgments of blame; but not for those judgments that concern the moral permissibility of actions and practices. So long as we distinguish between our moral judgments of practices and our moral judgments of persons, we can still leave room for some universal (or trans-historical) moral judgments. Thus, we do not have to suspend our judgment of sexist practices in the 18th century, nor do we have to hold that it was less morally objectionable to behave in a sexist way back then. So the judgment that sexism, racism, slavery, etc. is wrong can be applied across cultures and across times. At the same time, the very content of our character judgments can be relativized in the sense that we can think a middle-class European or American man today who is disposed to sexist and racist behavior is more of an indecent person, than a man who exhibited the same kinds of behavior in the 18th century. On this view, a negative character assessment would be more appropriate towards a contemporary upper-middle-class European or American who is disposed to sexist and racist attitudes and behavior, than towards a person who exhibited the same kinds of attitudes and behavior three hundred years ago. The reason for this is not that it was less wrong or less morally bad to have sexist and racist attitudes two hundred years ago, but rather that the reasons for not being sexist or racist are more readily available to people today than back then.

9. Morally Vindicating the Relativism of Character Assessments

A premise of this discussion is that in our moral thinking, wrongdoing differently affects our assessments of the character of the wrongdoer, depending on where the wrongdoer is located in history. To conclude, I want to morally justify this feature of our moral thinking—to morally vindicate it and demonstrate its coherence with other aspects of our moral thought. (For those who do not share my assumption that the relativism of character assessments reflects a feature of our ordinary moral thinking, my argument should be understood as prescribing revision—we should revise our character judgments so that they are sensitive to facts of cultural distance to the judged.)

What morally grounds the relativized feature of our character judgments is the ideal of reasonableness as fairness of judgment. In our character assessments of others, especially those who are culturally and historically distant, it is morally important that we judge them on the basis of their conduct in relation to the wider ethical norms of their society. Our character judgments should not be based only on the nature of the (perceived) behavior of the judged, but also on the content of the background norms and institutions that fix the social context within which that behavior is situated. Behavior that is viewed in one social context as revealing morally exceptional and admirable character may be seen in another context as a sign of a character that is not particularly
morally noteworthy but ordinary. The moral importance of this relativized feature of our character judgments resides in the ideal of fairness of judgment.

The relevant notion of fairness that I am drawing on is what R. Jay Wallace, in discussing judgments of blame, calls “fairness as reasonableness.” Fairness, or reasonableness, in our judgments of persons—whether the judgment in question concerns moral blameworthiness or decency—requires, I claim, bringing into effect the canons of judgment that prevail in the time and place of the person being judged. Though elusive, it is an ideal I suspect we all dimly recognize. It expresses our acknowledgement that even if other people’s moral views and conduct are very different from our own in content, they are still similar to us in that every human being is ineluctably shaped by the social world each occupies. All human beings have certain basic interests and concerns, and certain fears and aspirations, which in one form or another are present in human life wherever it appears. For this reason, something institutional or social or cultural is needed for human beings to cope with or pursue those natural concerns, and to provide ways for groups of people to live together in some kind of unity.

Our ethical judgments do not come from nothing, as it were, but come in part from what is around us, and there are limits to the extent to which these judgments can simply transcend social and historical conditions. Every human being inherits, in a way each cannot fully control, a collection of predispositions from a practically unfathomable past bounded by the variations of time and place. If we deeply appreciate this about the human predicament, we will see that we should be fair in our judgments of others, and minimize the extent to which we implicate someone as indecent when that person’s conduct is shaped in part by the social world in which he occupies. To assess someone’s character fairly, we must take into account a person’s cultural-historical predicament and consider with an open mind what could be reasonably expected of an ordinarily decent person given the available cultural resources. If we want to conclude that a person is thoroughly indecent, we have to be able to think that he should have known better given his cultural-historical location. It would be unfair, or unreasonable, to claim that a person is thoroughly indecent on the basis of his morally unacceptable conduct when only the most morally exceptional and extraordinary person in his cultural-historical predicament could have done and believed better than he.

We oversimplify the question of personal character if we do not contemplate persons in the light of their social and cultural context. To judge culturally or historically distant individuals as indecent solely on the basis of their participation in some morally impermissible practice, while ignoring the moral standards they and their contemporaries

208 The relevant notion of fairness that I am pointing to is not what John Rawls calls “the principle of fairness.” Rawls’s notion has to do with the idea that it is unfair to participate in and benefit from some cooperative scheme, but not play by the rules that constitute that scheme. If we are justified in judging differently the decency of people’s characters across cultural and historical distance, it is not because doing so keeps us from violating the rules of a cooperative enterprise of which we are a participant and from which we benefit. See Rawls, A Theory of Justice, sections 18 and 52.
were holding themselves to, is to distort them: it is to treat them as if they are rational agents as such, unencumbered and disembodied, and not as human beings, the finite creatures, dependent on a messy and contingent world we all are.
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APPENDIX

The argument that those who accept the lamentable necessities thesis, and value modern liberalism immensely, are rationally precluded from regretting (in the all-in way) certain past injustices employs four main ideas or “principles”: the principle of immense valuation, the lamentable necessities principle, the regret–preference bridge principle, and the preference coherence principle of rationality. With the understanding that they should be understood in the context of my earlier discussion, I state these precisely:

1. The principle of immense valuation (IV) states that for any two events, activities, state of affairs (including forms of ethical life), if a person
   (1) values very highly one event, etc., and
   (2) believes that if another (temporally earlier) event, etc., had not occurred, then the event that is the object of high valuation would not be possible,
   then the person prefers all things considered the temporally earlier event’s occurrence to its non-occurrence.

2. The lamentable necessities principle (LN) states that there is some past injustice (e.g., absolutist monarchy) such that if that past injustice had not occurred, then a particular form of ethical life (e.g., modern liberalism) would not have been possible.

3. The (all-in historical) regret–preference bridge principle (RP) states that for any person and any event, if a person regrets (in the all-in way) the occurrence of an event (including, for example, the occurrence of some past injustice), then that person prefers all things considered that event’s non-occurrence (to that event’s occurrence).

4. The preference coherence principle of rationality (PC) states that for any event, rationality requires an agent not to (simultaneously) both
   (1) prefer all things considered that event’s occurrence over its non-occurrence, and
   (2) prefer all things considered that (very same) event’s non-occurrence over its occurrence.

With these four ideas in hand, it can be shown that it is generally irrational for an agent to all-in regret certain past injustices, in virtue of violating the preference coherence principle:

Let us assume the truth of three of the four principles outlined above: IV, RP, and PC. Furthermore, let us suppose that a person, S, values immensely modern liberalism and also accepts LN. In particular, suppose S believes the occurrence of some activity—say, the marginalization of native populations (or native marginalization, for short)—instantiates LN. That is, our agent believes that had native marginalization not occurred, then our particular form of ethical life, modern liberalism, would not have developed. Finally, suppose that S also regrets in the all-in way native marginalization.

Given these suppositions, it follows that S violates PC: On the assumption that S regrets in the all-in way native marginalization, by RP, it follows that S prefers all things
considered the non-occurrence of native marginalization to its occurrence. And since, by hypothesis, S believes that native marginalization instantiates LN, and values immensely modern liberalism, by IV, it follows that S prefers all things considered the occurrence of native marginalization to its non-occurrence. But now, we have deduced both that S prefers (on balance) the non-occurrence of native marginalization to its occurrence and that S prefers (on balance) the occurrence of native marginalization to its non-occurrence. Holding these preferences violates PC. Thus, S is inconsistent or irrational.

The above argument depends on the acceptance of the principle of immense valuation (IV), which expresses a constitutive requirement on valuing an object immensely. One might however reject this principle, and appeal to a different principle that expresses a rational requirement of immense valuation, to argue that an agent would be irrational to regret past injustices which she accepts as necessary causal conditions for the emergence of the ethical life that she values immensely. This principle allows for the possibility that an agent can value immensely an object (e.g., modern liberalism) and believe that the occurrence, or existence, of said object depends causally-historically on the occurrence of some earlier event or activity (e.g., a past injustice), and yet not necessarily prefer the occurrence of the earlier activity to its non-occurrence. Though the agent in question can still count as strongly identifying with modern liberalism, she would, however, be irrational, according to this principle. Thus,

3*. The principle of rational immense valuation (IV*) states that for any two events, activities, states of affairs, practices, or forms of life, if an agent
(1) values immensely one event, etc., and
(2) believes that if another (temporally earlier) event, etc. had not occurred, then the temporally latter event would not have been possible,
then rationality requires that agent to prefer all things considered the temporally earlier event’s occurrence to its non-occurrence.

For example, if an agent values immensely modern liberalism, and also believes that had Greek slavery not occurred, then the emergence of modern liberalism would not have been possible, then that agent is rationally required to prefer or favor all things considered the occurrence of Greek slavery to its non-occurrence. That is, it would be irrational for that agent not to prefer all things considered the occurrence of Greek slavery to its non-occurrence.

A different argument, appealing to IV* rather than IV, can be run to demonstrate that an agent is irrational to regret certain past injustices that she takes as a necessary causal historical condition for an ethical life that she values immensely. Specifically, the agent is irrational to regret certain past injustices because she will have to violate either one of two principles of rationality: either the preference-coherence principle or the principle of rational immense valuation.

Assume the truth of RP, IV*, and PC. Furthermore, suppose that an agent accepts LN. In particular, the agent believes that the occurrence of a particular activity—e.g., the Greek practice of slavery—instantiates LN. That is, our agent believes that had Greek slavery not occurred, then the emergence of our particular form of
ethical life, modern liberalism, would not have been possible. And also suppose that our agent regrets the occurrence of Greek slavery and values immensely modern liberalism.

Given these suppositions, our agent violates either PC or IV*. Here is why: On the supposition that our agent regrets Greek slavery, by RP, it follows that our agent prefers all things considered the non-occurrence of Greek slavery to its occurrence. So if our agent also prefers all things considered the occurrence of Greek slavery to its non-occurrence, then our agent would be in violation of PC. And since (by hypothesis) our agent believes that Greek slavery instantiates LN, and values immensely modern liberalism, if it is not the case that our agent prefers all things considered the occurrence of Greek slavery to its non-occurrence, then the agent violates SI*. By the law of excluded middle, either our agent prefers all things considered the occurrence of Greek slavery over its non-occurrence or does not have that preference. Thus, our agent either violates PC or IV*.