Outline of a paradox of moral hesitation

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Abstract. In this paper, I present an outline of a paradox which closely resembles the lottery paradox and concerns whether we can ignore hesitant moral judgments.

Someone comes up with a moral theory, such as the theory that the morally right action is the one that produces the most happiness. Then someone else raises a worry, such as what if a lot of people are made happy by killing you without your consent? We judge that this is wrong and we use this judgement when evaluating the theory. But when evaluating a moral theory, should we pay attention to all moral judgments or only some? In this paper, I wish to present an outline of a paradox related to this question.

The much cited philosopher John Rawls tells us that we should only pay attention to the ones which he calls "considered moral judgments":

> So far, though, I have not said anything about considered judgments. Now, as already suggested, they enter as those judgments in which moral capacities are most likely to be displayed without distortion. Thus in deciding which of our judgments to take into account we may reliably select some and exclude others. For example, we may discard those judgments made with hesitation, or in which we have little confidence. Similarly, those given when we are upset or frightened, or when we stand to gain one way or the other can be left aside. All these judgments are likely to be erroneous or to be influenced by an excessive attention to our own interests. (1999: 42)

I shall focus on hesitant moral judgments. Imagine a large consistent set of moral judgments which are made in hesitant states of mind, but not in whatever state Rawls prefers to take moral judgments from, and let us grant that any such hesitant judgment is likely to be erroneous. Given Rawls's discarding principle – if a judgment is likely to be erroneous, then one can discard it[1] – you can discard judgment 1, judgment 2, judgment 3, and so forth. So you can discard the whole set of these hesitant moral judgments. Rawls's discarding principle looks unobjectionable at first glance, but is it?

To generate a paradox, of the kind I have in mind, we need some reason to think that this set is nevertheless likely to contain a true judgment, somewhere within it. That would mean that when focusing on any one judgment from the set you can say that this one is not likely to be true, but it does not follow that you can ignore the whole set, contrary to Rawls. If a moral theory conflicts with every member of this set, there is probably a problem. Here then is something he overlooks. Sometimes one hesitates precisely because one's moral capacities are working with a high degree of sensitivity. Choice A is slightly better than choice B but the difference is small enough that one hesitates. One's hesitation reflects sensitivity rather than capacities that are displaying themselves with distortion. That gives us some reason not to ignore the whole set, even if we cannot identify which member is true. When evaluating, conflict with every member is a point against the theory. The paradox resembles the situation of having all the tickets to a large lottery: each one is unlikely to be the winner, but given the aim of winning, one should not operate with the principle that if a ticket is unlikely to be the winner, then it can be discarded.

Reference

Rawls, J. 1999 (revised edition). *A Theory of Justice.* Cambridge, Massachusetts: Belknap Press.

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[1] Rawls's view is, more fully, that one can and one should discard it, for the purpose of evaluating a moral theory.