RIVISTA INTERNAZIONALE DI FILOSOFIA E PSICOLOGIA
DOI: 10.4453/rifp.2021.0010
ISSN 2039-4667; E-ISSN 2239-2629
Vol. 12 (2021), n. 2, pp. 110-124

RICERCHE

A particularistic moral mind

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Ricevuto: 13 gennaio 2021; accettato: 27 luglio 2021

Abstract In this paper I offer some criticisms of Jonathan Dancy's moral particularism. In Dancy's version moral particularism states that there are neither general nor universal moral principles, that moral action is not the application of principles to particular cases, that moral reasoning has no motivational force because it deduces what must be done by moral principles, and that the agent who acts morally is not a person who has moral principles. However, Dancy's proposal fails to explain the regularity of moral behavior and the function of stability that moral agents and moral psychology play within social cooperation, nor is it able to explain the possibility of moral progress.
KEYWORDS: Jonathan Dancy; Moral Psychology; Principles; Cooperation

Riassunto *La mente morale particolarista* – In questo articolo espongo alcune critiche al particolarismo morale di Jonathan Dancy. Nella versione di Dancy il particolarismo morale afferma che non ci sono né principi morali generali né universali, che l'azione morale non è l'applicazione di principi a casi particolari, che il ragionamento morale non ha forza motivazionale perché deduce ciò che deve essere fatto dai principi morali, e che l'agente che agisce moralmente non è una persona che ha principi morali. Tuttavia, la proposta di Dancy non riesce a spiegare la regolarità del comportamento morale e la funzione di stabilità che gli agenti morali e la psicologia morale svolgono all'interno della cooperazione sociale, né è in grado di spiegare la possibilità del progresso morale.
PAROLE CHIAVE: Jonathan Dancy; Psicologia morale; Principi; Cooperazione

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1 Introduction

WHY DO WE SAY THAT a person is a good person? Certainly not because in a contingent and episodic way they have done good actions, but because we think they have a general disposition to goodness. This attitude can be analyzed by the agent themselves or by others in a reflective manner and traced back to general and in some cases universal principles and rules.

This is a perspective that many embrace and which I think is also intuitively supported by common sense when it qualifies a person as "good". In this sense, a good person is a person who has principles, as is also said in colloquial speech. This tracing back to principles seems to be particularly effective especially when these are not proclaimed by the agents themselves, but it seems possible for an observer to deduce them from the agents' actions, which thus receive a deeper meaning from them. What should this depth be attributed to? I believe that several factors come into play. One of these seems to me important and pertinent to the theme I will deal with, namely the possibility of considering a life as a relatively coherent narrative whole. We interpret the actions of good people as a story that concerns their life in its essential terms. In turn, we often look at what we have done or have not been able to do in terms of an agreement or disagreement with a narrative of our life, which gives our actions meaning or indicates a dissonance.[1]

Principles, rules, norms seem to fill our life. Therefore, it does not seem strange at all that we refer to these both to make the actions of our fellow human beings understandable and to justify the actions that we ourselves carry out. This presumption of narrative coherence seems to be binding even if, with good reasons, it could be said that it is more a prescription than a description, and even if it is an intentionality that many perceive as necessary and, at the same time, never complete.[2] The identification of behavioral patterns, from which to derive general principles, could respond both to evolutionary reasons[3] and, for some scholars, coincide with the same practical reason.[4]

2 Ethics and Wittgenstein's paradox

However, if there is no doubt that we are interested in principles and rules, is this interest really justified? Two objections can be raised on this point:

(1) how can you be sure that what are the constituent elements of a principle or a rule for you are the same as those of another agent?;

(2) how can you be sure that your past actions are subsumable under what you now interpret as a principle?

In other words, a skeptical objection can be raised with respect to principles and rules. This objecton can be expressed in a paradox described by Wittgenstein in §201 of the *Philosophical investigations*:

This was our paradox: no course of action could be determined by a rule , because every course of action can be made out to accord with the rule. The answer was: if everything can be made out to accord with the rule, then it can also be made out to conflict with it. And so there would be neither accord nor conflict here.[5]

What is this paradox about? I think it is about at least two things:

(1) our trouble in justifying epistemic beliefs which are expressed in general statements;

(2) our trouble in ascribing our own interpretation of principles or norms or rules that we believe we have identified in our social practices to other minds.

The paradox of "following a rule", as it is commonly known, applies both to knowledge of the world and to the interpretation of the agents' motivations. Besides, it is possible to give an extended interpretation of the paradox: the paradox would suggest that what we believe to be regularities in the external world and in the motivations of the agents could only be a product of our mind. Furthermore, we should not rely too much on the model of internal observation, as regards the ascrip-tion of motivational regularities to other subjects, because the narration of our own motivational structure is drawn from the point of view of the present and so our reading of what has happened to us in the past could be part of the same paradox.

Let us admit, then, that our expectation to find regularity in the behavior of agents and in our world is misleading: what beliefs should we have to support an attitude consistent with the paradox of "following a rule"? I think that we should have at least two:

(1) we should argue that tracking down regularity in the states of affairs of the external world and in motivations of agents is not possible, because there is no convincing realist interpretation of the existence of regularities outside our mind;

(2) this belief should be supported by a robust theory of explanation that illustrates how epistemologically naive it is to expect to find recurring patterns in the reality outside our mind and in the motivational structures of agents.

One of the problems to which this theory of explanation should give an answer is a common

social evidence, namely the fact that people believe they can do most of the daily actions in relative safety. This safety also concerns the ascription of specific intentions to other agents. But maybe all of us are victims of a bad psychology of common sense; maybe my belief that what allows agents to behave ethically is the sharing of a common ethical experience, which incorporates beliefs, intentions, principles into its very structure, is not necessary to explain why people behave morally. I believed that keeping the promise I just made would find sufficient *prima facie* motivation in the imperative that promises must be kept, but perhaps this is not necessary (so why am I convinced that people usually think it is wrong not to keep promises? After all, in certain circumstances promises are assimilated to legally valid contracts, as happens in the making of an offer in auctions). It seems to me quite clear that the epistemic side of the question is hardly, and perhaps artificially, distinguishable from the ethical one. However, I would like to concentrate on this last aspect, even if I will have to say something on the epistemological side of the question.

3 Moral particularism

The belief in the very existence of moral rules that agents would follow to act in an ethically correct manner is radically questioned by a position that takes the name of "ethical particularism". For the particularist it is by no means needful to assume that in order to be virtuous it is necessary to follow rules. It could well be that rules do not have that role that a millenary culture has recognized them[6] or even have no role at all. The systematic elaboration of moral particularism is due to the work of Jonathan Dancy, who found systematization above all in his *Ethics without principles*.[7] In order to describe what ethical particularism is, I think it is good to proceed *per viam negationis* and specify what particularism is not. Particularism is not an intentional form of relativism and an update on the side of the analytical philosophy of Protagorean panalezeism (in other words, for the particularist there can be a good reasons to keep a promise). Dancy's particularism is, rather, a form of metaethics, even if it would be, in my opinion, reductive to flatten its relevance on an exclusively metaethical side. In fact, if particularism were to prove convincing, it would probably have significant consequences for moral psychology and anthropology as well.

Dancy believes that this metaethics has no need to forcefully distinguish between what is moral and what is non-moral in thought and judgment. In fact, Dancy is convinced that we do not have any precise tool to draw this distinction.[8] For the particularist it is sufficient to stick to the intuitions that each of us usually has to support this distinction, but his central thesis is another, namely the affirmation that particularism holds that to act morally and to evaluate the morality of an action it is not necessary to use general principles of deliberation and/or universal rules for evaluating motivation. The presumed necessary link between general ethical principles and particular moral cases is a fallacy concerning the understanding of the links between morality and moral principles, which are assumed to exist. But what tools do those who claim that principles are an indispensable key both for the correct interpretation of moral action and for the motivation to act morally hold?

According to Dancy, perhaps the main one is just an unquestioned presumption, which we could call the "subsumption thesis". The idea behind subsumption is that the correct moral judgments are those where a particular case is dealt with thanks to a set of principles. Not all principles are likely to be indispensable to a proper subsumption. The moral judgment is the result of an adequate selection of the principles to be applied to the particular case, which makes the moral judgment as free from ambiguity as possible. In other words, the particular case should not be subsumable in more than one principle with the same degree of generality. It will not be enough, then, to subsume the particular into the general, but a further subsumption operation will be necessary and it will concern the different degrees of generality that we attribute to different principles.

For the particularist, however, the subsumption thesis does not have many reasons to be supported. There are, indeed, some that should offer good reasons for abandoning it. These reasons must be found in at least three shortcomings that are present in the subsumption thesis. According to Dancy, the subsumption thesis:

(1) gives no account of the phenomenon of moral conflict, which appears to be simply a fact of our moral experience;
(2) it gives no account of the phenomenon of moral remorse and rethinking, which are also part of moral phenomenology;
(3) is not based on a convincing epistemological conception.

A different position from the subsumption thesis is, however, recognized by Dancy in the explanation of morality offered by Ross.[9] Ross's theory of prima facie duties, which Dancy does not fail to criticize, constitutes a more persuasive interpretation of the moral phenomenon. While for Ross we have clear prima facie duties (not to lie, to save lives, to keep promises, to be impartial), none of these principles – *prima facie* duties – are a decisive reason. You may be forced by circumstances to lie to save a human life. This theory is not simply subsumptive, because even when we have recognized which principle – that is

prima facie duty –, must be applied, we still have one task left, that of understanding how *prima facie* duties must be balanced with each other.

While in the subsumptive thesis there is really no room for moral conflict, since the moral conflict is reduced to a conceptual confusion of the agent, in Ross's intuitionism the moral conflict is real, because it concerns an actual difficulty of agreement between *prima facie* principles. In this sense, Ross's intuitionism also provides a more adequate account of the phenomenon of moral remorse and rethinking. What intuitionism lacks, on the other hand, is probably an adequate epistemology. For Dancy, the main reason lies in Ross's assertion that if an element of judgment is decisive in a specific case then it must also be conclusive in analogous cases. In the end, for Dancy, Ross's detour brings us back to the neighborhood of the subsumption thesis, even if it does not quite coincide with this thesis.

If those mentioned are the shortcomings of the subsumption thesis, it must also be said that the particularist does not affirm that in any moral deliberation it is necessary to be able to describe precisely the complete circumstances in which our action takes place, since these circumstances are contingent and specific, and not replicable in contexts that would be only partially comparable; nor does he state that the context is important to the decision (this in fact would be a trivial claim).[10] What is it then? A first indication is found almost at the beginning of his work:

> Particularism: the possibility of moral thought and judgment does not depend on the provision of a suitable supply of moral principles. Generalism: the very possibility of moral thought and judgment depends on the provision of a suitable supply of moral principles. Particularists and generalists, as I define them, disagree about the relation between moral thought and moral judgment. Officially, they hold no views on topics outside morality. But of course that is unrealistic. The debate between them tends to turn on the rights and wrongs of two other views, which have nothing especially to do with morality at all: Holism in the theory of reasons: a feature that is a reason in one case may be no reason at all , or an opposite reason, in another. Atomism in the theory of reasons: a feature that is a reason in one case must remain a reason, and retain the same polarity, in any other. The atomist holds that features carry their practical relevance around from place to place; the holist thinks that context can affect the ability of a feature to make a difference in a new case. (Here, making a difference means being a reason for acting one way rather than another.) Normally, particularists are holists and generalists are atomists.[11]

This first indication is not entirely clarifying. In fact, there is a sense in which the first of these definitions could be easily acceptable to almost anyone, because it is true that we are continually absorbed and surrounded in moral deliberation and sometimes without knowing whether there are principles to apply to the concrete case or, on the contrary, sometimes we know what is the right thing to do without the need for subtle reflections and in an intuitive way.[12] Also with the help of moral education, which certainly does not end when one reaches the threshold of adulthood, moral action is possible without constant self-reflective recourse to principles. This sort of moral automatism (obvious and overt in the moral feelings of disgust, shame, empathic suffering, and so on) is in fact also necessary to make our moral action more fluid and continuous.

When we have a clear and immediate reaction of disgust by observing an action that appears to us with all evidence as immoral, this same reaction may be sufficient to motivate my intervention, my complaint, and any action to counter it. If I find myself observing a rapist who commits an act of sexual violence or a sadist who tortures an animal, my disgust is immediate because I read the suffering in the eyes of those particular victims. It is equally true, however, that I can direct the particular motivation of my disgust, in various ways, towards generality or universality. This case could fall within that process that Ross calls intuitive induction, in which we do not know some *prima facie* principle directly, but in which the particular case functions as a test of the principle's applicability.[13] It would seem that even if the principles are not immediately present in the reflection, they are not for this reason absent and non-existent.

Dancy's approach is not so much signaled by the question: "can moral action be performed without a reflection on principles?", but rather by these two questions:

(1) can moral experience be described in a distinctive way without resorting to principles?;
(2) can moral action be performed virtuously without either implicit or reflective reference to principles?

4 No more general principles?

Dancy's affirmative answers to both questions outline a strongly counterintuitive position, with respect to which it is necessary to question its ability to correctly describe the structural elements of our moral experience. However, some could limit themselves to developing Dancy's suggestion on the inability of the subsumption thesis to capture the phenomenon of moral conflict. This appears to be a remarkably persuasive move in light of some data that could be regarded as merely empirical. It is a fact that cultural pluralism domi-

nates in our societies. Cultural pluralism, multiculturalism, the incommensurability of cultural systems would all be aspects of the so called "fragmentation of value".

With respect to these phenomena, moral particularism would register the possibility of moral disagreement and the irremediable distance of every particular ethical experience from every other. Indeed, one of the aspects of ethical experience, as pointed out by Dancy himself, is its complexity, which requires refined analytical tools, a complexity that is further complicated by the ever new experience of value and by the omnipervasiveness of the moral phenomenon. However, I believe that the possibilities of capturing the phenomenon of morality regardless of the existence of moral principles are very few. A morality where general principles were absent would appear so distant from a series of relevant ethical and social phenomena that it must be abandoned as an instrument of description and explanation. For example, it is an undeniable fact that many people, even in our societies where secularization and fragmentation of value dominate, are induced to act in certain ways because they feel internally constrained, in the depth of their ethical motivation, by adhering to a set of moral principles.

There are many behaviors that indicate the existence of a bond that moral agents adopt for themselves and which, if violated, would signal to the agents themselves that they have adopted an amoral or immoral behavior. For example behaviors of social solidarity can clearly and better be interpreted as adhering to the principle that requires us to help people in evident difficulty. That agents can adopt the social solidarity principle for a variety of particular reasons, reasons that span the whole spectrum from self-interest to a deep understanding of the value of social cooperation, to religious or philanthropic motivations, should not obscure the fact that they have adopted a principle and that their particular actions receive a meaning, which otherwise they would not have, from adherence to that solidarity principle.

Quite similar things could be said for many behaviors that cover the sphere of public ethics. For example, employment contracts must be respected, because they represent a commitment that has been made. Now, the interesting thing is that these contracts can be written contracts, can be unwritten contracts, and can even be implied contracts.[14] Why does the utterance made at a public auction count as a purchase commitment, if not for the fact that such utterance, as well as an implicit contract, is equivalent to a promise to honor the public utterance?[15] These specific commitments refer to general principles (for example: "freely assumed contracts must be respected"; "promises must be kept"). Of course, this does not at all mean that alongside the prescriptive adherence to implicit general principles, there are no particular good reasons to respect that implicit contract, to satisfy that utterance made at a public auction, to keep that specific promise.

Let us make a thought experiment. The reference to general principles is no longer in force for agents and there are only particular reasons (perhaps excellent motivational reasons) to respect that implicit contract, to carry out that utterance, to keep that promise. Would the absence of this reference bring about a more complete explanation of these actions and a richer motivational description of the intentions of the agents? It seems natural to answer that this is not the case. Let us think about the specific functions that are assigned to the civil servants and to the elected representatives which are derived, for example, from the principle of care for public affairs and from the commitment to perform their role with "discipline and honor".[16] "Discipline" and "honor", it will be said, are hopelessly vague terms. There is no doubt that this is partly the case, but it should also be clear that those who abuse their public function for private purposes certainly do not fulfill these vague prescriptive principles. The principle of public ethics that requires civil servants to behave with honor in the exercise of their function, certainly cannot be easily specified, but none of us would be in trouble in describing negative examples, which are contrary to public ethics precisely because they violate that vague principle. In other words: this principle can be vague, but it is not complicated to give it at least a negative content. I believe this ability is a good indicator that that principle is actually effective, even if very often not respected.

It should also be remembered that some norms in the criminal law and civil law are easily deducible from those that immediately appear to us as moral principles: for example, the norm, which in Italian criminal law sanctions the failure to provide assistance in case of an accident. That there is a duty to help those who have suffered a road accident derives from this general principle and not from the particular reasons that I may or may not have for providing assistance. In the international navigation law there are specific rules that impose the obligation of rescue on the high seas. I am certainly not suggesting that the moral dimension of these principles incorporated in the codes is the only one available to explain them. An explanation in terms of social stability or cooperation is obviously valid and certainly very important. Nevertheless, also these explanations are made within a framework of generality and not at the level of particularity.

Certainly an extra-moral interpretation can also be given of some parts of all legal codes; sometimes, indeed, these extra-moral interpretations are the only ones to be functional (this seems to be true of the traffic law). If we think that the public behavior

of civil servants must exhibit an ethical commitment, then this is because it show that they apply impartial principles in their service.[17] Social cooperation and coordination are undoubtedly helped, if not constrained, by the premise that individuals sometimes act on the basis of a commitment to general principles of moral nature. There is a lot of empirical evidence to support this idea, and moral principles could be seen in ethics as something similar to what Thomas Schelling has referred to as "focal points" in his research on conflict and cooperation.[18]

The principles are constraints, even when they exert their force on the basis of a descriptively vague prescription, as happens in the case of honor referred to in article 54 of Italian Constitution. Even in their vague form, which however does not coincide at all with irremediable darkness, they perform a guiding function. Do we need this guide? I think it is precisely this guide that makes us moderately virtuos (but not certainly alien to vice), that is agents who behave most of the time morally. Would this be possible in the absence of principles? I think the answer must be negative, also because in the absence of principles, that is, only in the presence of particular reasons for performing particular acts, it would be impossible to compare different actions and different motivations. But this is a process that is commonly present in the agents' moral thinking when they asks "what should I do?", also when they retrospectively judge acts of which they can be proud or ashamed of or remorseful of. When we are proud of ourselves for having done something that had to be done, most of the times we are proud of ourselves because we feel we have adhered to a binding general rule. And if we feel ashamed for having done something that should not have been done, this happen because we had a principle on which to model our action at hand, but we did not follow it.

It is difficult to think how the structure of moral action can be explained only with particular reasons that apply to specific actions, because morality also fulfills social functions, which certainly do not exhaust it, but which must not be put aside either. In its social dimension, morality exhibits functions of recognizability, transmissibility, accumulation of knowledge, predictability of behavior, which are wholly or partly proper to social objects.[19] The existence of these functions, which represent an aspect of the phenomenology of morality, makes it very difficult to understand how it accords with the particularist hypothesis, unless one wants to argue that morality has nothing to do with the emergence of social norms. This position is untenable for the simple fact that we are able to distinguish between good social norms and social norms that are not, or because they are entirely artificial and indifferent to a moral content (like many norms of etiquette) or because they are immoral norms, for example all norms that have a discriminatory and marginalizing character. The very fact that there are, and are easily recognizable, social norms that incorporate moral principles and norms that are frankly immoral should lead us to ask whether particularism does not fail to say something significant about the functions that social norms perform when they incorporate a moral content.

5 Moral reliability

Besides, knowing that we are dealing with agents who in the past have proved to be reliable, because we have interpreted their actions as performing some moral principles, it is like the ascription of a virtuous characteristic to that agents.[20] Why is reliability valued so positively in private and public behavior? Consider the case of betrayal, both in the sentimental field and in the political field. Why do we give it a negative rating? I think it is because we identify the person who betrays as an agent who is indifferent to certain general principles (and among these, more precisely, to the constraint of proximity).[21]

However, for Dancy we do not need a general theory of rationality to be able to begin to trust our fellow human beings, and we can rely on the usual behavior of people who usually act right, without needing to know what principles they follow. Of course, this is in some sense true, at least in the sense that usually people who trust their fellow human beings do not have a theory of rationality, but they may well have a theory of what makes an agent rational and what makes an agent reliable. For example, many of us think that the motivations for extra-moral actions that an agent performs may also be based on reasons that are not idiosyncratic. If I decide to quit smoking, I can do it for general reasons (smoking is harmful to health) and for idosyncratic reasons (I'm sick of being completely addicted to nicotine). The reference to general reasons is also found in my decision to give further trust to agents who up to now have proved reliable, because in conditions that do not involve a radical behavioral alteration I will ask them for help, entrust them with a professional service, elect them as my confidants. These are particular decisions based on good general reasons. Excluding the reference to generality from our moral experience does not seem to make much sense and it is not clear what advantages it entails on a descriptive level. It is true that this reference to generality leaves intact all the problems that, for example, Ross points out when he talks about the conflict between *prima facie* duties. However, this conflict has always been part of the ethical experience and requires that assumption of personal responsibility without which the ethical experience would not be such.

Dancy is certainly not a moral reformer and he

thinks that in practice the moral action of those who embrace a generalist metaethics is in no way different from the moral action of the moral particularist. Generalist and particularist extract the morally relevant elements in the action, producing substantially identical results although starting from a different motivational structure. The difference does not lie in the fact that the generalist supports their motivation starting from reasons, while the particularist does not, but that the first assembles their reasons to act in accordance with general motivational principles; the second assembles their reasons for facing the particular case, without deducing them from a set of general principles.[22] Here a question might arise: could we ever consider the particularist a reliable person in the sense defined above? We could, in fact, be led to think that the predictability of the behavior of the two agents is very different.

The particularist agent may be predictable perhaps only for those who know in detail the way in which they have assembled the particular reasons for acting in their motivation, but this modality is by definition particular. To this objection it could be answered that the particularist assembles the reasons for acting in a certain way starting from the salience of the objective elements present in the situation that is the object of his moral judgment. Their reasons would therefore not be idiosyncratic in the sense of being subjective and could be, on the contrary, reconstructed and shared by those who were sufficiently aware of the situation they faced morally. The objection is partly persuasive, because the very idea of the salience of a circumstance may very well refer to a generality. For example, if we often encounter a severely crippled person on our way to work, many of us would think that such a person should be supported. For what reasons should we do it? What are the salient elements of their situation that should lead me to support them, as far as I am able? Their specific impairment? Their specific family history? All of these are elements that could come into play, but they also could be subsumed under broader reasons, for example that the impairments that prevent a person from fully developing themselves in their abilities represent something like a damage in general to humanity. Why should this not be a salient and objective element in the consideration of my action and in the predictability of my behavior in general?

It is therefore correct to argue that although I am struck by that particular impairment of the severely crippled person, which comes to constitute an objective element to build my motivation to help them, it is equally true that my motivation for solidarity sees them as a representative of the category of the unfortunate without responsibility. From an epistemological point of view, the generalist rejects the conclusion that could be drawn from a skeptical interpretation of Wittgenstein's paradox, namely that all explanations can only be idiomatic. We do not adopt solidarity behaviors to help people we do not even know on the basis of exclusively idiomatic reasons, but on the basis of general considerations that seem to us to be right when we may happen to help those we have never met.

6 Interpreting action

I have argued that the possibility of establishing a relationship between particularism and a skeptical interpretation of Wittgenstein's paradox are high (even if the skeptical interpretation of this paradox is not the only possible one),[23] however I believe that its implications are precisely paradoxical and do not constitute at all an element of support for particularism. I will illustrate this idea with some examples.

Imagine the case of an entrepreneur who quickly got rich because is involved in international arms trade. According to experts, it is not possible to build quick fortunes in this commerce unless one is willing to violate numerous laws, ranging from smuggling to corruption, to the ability to build networks of illegal relationships. At a certain point it emerges that the entrepreneur is actually involved in numerous illegal transactions, which can range from tax evasion to the alteration of customs documents, to the establishment of fictitious companies in tax havens, to corruption at home and abroad. Is there anyone willing to argue that their actions are not immoral? Why is it evident that the answer we would all give in such a circumstance would be negative?

It is clear that our response has to do with the immorality of these acts, which represent specifications of the violation of moral principles and general legal norms. But clearly it is not just that, because no one comes up with an alternative explanation. In other words: who would be able to find a particular explanation that makes these acts commendable and not condemnable? Who would think that a particular explanation of the immorality of these acts is sufficient or even only possible? We may have disagreements on the real extent of these facts, but not on their actual gravity. The particularity of the case is not canceled by the general background on which it is described, because this background performs the function of describing it better and making it more distinct in the outlines.

Let us move on to another example, that is Patricia Highsmith's novel *The Talented Mr. Ripley*.[24] A brilliant and penniless young man, Tom Ripley, is commissioned by a rich father to persuade his son, immersed in the amusements of the coast of Campania, to return to the United States to take care of the family business. Ripley, a little scammer, apparently without quality, who had

lived until then on the margins of society, discovers an enormous talent for manipulation, starting with bragging about non-existent friendships. During his mission in Campania, Ripley meets this wealthy fellow of his same age and develops the plan to take over from him, killing him, stealing his identity and wealth. His crimes are rewarded with luck, but they remain clearly immoral. If the rules do not determine any way of acting, then there should be a possible interpretation of these same facts that exempts them from their content of immorality. What would this possible interpretation be which would exempt those actions from their immoral content, so that I could think that I could have been in Tom Ripley's place, without undergoing any justified moral censorship?

It may very well be that my imagination is flawed, but I am unable to outline any. However, it is somehow interesting to note that an entirely similar imaginative flaw must also have plagued Patricia Highsmith hersef, since in that novel one would seek in vain an apology for Ripley's crimes. All that can be found is the tragic finding of the case that unreasonably rewards the wicked. Why do we know that the protagonist, in his cold and completely cynical pursuit of social elevation, has committed immoral acts? Because we clearly perceive that the advantages he obtains in terms of economic solidity and social prestige are based on deception and that his acts to obtain and preserve them cause the murder of innocent people.

Let us assume that I want to make this moral perception clearer and to do so refer to some principles that seem to me to be easily subscribed by anyone, such as "it is wrong to kill innocent human beings" or "it is wrong to manipulate people's minds". Was my explanation of the immorality of the exploits of Mr. Ripley's saga made more complicated by reference to these principles? I think that the exact opposite is true. To call into question general principles seems to me to look like a direct explanation of the immorality of those acts. This reference in no way precludes referring to further explanations which could also be provided in the form of principles. I could refer to the duty not to create irreversible damage to people, or to the duty relating to the personal assumption of respon-sibilities, or to the duty not to take advantage of illegitimate acts. I would wonder if anyone could seriously argue that referring to a constellation of principles in the explanation of the immorality of Tom Ripley's acts, which I could possibly propose to arrange in an order of priority, adds nothing to the explanation. In its general lines it seems to me extremely unlikely that what Patricia Highsmith calls "Mr. Ripley's talent" could be effectively interpreted otherwise. Since the burden of proof falls on those who deny the explanatory relevance of the principles, how could the particularist argue that the facts could be interpreted otherwise?

It could be argued, however, that the examples I have described illustrate cases, which lie at the far end of the moral spectrum, cases which only excite the average sensibility of the readers, cloud their potential judgment and therefore should not be used in a serious academic discussion. I do not agree on the basis of a general theoretical consideration: I think that the testing of theories must take place precisely on extreme cases, because it is in extreme cases that a theory shows its strength or weakness. However, I also intend to take this possible objection into account and moderate my criticism. Therefore, I will now examine a more abstract and less emotionally connoted case, that of the promise. This case is less emotionally connoted since it is typical, because everyone happens to make promises. Very often these promises are only implicit and must be deduced more from behavior than from linguistic utterance. What happens when I promise something? If I explicitly make a promise, I commit myself to a performative speech act. This act is rather complex, since it does not end in the linguistic performance with which I claim to promise something, but rather contains in itself an implicit affirmation, that is my commitment not to break the promise. This implicit commitment not to break that promise will certainly receive some of its meaning from particular reasons for not breaking that particular promise. But if I limited myself to this explanation and made it public, then other agents might correctly infer that for me *ceteris paribus* it is not wrong to break a promise. To whom would you think to entrust yourselves: to those who believe that *ceteris paribus* it is wrong to break promises or to those who do not seem to subscribe to this clause? Why is it better to rely on the first agent rather than on the second?

Now, it may be true that for the particularist as well as for the generalist the breaking of that particular commitment is wrong, but there remains a point of divergence between the two that is not difficult to detect, because for the generalist, in addition to the commitment to maintain that particular premise there is always something more, namely the idea that the single act is a particular representation of a general structure, that is, of a function of recognizing distinct acts that are part of the same whole. It is difficult to think that having this structure in mind makes the moral judgment of the generalist less effective, less complete, less refined. The appeal to the generality makes this explanation more sensible and not senseless.

Of course, there can be powerful reasons that advise me against waiving the sincerely made and freely assumed promise in specific cases. For example, if as a citizen I am committed to defending my nation, this does not mean that I will do so at any cost. If I were ordered to kill or torture inno-

cent people in war, these would be cases where another principle would be overwhelming. But by no means would it be a recognition that a particular reason is in this case better than a particular reason previously assumed. The explanation of moral judgment and moral intentionality offered by the generalist is better because it is more powerful. This explanation does not set aside the possibility of conflict between principles. However, for the particularist this conflict could not even arise, because one would have to think that the reasons for doing a certain act in a given circumstance are simply incommensurable with the reasons one would have for doing another act that is only apparently similar. The generalist, assuming the possibility of the conflict between principles, is not alien to the complexity and sometimes the tragic nature of moral action. They take it upon theirselves and express it in the moral judgment that can be offered for comparison with other judgments that arise from structurally similar actions. Common sense itself is not at ease with simply listing the particular reasons I have for fulfilling a particular promise, but in order to qualify myself as a reliable, that is, a relatively virtuous person, it wants to know if I am, *ceteris paribus*, a person willing to keep promises.

7 Idiomatic and general explanations

It was said that alongside the Wittgensteinian paradox there is the belief that any explanation correctly understood is of an idiomatic kind. This idea is qualified by Dancy as explanatory holism and is the central epistemological nucleus of his particularism. Explanatory holism is the idea that an explanatory element that is a reason in one case may not be at all in another, or in another it may function as an opposite reason.[25] In this sense, explanatory holism is opposed to explanatory atomism, with which it must be understood that an element that functions as an explanation in one case must function as an explanation in any other reasonably similar case.

According to Dancy, «[holism] is true for reasons in general, so that its application to moral reasons is just part and parcel of a larger story»,[26] so the only reason we have for accepting generalist explanations in ethics would be that we are in a *sui generis* condition where precisely the ordinary epistemological demands of holism do not work, while these ordinary demands work in all other fields of knowledge. Dancy sees no reason to believe that reason at work in knowledge is something different from reason that operates in moral judgment. So, if we don't have solid reasons to accept what he calls atomism in the knowledge of objects, then we don't have any solid reasons to accept it in the field of moral explanation either.

The reasons I have for believing "that p" are in fact relative to p and do not hold beyond p, because the theoretical reason traces particular and specific reasons to explain a case that is also particular and specific. If by generalism we mean the perspective that each and every reason that we identify to explain a particular fact is a general reason, that is, that what works as an explanatory element in one case must also function as an explanatory element in every other similar case, then the generalism – that is, atomism, according to its terminology – is undeniably false as far as theoretical reason is concerned. But this idea is more similar to a caricature than to a good description of how reason works in knowledge. Let us try to understand it better with the help of two examples.

(a) The medical literature indicates that one of the possible side effects observed from taking sildenafil, a drug used for erectile dysfunction, is seeing the world colored blue (I don't know if this is the reason why Pfizer, which owned the patent, marketed it in blue pills). But if I saw the world colored blue, as a result of taking sildenafil, I would probably think that my normal perceptive faculties are altered, because based on my previous experience, based on what other human beings have told me about their experience (what Galilei grouped under the label of "sensible experiences"), the experience I am having now is highly eccentric. What am I doing other than contrasting the generality of certain experiences with the particularity of taking a drug?

(b) To contract the disease carried by a virus, it is necessary to have a close contact with the pathogen, but not all those who come into contact with the virus become ill. There is always a portion of the population that is resistant to the virus and completely asymptomatic, another portion that has minor damage, another that becomes seriously ill. So if I have to explain why a particular individual got sick, this explanation is not a necessary and sufficient explanation to explain why another individual did not get sick. For what reasons, Dancy wonders, should things work differently in practical reason?

As a matter of fact, a misunderstanding comes into play here, since there are at least two ways of understanding holism. The first is the underlining of a sensitivity to the context of the explanatory reasons. However, this does not provide any support if not entirely indirect to particularism. The second is a combination of two theses, namely the first thesis on the sensitivity to the context of the explanatory reasons and the thesis of the uncodifiability of the context. In this second case it is true that holism includes particularism, but only in the sense that the thesis of uncodifiability is itself a form of particularism.[27]

Now, what is the epistemic object we pursue when we go in search of an explanation? I think it is the identification of a general scheme of composition of similar events. This general scheme may include exceptions, which perhaps could be explained by other generalities. When we are designing a vaccine to fight a virus we do it on the basis of general knowledge and not only on the basis of particular knowledge. The very idea of scientific law seems to refer to a theoretical scheme of this kind. I believe it is out of the question that the particularist identifies a decidedly important point when they note that the same causal reason can work very differently in different cases (this is particularly true in the case of the life sciences). But once we have accepted this emphasis as reasonable, what point have we reached?

We are simply stating that ours is a very complex world, where reasons and causes intertwine and events produce different effects due to the presence of certain causes or reasons and the absence of others, to the different temporal concatenation of the same causes or reasons, to the variation of the agents that are involved in the actions and so on. It would seem that there is nothing more reasonable and this plain reasonableness contributes to a minimalist impression of particularism. But is this minimalism really justified? Because if we concede to the particularist that it is necessary to develop a specific narrative for each event we are analyzing, for each motivation that comes into play, for each moral act that takes place, then it is necessary that we are also aware that we must legitimately make a request to the particularist, which is implicit and stem from its alleged explanatory minimalism. Indeed, what the particularist position requires is nothing less than an exhaustive and complete explanation. I think that we should expect nothing less from a position that states that every cause of an event is a complex cause that must be traced in its relations with other causes and with the temporal order of causal factors.

However, this request is completely out of our reach and only a Laplace's demon would be able to meet it. But the good news is that we do not need such an explanation. We need explanations that are not immediately fallacious or blatantly deficient, immediately requiring an explanatory supplement. This is the epistemic object of knowledge and moral judgment. If I said that "Irving has kept his promise to return the money that George had lent him, because in a week he wants to prepare a barbecue at Michael's backyard", anyone would perceive this statement as an explanation that – it is the least that it could be said – is highly incomplete. Of course, a healthy and tolerant principle of charity should not immediately lead us to conclude that this is not an explanation at all. What does the disorientation effect derive from? It seems clear that this explanation is not perceived as such, because it is very different from those that are usually provided in declarative statements, which very often simply refer to the imperative "the promises must *ceteris paribus* be kept". This is usually considered a sufficient reason to keep it and fulfill the obligation.

My idea is that the reference to a generality, whether it is the generality of an obligation or the generality of an explanation, does not place us in a condition of explanatory defect with respect to the particularist. Let us assume that I give a general explanation of how a four-stroke engine works. Let us assume that I am able to describe with sufficient precision the phase of intake and fuel/air mixing and then that of compression, the operation of the piston in the compression chamber and the cyclical nature of these phases which allow the engine, for example, to propel a car. Would you really be convinced by objections that stress the failure to describe the atomic composition of the particular fuel that will be used or the failure to describe the atomic composition of the particular combustion chamber that will be used? I think not, because my explanation is generally believed to be sufficient for the purpose for which it was formulated: the explanation of the normal operation of a four-stroke engine. Does it make sense to say that for each four-stroke engine the explanation must be particular? Perhaps it will turn out in the future that my explanation is lacking, because it does not include numerous exceptions, but I have never heard any generalist claim that explanation in terms of generality denies the possibility of changing or integrating an explanatory paradigm. Even if we admit that only a Laplace's demon is able to provide complete explanations, we must ackwnoledge the fact that we are not that demon and that the general explanations should be understood as approximations, hopefully better and better, to the truth. What is true in the field of knowledge is also true in the field of moral judgment.

The idiomatic explanation seems to be effective in some areas of knowledge, such as history. But not even in the historical explanation is it possible to set aside general schemes. Take for example the so-called war on terror launched by US President Bush in 2001, after the attack on the Twin Towers. Many seem to find it incomprehensible without reference to the general strategic interests of both the United States of America, and its allies, and its enemies. In fact, any political history of any historical period, even limited in time, never lacks these general references. Let us assume instead that we were able to give a complete and detailed description of all of President Bush's acts, from the announcement of the terrorist attack on American soil until January 2009, when he finished his second term. Would anyone really think that this description is a better explanation of the policies of the forty-third president of the United

States or would they not believe instead that we are faced with a huge, but useless work of erudition, typical of many fanatical amateurs, who confuse the existence of irrilevant particulars with effective explanations?

8 A list for general moral principles

Most of the time people keep their promises and those who do not keep them are censored by the moral agents involved.[28] However, this could simply mean that we are in the presence of a behavioral regularity and not of the manifest attachment of moral agents to principles. In fact, for Dancy, this is precisely what happens. It must also be said that Dancy does not escape the question perhaps crucial both for the particularist and for the generalist, which is the question of what are the conditions that general statements must satisfy in order to have the chance to stand as ethical principles.

For Dancy, general statements plausibly incorporated into particular ethical statements must:

(1) apply to every action relevant to that principle, avoiding ambiguities as much as possible;
(2) be able to specify their own moral relevance in an overwhelming manner for the very class of cases to which they apply;
(3) be transmitted through education, through observation, witness and other forms of cultural transmission;
(4) provide for applicability to new cases.[29]

It is likely that other features could be added. However, these are considered salient by Dancy and there is no reason not to follow him down this path. If these characteristics will be proved salient in some examples of general principles, then this should be considered an important element in order not to abandon generalist strategies. Let's take two principles such as:

(1) "it is wrong to torture babies for fun";
(2) "promises must be kept".

The first principle clearly fulfills all four conditions. We could rephrase it this way to further highlight its generality:

(1.1) "In every possible universe it is wrong to torture babies for fun".

On the other hand, those four conditions are also satisfied by the second principle relating to promises. The difference lies in the fact that the conditions for satisfying those four conditions for the first principle are completely positive, while in the second case they are largely positive. In the case of promises it is not possible to decide *a priori* its extension to all empirical cases, while in the case of the first principle, this seems possible above all in the further formulation I have given of it. Now, let us try to imagine some agents who object that in certain particular circumstances it would be good to torture babies for fun. The first reaction that each of us would feel would certainly be aversion, but for what reason? I think why we would believe that we are faced with agents that exemplifie a profound perversion, to the point of making someone conclude that we would find ourselves in front of subjects who denies their belonging to our common humanity.

The idea of a list of salient characteristics that moral principles should satisfy is ultimately a strategy that turns against particularism, because it seems to be in deep disagreement with its moral nominalism. But drawing up a list of salient features is also a good idea *in se*, because it allows us to better understand how behavioral regularity, i.e. the agent's adherence to general principles, is a significant part of morality. The phenomenology of morality certainly involves the examination of eccentric and exceptional cases (concerning for example the domain of the supererogatory), but it also concerns, and not less, the usual behavior of virtuous people, those good people, as the common language says. , which are simply reliable because they show principles to refer to in their actions. So to the particularist question "why do you think this promise should be kept?", the generalist agent could begin to answer by raising a question and simply saying: "Don't you think that promises should be kept?". A list of principles is a good thing, and this is greatly important with regard to point (3) highlighted by Dancy, namely the transmissibility in education, testimony, example and other forms of cultural sharing. We all think of examples of *prima facie* principles that it is not difficult to subscribe to: "do not bully others", "do not manipulate your interlocutors", "try to tell the truth as much as possible". These and many others are principles that do not necessarily have to reside solely in the conscience of those, if there are any, who are unfailing in their behavior, but are guides to action. If these principles are easily subscribed by many, this does not mean that it is easy to adhere to them in practice. Moral action often represents an effort, which I believe is mainly constituted by the need to place oneself in a position that is as impartial as possible. In this sense, morality is an "anti-narcissistic prescription". The principles represent a guide for action because they go beyond the particular case, while it is very difficult to be persuaded that this can happen if we take the opposite position, that is, if we think that the particular case guides us in the action.

However, if we think that principles are guides for action, this is also a good reason to think that

particularism is not true. Trying to incorporate into one's actions, as far as possible, general characteristics such as impartiality, the development of our and others' best abilities, the undesirability of manipulation and so on, does not make the motivation and explanation of our action less rich, but on the contrary more extensive and more plausible and convincing, especially if these actions are repeated by us over time. This emphasis on generality does not diminish the importance of idiomatic explanations. Idomatic explanations usually represent a genuine cognitive input. There are circumstances where idiomatic explanations are enough to describe what is happening. For example, if I were asked: "why are the curtains in the living room torn in that place?"; and I reply: "because the cat played with them", my answer seems to be a direct and sufficient explanation, such as to make additional information appear as redundant, which instead would not be so if I were conducting a study on the propensity to play of cats, where the explanation could not be idiomatic, but general. And in our cognitive practices as well as in our moral practices, the explanation is precisely this: the search for similar elements that are grouped according to criteria of typicality. For moral agents, moral principle is a generality that typically indicates that a reason that is motivating in a case is moral because it is motivating in cases that are not trivially similar. "Not trivially similar" means that two cases are considered similar if they manifest structural regularities between them, even if they are realized through completely different situational elements. The reasons that usually enable me not to commit evil in my daily life are thought of as reasons that generally disable myself and others from doing it.

Morality can be a difficult challenge but it is also made up largely of the many small daily actions in which we do some actions because not doing them would seem wrong to us. The particularist does not seem in a position to give a better explanation of this daily commitment of most people which manifests itself, for example, in refraining from causing harm to others.

9 Conclusions

Particularism is a radical position and should be appreciated, I believe, precisely for this reason, because it allows us to better understand why it should not be subscribed to. I think that Dancy himself has doubts about his radicalism when he writes that

> Perhaps in the long term it will be shown that both particularism and generalism occupy extreme positions of some sort and that the true view lies between them. But we are not yet seeing how this could be so.[30]

Perhaps even the very idea that we are inside a basically mere meta-ethical dispute, and not within a normative dispute, is part of a wise cautionary stance.[31] However, the normative implications are contained in the particularist strategy itself and in what that particularism makes impossible.

I will list two of them *in* these final lines, which are connected to each other. One is the legal system. The legal system responds to both social coordination needs and deeper needs that we could consider related to our moral fragility. This system is the enunciation of norms, prohibitions, general sanctions, which cannot cover all particular cases (even if there is a phenomenon called hyperlegislation and hypercoding), because the enumeration of all particular cases would make the legal system impossible and, indeed, it would be its negation. There will always be a gray area in the law, made up of "penumbra cases", as Hart called them,[32] which requires the interpretative effort (which is, at the same time, the assumption of legal responsibility) to bring the particular case back within the general rule.

The particularist on this phenomenon does not seem to have anything to say. Yet the phenomenon is by no means irrelevant, at least insofar as the law often incorporate norms of clear moral origin, as I have previously indicated. That there is intertwining between the legal system and moral principles leads me to the second normative implication that particularism leaves unexplained, that is moral progress. This notion is perhaps not a fashionable one, immersed as we are in a cultural relativism that is so extensive that it is even difficult to question. But how else to interpret the relevant phenomenon of the extension of human rights to groups that were previously excluded from them, if not through the recognition that discriminatory and marginalizing practices are in contrast with the generality that the proclamation of rights implies?

It is evident that there are always many specific reasons for extending rights, reasons that can be ascertained through historical research, for example, just as it is also evident that the phenomenon of moral progress cannot be described at all with a naive notion of linear progress. In morality, nothing is taken for granted and nothing is guaranteed forever, because the possibility of evil and error always exists, but, at the same time, it also seems clear to me that the particularist is not able to give a plausible explanation of moral progress, which of course it is quite another thing from arguing that the particularist is disinterested in it.

Acknowledgements

I am grateful to two anonymous referees for their precise comments on this paper. Over the years I have discussed the topics presented in this paper in seminars at the University of Trieste, the University of Rijeka, the University of Venice, the

University of Bologna, the University of Palermo, the Universidad de La Habana, the Universidad de Medellín. I am grateful to colleagues for their criticisms and comments. Giovanni Giorgini read an earlier version of this essay. I would like to thank him for his deep and insightful comments.

Notes

[1] Cf. also P. MARRONE, *Identità personale, preferenze, narratività,* where I explore the problem of the intentionality of the selection of information, which the agents performs to act in the best way according to the narrative they are constructing of themselves.

[2] Cf. P. RICOEUR, *Soi-même comme un autre*, pp. 137-155; M. BISS, *Moral imagination, perception, and judgment*, for the implication of moral imagination in the construction of the self.

[3] This is the widely emphasized thesis developed by J. BARGH, *Before you know it*, who also identifies them in the first ethical behaviors in the development of the human personality.

[4] O. O'NEIL, *Acting on principle*, is now a reference text on these problems; cf. in particular pp. 42-93.

[5] L. WITTGENSTEIN, *Philosophical investigations*, p. 81; an important introduction to the issues related to the paradox is S. KRIPKE, *Wittgenstein on rules and private language*.

[6] Including the role that the Christian tradition has played in it, where principles, according to many, have absolute relevance. Although Dancy's reference to this tradition is rather incidental, it could be interesting pursue further inquiries on a position analogous to particularism as it can be considered what is known as "ethics of the situation", for which cf. J. FLETCHER, *Situation ethics*. The problem is complex mainly due to Fletcher's introduction of the so-called "agapeic calculus". While Fletcher denies that it is possible to build an ethical system that transcends the situation, it remains not entirely clear whether agape is a principle or not.

[7] J. DANCY, *Ethics without principles*. Among the preparatory works: J. DANCY, *Ethical particularism and morally relevant properties*; J. DANCY, *The role of imaginary cases in ethics*; J. DANCY, *Caring about justice*; J. DANCY, *Defending particularism*; J. DANCY, *Motivation, dispositions and aims*; J. DANCY, *On the logical and moral adequacy of particularism*. Cf. also: J. DANCY, *Moral reasons*; J. DANCY, *Practical reality*; J. DANCY, *Practical shape*. For an overall evaluation cf. B. HOOKER, M. LITTLE (eds.), *Moral particularism*; M. RIDGE, S. MCKEEVER, *Moral particularism*, in: J. SKORUPSKI (ed.), *The Routledge companion to ethics*; M. POTRČ, V. STRAHOVNIK, M. LANCE (eds.), *Challenging moral particularism*.

[8] J. DANCY, *Ethics without principles*, pp. 101-108; J. DANCY, *Practical reality*, pp. 25-43; J. DANCY, *Practical shape*, pp. 15-19; cf. A. GLEESON, *Moral particularism reconfigured*, for a critique of Dancy's cognitivism; cf. S. ROESER, *A particularist epistemology: "Affectual intuitionism"*, for a clear statement of the intuitivistic implications; J. DANCY, *Are basic moral facts both contingent and a priori?*, pp. 117-122 in M. POTRČ, V. STRAHOVNIK, M. LANCE (eds.), *Challenging moral particularism*; on intuitionism which is one of the characteristics of at least some aspects of particularism, cf. the essays contained in P. STRATTON-LAKE (ed.), *Ethical intuitionism. Re-evaluations*.

[9] D. ROSS, *The right and the good*; J. DANCY, *Has anyone ever been a non-intuitionist?*; J. DANCY, *Intuition and emotion*; J. DANCY, *An ethics of prima facie duties*; J. DANCY, *Ethical particularism*, pp. 118-121; J. DANCY, *Moral reasons*, pp. 92-104; J. DANCY, *Practical shape*, pp. 86.

[10] J. DANCY, *Ethics without principles*, pp. 45-51 Cf. some objections in G. PELLEGRINO, *In difesa della teoria etica contro il pluralismo*. T. HOGAM, M. POTRČ, *Contextual semantics and particularist normativity*, are instead convinced that some semantic considerations originating from Quine are the natural basis of particularism.

[11] J. DANCY, *Ethics without principles*, p. 7; J. DANCY, *Moral reasons*, pp. 67-71; J. DANCY, *Practical reality*, pp. 26-41; J. SINGLETON, *Neither generalism nor particularism: Ethical correctness is located in general ethical theories*, finds this dualism imprecise and argues that the correctness of generalism does not lie in the use of general principles, but in the reference to consistent ethical theories. M. KIESSELBACH, *Zwischen Partikularismus und Generalismus: Ethische Probleme als grammatische Spannungen*, give an interpretation of principles as a sort of grammatical rules and particular cases as grammatical tensions, but what is perplexing is the reference to a generalist orthodox theory, which I do not believe exists.

[12] J. DANCY, *Ethics without principles*, p. 119; J. DANCY, *Moral reasons*, pp. 92-93; J. DANCY (ed.), *Normativity*, pp. vii-xv; R. STANGL, *A dilemma for particularist virtue ethics*, underlines the proximity of particularism with the ethics of virtues and with the thesis that emphasizes the unity of virtues. However, if this proximity certainly exists, it is not clear how it is compatible with the rejection of moral principles. Ultimately, to be brave you have to do more than one courageous actions and to be selfless you have to do more than one altruistic action. Courage and altruism are general labels that apply to similar relevant aspects of similar cases.

[13] J. DANCY, *Ethics without principles*, p. 123; J. DANCY, *Practical reality*, pp. 112-119; W.D. ROSS, *The right and the good*; S. MCKEEVER, *Particularism and the contingent a priori*, believes that in particularism the absence of principles is not required, but rather that these should be contingent, since the existence of a purely a priori moral epistemology of contingent moral facts is implausible. Would the moral agents, as Dancy conceive them have an expressivist attitude? This could be suggested, for example, by what is argued by F. HUORANSZKI, *Reasons and passions*, where it is argued that complex emotional states can generate coherent motivations. The reference text on expressivism is A. GIBBARD, *Wise choices, apt feelings*.

[14] E. ROPPO, *Il contratto*, pp. 18-57.

[15] On these aspects, see R. SACCO, *Il diritto muto*, which show how legal obligation has not always needed either legislators or written formalizations. In this sense, the promise could be a pre-juridical act with the value of obligation.

[16] *Costituzione della Repubblica Italiana*, art. 54.

[17] The interpretation of principles in an impersonal and impartial sense has been at the center of contemporary ethical and philosophical-political reflection since the publication of J. RAWLS, *A theory of justice*. Cf. S. DARWALL, *Impartial reasons*; R. DWORKIN, *Taking*

rights seriously; B. ACKERMAN, *Social justice in the liberal state*. The question "Why be impartial?" shows how a certain amount of intuition is needed to embrace it as an ethically relevant behavior. However, this is certainly not denied by the generalist; cf. M. CARRASCO, *Morality, impartiality and due partialities*.

[18] T. SCHELLING, *The strategy of conflict*; R. HARDIN, *Evolving morality*, emphasizes Hume's contribution in identifying coordination as one of the characteristics of morality.

[19] This aspect is also underlined by J. SEARLE, *Rationality in action*, who develops a Kantian argument for altruism (pp. 158-161). For a critique cf. J. BAGGINI, *Morality as a rational requirement*.

[20] For a Kantian perspective, cf. M. BISS, *Friendship, trust and moral self-perfection*.

[21] A. MARGALIT, *On betrayal*. On some problems raised by the proximity-betrayal link, cf. P. MARRONE, *Margalit sul tradimento*.

[22] J. DANCY, *Ethics without principles*, pp. 78-85; J. DANCY, *Moral reasons*, pp. 63-71; J. DANCY, *Practical reality*, pp. 159-173; J. DANCY, *Practical shape*, pp. 130-143; N. JACKSON, *Moral particularism and the role of imaginary cases: A pragmatist approach*, argues that principles can be replaced by moral imagination, but this idea does not seem to me a solution to the problems that arise from predictability, trust, cooperative coordination that we require from a constant moral behavior and that in particularism do not find solution.

[23] J. DANCY, *Ethics without principles*, p. 195 and p. 197; J. DANCY, *Moral reasons*, pp. 83-84; S. HOLTZMAN, C. LEICH (eds.), *Wittgenstein: To follow a rule*; M. BARKER, *Wittgenstein's rule-following considerations and moral particularism*, argues that the true analogue of following a rule is linguistic competence. This would by no means support a particularist perspective in ethics. Moreover, the paradox has a solution in the social practices identified by Wittgenstein himself, as it seems to me to be shown by A.H. KANI, *Kripke's Wittgenstein's sceptical paradox: A trilemma for Davidson* and by F. LIN, *Wittgenstein on the impossibility of following a rule only once*.

[24] P. HIGHSMITH, *The talented Mr. Ripley*.

[25] J. DANCY, *Ethics without principles*, pp. 73-80; J. DANCY, *Moral reasons*, pp. 228-229; J. DANCY, *Practical reality*, pp. 94-97; J. DANCY, *Practical shape*, 98-99. However, explanatory holism is far from being considered obvious by other scholars such as R. CRISPIN, *Particularizing particularism*, and J. RAZ, *The truth in particularism*.

[26] J. DANCY, *Moral particularism*, and J. DANCY, *The particularist's progress*. For a sympathetic exposition cf. B. SMITH, *Particularism and the space of moral reason*, pp. 18-23.

[27] This is the thesis of S. MCKEEVER, M. RIDGE, *What does holism have to do with moral particularism?*.

[28] Thinking that reliability, predictability and adherence to principles are manifested in moral action is not at all believing in what B. SMITH, *Particularism and the space of moral reason*, pp. 69-72 calls "the myth of the moral datum". If moral judgment is the use of reason to identify normative relationships, then it is not clear why the general principles should be excluded. The myth of the moral datum is inspired by the "myth of the datum" by W. SELLARS, *Empiricism and the philosophy of mind*.

[29] J. DANCY, *Ethics without principles*, pp. 116-117.

[30] *Ibid*., p. 117. This view may not be entirely compatible with what the explanatory holism affirms, since it simply excludes generalism as false, that is irrational, in the domain of reason. However, note that this characterization of holism, namely the idea that «The way in which the reasons here present combine with each other is not necessarily determinable in any simple additive way» (J. DANCY, *The particularist's progress*, p. 132), does not contradict the idea of the existence of general explanatory reasons.

[31] *Ibid*., pp. 199-215.

[32] H. HART, *The concept of law*, p. 12.

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