Chapter 7
Extended Reasoning: Some Complexities

Introduction

As noted before, the basic building blocks of rational thought about ethical issues are arguments. And, if an issue is to be thought through in some depth, then this will be more than offering *an* argument or even a 'job lot' of 'for' arguments and another of 'against' arguments. Rather, what is wanted is an interplaying web of arguments, ones in interaction with one another. But how to craft that web, how to decide which arguments to place in which sorts of interaction?

In the last chapter, you were introduced to the basics of this. In effect, the discussion generates depth by focusing upon the bases of an argument's case, its premises. And, concerning these, two possible actions can be taken to expand the discussion. One is to criticize a premise and the other is to defend it. Either way, this generates a *further* argument that is related to a component premise of the preceding one. The trouble is that there is always more than one such move that one could do, so how to choose which one is the issue. This led us to the business of metacognition.

Choosing what to do next was explained as a matter of tactics, of doing whatever seems best suited to advancing your thinking on the issues, with that decision as to what to do being informed by your appreciation of the enquiry to that point and, in particular, of the disputes, or clashes, that have emerged and your current intuitive appraisal of them. (You will recall my introduction of the concepts of metacognitive deliberation, metacognitive reviews and, within the latter, deep moral clashes and tilts.)

In this chapter, I wish to go beyond the basics and outline some of the more sophisticated features of carrying out extended enquiries. These complexities will involve both of our tasks: substantive argumentation and metacognition. Some of these complexities are, well, complex, and you'll have to read rather carefully and reread and discuss them with your tutor. Some matters are more central than others and it may be that your tutor picks and chooses a bit depending on the level of thought there is time and space to achieve within your course (the section on dispute closures is particularly important though). All of them are, however, aspects of sophisticated in-depth thought about professional ethical issues and this chapter ends up being fairly comprehensive and lengthy.

I can't really see any non-arbitrary way of breaking the chapter up into two or more chapters but confess misgivings given that it is a bit of a medley of bits and pieces. Accordingly, I think that it might be more than usually worthwhile to do a chapter index at the beginning. This might not be a lot of use initially because

some of what I say in it will use terminology that won't be clear until you have read the relevant section. I include it because it might nonetheless be a useful reference for you to turn back to in order to remind yourself of just where what you are reading fits in with what has gone before. So, here goes:

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Non-moral Disputes Revisited

Introduction

So far, our attention has been focused primarily upon *moral* disputes. But, as you know, enquiries might also involve disputes as to what the facts are, or disputes as to how ideas are related or key concepts are to be understood – that is, disputes about the truth of either *descriptive* or *conceptual* propositions as they appear as premises in various arguments. Although we touched upon these in Chapter 6 in a couple of asides, I haven't talked much about these to date as I have been trying to get a clear story across about exploring moral clashes and didn't want to 'muddy those waters' by addressing descriptive and conceptual disputes. Another reason is that in most, not all, professional ethical disputes, the central concerns are not so much about what the facts are or how some key concepts are to be understood. Rather, the key concerns arise from being unsure as to how to proceed on an issue because your moral values are in conflict concerning it. Sometimes, however, the problem that you judge to be tactically important to sort out at some point in the enquiry will, indeed, involve one or other of these non-moral types and I'd like to spend a little time on each.

Disputes Involving Descriptive Propositions

One key way in which these occur in arguments is as premises connecting, or linking, two moral propositions together. Most prominently, this can occur in one of two types of argument: one is where we have one moral proposition supporting or defending another (as MP to MC, say in a premise defence or in an initial argument); the other is where we have one proposition in conflict with another (as in a counter-argument, which results in a Deep Moral Clash between the target MP and the critic's moral premise via the critic's descriptive premise).

Clearly, neither of these two relationships (defence or criticism) will work well unless the claimed connection via the linking DP actually does exist. Descriptive premises act as the connective tissue of your enquiry's arguments; they are not the primary focus but, unless sound, the enquiry is stymied. Sometimes, as with the DPs in our illustrative enquiry of the last chapter, the facts are clear; but sometimes they are not. What then?

It depends; sometimes matters can be fairly easily checked out but often the DP in question can't be because it makes an assertion about matters that are rather difficult to verify. For instance, in various professional circumstances, many descriptive claims concern the mental goings-on of individuals yet what some individual is thinking or feeling might be difficult to ascertain and there might be conflicting opinions about it. Moreover, the DP might be quite general in its scope

and make assertions about relationships between whole classes of action (often causal claims if the argument is a means-end one). As these often talk about rather complex social events and processes, disagreements as to what the truth is might well occur and be difficult to sort out.

Most (not all) professional ethical issues appeal to DPs that fall into the domain of the social sciences. Thus it might well be that relevant guidance on some query can be obtained by consulting the relevant research literature in sociology, psychology, pedagogical theory, or whatever.

A word of caution though: given that many socio-psychological situations can be quite complex and tracking cause-effect connections a vexing business, it might be that the relevance of what was investigated in some body of research to what you want to know about is debatable or unclear. The circumstances investigated in the research might be a bit different and it might be unclear if it applies to your case (say the research covered only early teenage people and your concern was with *late* teenagers; or it covered Asian-Americans and your concern was with Asian-*Australians* and so on). Or, even if it is relevant, there are cautions as to whether or not it gives advice at a level of *specificity* that is useful for your purposes (it covers heart disease risk for middle-aged males and your concern is with middle-aged sedentary non-smoking males). There may even be cases where some studies seem to say one thing and others something conflicting.

It is beyond the scope of this work to pursue such problems. I can only hope that the rest of your professional education has provided you with adequate 'research literacy' (as it is sometimes called) to have a reasonable chance of gleaning some guidance from the relevant published literature. However, even if you can sort your way through things to form some sort of tentative appraisal of the truth value of the descriptive premise that is of interest, you might not be able to be totally confident about accepting it (unlike the DPs in our sample enquiry of Chapter 6) or rejecting it. Moreover, it might be that you are in no position to find out anything more that will help increase your confidence one way or the other. Where does that persistent uncertainty leave an argument that involves it?

As mentioned earlier, we had two main types of relationship between moral propositions that might be provided by a descriptive proposition: one was where one moral proposition defended (or supported) another and the other was where one moral proposition opposed another.

Let us first outline the *defence* scenario; say it were one like this:

MPa Any police officer who commits a corrupt act should be disciplined.
DPa Sergeant Smith-Smythe committed a corrupt act.
So,
MCa Sergeant Smith-Smythe should be disciplined.

You might not be very confident of DPa's truth. Indeed, you might even be able to give grounds for your doubts. Say that you had decided to challenge DPa and it went:

CDPa Inspector Snider is totally trustworthy as to what he claims to be true.
CDPb He says that Sergeant Smith-Smythe would never commit a corrupt act.
So,
CDCb Sergeant Smith-Smythe did not commit a corrupt act.

Now the web of information and evidence connecting to the matter of Sergeant Smith-Smythe's alleged corruption might go on for some time but let us say that, at the end of it, you still haven't got the facts of the matter totally pinned down to your satisfaction. You are fairly sure that the result is that he is indeed sometimes corrupt but there are doubts (although not *totally* trustworthy, Inspector Snider is *generally* so ...). If you were to put a figure on it, you would say that you are 70 per cent confident that DPa is true. So, where does this leave the connection between MPa and MCa? MPa is a general moral principle that we were trying to apply to the situation of Sergeant Smith-Smythe. But, for it to apply depends upon the connecting premise, DPa, being true. So, what is the upshot of our uncertainty about it? As you would expect, our confidence in the application of MPa to the particular case of Sergeant Smith-Smythe to yield our conclusion MCa is undermined to the extent that our confidence in DPa is undermined. In effect, and assuming that there is nothing wrong with MPa itself, the weakness of DPa means that we can only be around 70 per cent confident about that case for the view that he should be disciplined. Of course, if we also had doubts about the acceptability of MPa, then our uncertainty about our grounds for MCa would be compounded. We will return to this issue of dubious premises in a later section.

So much for the effect of uncertain descriptive premises on the satisfactoriness of *defences* of moral propositions; what about when they occur within *criticisms*, within, say, a counter-argument against some moral premise or other?

Say that we had mounted a counter-argument against MPa. Put ferally, say that the thrust of it was that some police officers, although corrupt, should *not* be disciplined because some short-term corruption was necessary to achieve long-term crime reduction. So, we might get the following counter-argument against MPa:

CMPa The primary duty of all police officers is to act so as to reduce crime levels in the long term as much as possible.
CMPb No police officers should be disciplined for carrying out their primary duty.
CDPa Sometimes, for such long-term crime reduction to be maximized, some police officers have to act corruptly in the short term.
So,
CMCa Sometimes, some police officers who commit corrupt acts should not be disciplined.

For CMPa to get to grips with MPa (via the critic denying it in CMCa) relies again on the truth of CDPa. And, much as before, if its truth is in doubt, then some investigation of it would occur. This might be a defence of it or a criticism of it or,

indeed, both; and such an investigation of it might go on for some time. Moreover, as was touched upon earlier, such investigation might involve consulting the relevant research literature and intelligent caution in applying that research to the claim at hand is advised. Finally, the upshot of all of that *might* be that the truth status of CDPa gets resolved to your satisfaction *but* it might also be that it does *not*. And, if it doesn't, then the confidence that you have in its truth will effectively be the confidence that you have that the moral values advanced by the critic really do conflict with MPa (that they are *different* values is not, itself, of great interest; values can be different yet be quite compatible – the point is whether they are *in conflict*).

Following on from that, say that you were to be only 80 per cent sure that CDPa is true. In such a case, even if you were *totally* confident that, in the event of any clash between CMPa and MPa, you would prioritize long-term crime level reduction over short-term corruption avoidance, you could only be 80 per cent sure that there was ever a clash between them to do any prioritizing about! (We'll return to this issue of uncertain premises towards the end of the chapter).

Aside

Keep in mind that we talk of only *this* critical argument's success in getting you confident that CMPa and MPa are in conflict. Even if this particular case is in trouble and commitment to CMPa is a dubiously applicable ground for challenging MPa, *other* counter-arguments, appealing to other possibly conflicting moral values, might fare better as lines of challenge to MPa (see the section on independent rationales, below).
End of Aside

So, how to handle all of this? – Basically, with hesitations that reflect what you are not sure of, to the extent that you are not sure. A key part of your metacognitive reviews would be keeping a very self-conscious finger on the pulse of all of this.

Key Ideas

Disputes concerning *descriptive* propositions' truth can be of great importance because such propositions can act as descriptive premises forming a bridge from moral principles to their application and in setting up disputes between moral principles. If, even after investigation, there is doubt about a key descriptive premise, then that doubt should be reflected in your confidence in your case for your conclusion.

Disputes Involving Conceptual Propositions

It has been a while since I introduced these propositions and they have not been prominent players to date so a quick refresher is probably worthwhile.

Conceptual propositions were characterized as ones whose truth or falsity is not a matter of whether they manage to describe the world or not; rather, it is a matter that is internal to the language – dependent upon the meaning relationships of various words and on the structures of sentences. I suggested that conceptual matters might crop up in two places: working definitions and conceptual premises (or, for that matter, conclusions).

Working definitions were self-conscious attempts to pin an idea down well enough to go on with one's intellectual work – the enquiry. It was recognized that such conceptual clarifications might, as the enquiry progressed, prove unsatisfactory and some key idea might accordingly be re-characterized. So, for instance, it might become apparent that, in the original working definition, two quite different ideas had been unknowingly blurred together. As an illustration, say that the original turn of phrase that was appearing in some argument and was receiving a working definition was: 'health treatment equity'. Moreover, say that the working definition offered in clarification of this was: 'citizens have equitable health treatment if and only if each has the same health treatment provisions, when ill or injured, as any other citizen with the same illness or injury'.

This has certainly pinned down some matters. If Joe has cancer and Jasmine has a broken toe then they will be provided with different treatment but if each has a broken toe then the treatment will be identical (regardless of wealth, religion, geographical location, or what not).

Now say that, as the enquiry unfolds, an issue that emerges is that of individual autonomy concerning whether or not an illness is even treated, or prevented, at all (think, for instance, of blood transfusions and the views of some religious sects, or of compulsory child vaccination programmes and the objections some have to them). If Joe and Jasmine each has a disease but Joe wishes it treated and Jasmine does not, have they had equal *provision* of treatment? Well, yes, in the sense that each was *offered* the same thing but, no, in that no treatment *occurs* for Jasmine (assuming that her wishes are complied with) but it does for Joe. It would be useful to know where the author stood on this (or stands – the distinction might not be something that she was really alert to until now). So, a revised working definition might be in order.

Working definitions are basically meaning *stipulations* in which you make yourself clear: 'When I say such and such, I mean this to be unpacked as so and so'. In effect, it is an attempt to have all in the enquiry on the same wavelength, not, that is, prone to arguing 'at cross purposes' with different participants taking key turns of phrase to mean different things. One way of thinking of it is as a plea: 'Look, never mind (for the moment) how you would unpack "health treatment equity"; can we just agree to these definitions for present purposes and, in those terms, explore our *substantive* disagreements instead of focusing on meanings'.

Although I am speaking here of a dialogue, much of the above transfers across to the case of an individual enquiring in soliloquy. In a working definition one is trying to sort out for oneself just what one understands various key concepts to amount to in order to press on and address more salient concerns.

Of course, weird stipulations like: 'when I use "oranges", I am referring to apples' will hardly help any enquiry and usually one is just hoping to signal where one stands concerning ordinary language which may, nonetheless, be somewhat vague or ambiguous.

Sometimes, though, one wants to go beyond this sort of 'clarification that is done just so all involved know what is meant and can focus on the real issues without confusion' working definition style of exercise. Sometimes we are doing what analytic philosophers (like myself) spend much time over and we are advancing a tentative claim, or assertion, as to a connection among ideas; one that we are not *stipulating* so much as offering for genuine consideration and, hopefully, agreement. In a working definition one is trying to get semantic agreement 'for the sake of argument' so that one can focus on *other* things without *distracting* to meaning disputes. Sometimes though, an important *part of* what one is concerned to put before others for their intellectual consideration and possible challenge is a conceptual relationship claim – enter *conceptual premises*.

Consider another concept that occurs in a number of professions – that of informed consent. Just what counts as a person having given informed consent? There is some room for dispute concerning this and that dispute is something that you might not wish to merely bypass by stipulation (in a working definition) so that you can concentrate on other matters. Rather, you might wish to have it upfront as a possible bone of contention. Try the following as an argument involving this concept in a conceptual premise:

> MP No one should have any medical information about them passed to anyone else unless they have given their informed consent to that.
> CP For a person to give *informed consent* to some information transfer means for that person to agree to that transfer having full knowledge of the consequences that will ensue.
> DP1 Sometimes transfers of medical information are consented to by patients who do not have full knowledge of the consequences that will ensue from that transfer.
> DP 2 In some such cases it is impossible to have full knowledge of the consequences that will ensue from the information transfer.
> So,
> MC In those cases no such information transfer should occur.

Clearly one thing that is a possible bone of contention here is how much information one has to know in order for one's consent to be properly deemed *informed*. In short, CP might get challenged as deviating from a reasonable unpacking of the concept of being informed.

Key Ideas

Conceptual issues tend to arise in enquiries in two places: working definitions and conceptual propositions in arguments. With a *working definition*, one is basically stipulating a meaning for all involved to simply go along with 'for the sake of argument' because one's interests in the enquiry lie elsewhere. With a *conceptual premise*, one is laying a conceptual relationship claim on the table as a hypothesis inviting challenge.

Complex Argument Structures

Introduction

So far, when structuring arguments we have seen two types. The first was our simple, or basic, structure, typically a 'three-liner' but not always. The second occurred when we deepened such an argument to get what I called: 'a chain of reasoning', one with more than one component link. The point of the chain/link metaphor was that, in such an argument chain, each component argument, each link, was connected to the next in virtue of a shared claim. A proposition that was in role as MP at the start of one link did double duty and was in role as MC at the end of the next link up the page. One can view the whole chain as a complex structure comprising a connected sequence of simple structures. So, let's call these two types so far: 'simple structures' and 'chained structures'.

The first thing that I wish to do is introduce some further sorts of structure. The second thing I wish to cover is some of the ways these might emerge in an enquiry.

Joint Rational Structures

The most common argument type that we have had so far is a *simple* structure in which we have some valued state of affairs, some goal or end, being appealed to in our MP, some sort of linking premise as the DP and then some judgement or course of action being proposed in the conclusion. An example of a simple structure is the following one. It has an obviously false DP but it will do for present purposes.

A7/1
MP1 Being informed about what aims are possible is a (morally) necessary and sufficient condition for being among the deciders of the broad aims of schooling.
DP1 Only teachers are informed about what aims are possible.
So,
MC1 Only teachers should be among those deciding the broad aims of schooling.

In MP1 we have a *single* criterion for being a decider being morally endorsed by the author. (It is endorsed as both *required* for being a decider and *enough* for being a decider but it is only *one* quality being endorsed.) We should really have split MP1 into two moral premises, one for the necessary condition claim and one for the sufficient condition claim, but MP1 will do as it is for now.

As always, that argument's MP might be counter-argued – say, to the effect that the deciders really should know more than *just* what might be an aim. In addition, the critic might say, they should know what the *consequences* of implementing various possible aims would be. In short, the deciders should be informed about possible aims *and their consequences*, not just possible aims. Let's assume that one accepted this criticism. So, one might, after such a successful challenge to the MP, decide that, although knowledge of what the possibilities are is the least something every legitimate decider should have, it is *not enough* in and of itself to qualify someone as a decider. In short, to use what is, I hope, familiar jargon, one might judge knowledge of possibilities to be merely a (morally) necessary but *not* a sufficient condition to be met by candidate deciders.

As will be explored more at the end of this chapter, in the face of a successful counter-argument, one revisits and revises the criticized argument to accommodate the criticism. Say that the way in which we wanted to revise the original MP was to say that one necessary condition for being a legitimate decider is to be informed about what the possible aims are, that is, what the decision options are; but *another* necessary condition is knowledge of the *consequences* of the various possible aims. Finally, one might judge the two necessary conditions, when combined together, to be enough to qualify one as a decider, to form a sufficient condition. In summary, we have two individually necessary and jointly sufficient conditions. So, let's try a revised structure.

> A7/2
> MP2 Being informed about the possible aims options is a (morally) necessary condition for being among the deciders of the broad aims of schooling.
> MP3 Being informed about the consequences of each of those aims options is a (morally) necessary condition for being among the deciders of the broad aims of schooling.
> MP4 Knowing the aims options and knowing their consequences jointly form a (morally) sufficient condition for being among the deciders of the broad aims of schooling.
> DP2 Only teachers are informed about both possible aims and their consequences.
> So,
> MC2 Only teachers should be among the deciders of the broad aims of schooling.

Note a feature of this argument: although there are two reasons for having teachers as broad aims of schooling deciders, *both* reasons have to be satisfied by someone in order for her to qualify. They form, if you like, a *joint rationale* for someone's

inclusion; we have two aspects of the one joint reason rather than two *distinct* reasons, each good enough in its own right.

Compare with this a different sort of argument in which, again, there are two reasons for including some group among the deciders but this time those two reasons don't *join*; rather, we have two *independent* rationales for the same conclusion.

Independent Rationale Structures

To continue our example, instead of viewing knowledge of the options available and knowledge of their consequences as two (necessary) elements of a joint (sufficient) criterion for being a decider, one might instead view each as enough in its own right to qualify someone as a decider. That is, one might view knowledge of the options as a (morally) *sufficient* condition for being among the deciders but also view knowledge of the consequences as, by itself, *another* sufficient condition for being among the deciders (having done that, one can hardly coherently have them as necessary conditions as well – think about it). So, one might have these two arguments:

> A7/3
> MP5 Being informed about the possible aims is a (morally) sufficient condition for being among the deciders of the broad aims of schooling.
> DP3 All teachers are informed about possible aims.
> So,
> MC3 All teachers should be among the deciders of the broad aims of schooling.

And:

> A7/4
> MP6 Being informed about the possible consequences of aims is a (morally) sufficient condition for being among the deciders of the broad aims of schooling.
> DP4 All teachers are informed about possible consequences of aims.
> So,
> MC3 All teachers should be among the deciders of the broad aims of schooling.

The thing to note about these two structures is that they *share a conclusion*. In effect, we have two rationales for that conclusion, each independent of the other. (You might also notice that I have changed the quantifier from 'only' to 'all'; this is not random but the reasons don't matter for present purposes – you might like to have a think about it.)

Summary So Far

So far we have distinguished four sorts of structure.

Simple structures involve a single move of inference (a single link, if you like) and that link appeals to just *one* driving value in its MP. Diagrammatically, we could put it as follows:

MP
DP
(plus some other premises)
———————————————
So, MC

Joint Rationale structures are also single links but with *more than one* deeper moral value appealed to in the case for the conclusion; the values combine to provide a joint rationale. Diagrammatically, we could put it as follows:

MP1
MP2
DP
(plus some other premises)
———————————————
So, MC

In an *Independent Rationale* structure, we effectively have two (or more) separate cases for our conclusion and these can be laid out as independent argument structures. In our earlier example, it was two simple structures. The only thing that distinguishes this independent rationale scenario from one having any old two arguments is that, here, each is an argument for the *same* conclusion – so, not so much *a* structure as a converging pair of them. Diagrammatically, we could put it as follows:

MP1	MP2
DP1	DP2
(plus some other premises)	(plus some other premises)

So, MC

What is important is that, when there is more than one value being appealed to in support of some claim, *you are able to tell* whether they form a joint or independent rationale.

Chained Structures are basically a series of argument structures linking up 'nose to tail' to form a rationale in depth for the final conclusion. Mostly you have formed these as a result of deepening some structure with a premise defence but there is no particular reason why one shouldn't offer such a deeper, chained, rationale straight off. Mostly the links of the chain will be simple structures but

they could be other types as well. Diagrammatically, we could put a chain (with simple links) as follows:

    MP2
    DP2
    (plus some other premises)
    _____

    So, MC2/MP1
    DP1
    (plus some other premises)
    _____

    So, MC1

The last structure types I wish to outline I will call '*independent conclusion structures*' and '*joint conclusion structures*'. They are less important in enquiries than the above but you should still understand them as something that might occur.

Independent Conclusion Structures

Consider the following structure as an attempt to lay out an argument:

    A7/5
    MP6 Any school's curriculum should satisfy all those who pay for it and all those who undertake it.
    DP5 All taxpayers pay for any school's curriculum.
    DP6 All of its students undertake any school's curriculum.
    So,
    MC4 Any school's curriculum should satisfy all taxpayers and all of its students.

Have a look at this structure and you will notice that the conclusion is a compound claim (as we called it in Chapter 3). More than one thing is being proposed. In effect it is two claims. First, that the school curriculum should satisfy all taxpayers. Second, that the school curriculum should satisfy its students.

In the case of this particular argument, we also have two driving moral values being appealed to, as we did in A7/2. There are differences though. There they were two aspects of a joint case for a single proposal. Here, as we have seen, the conclusion proposal is really a compound of two claims and MP6 is also a compound claim, it is a bundle of two moral-type claims which we could split up. So, in the case of A7/5 we could disaggregate the argument without change of meaning into two simple argument structures as follows:

A7/5a
MP6a Any school's curriculum should satisfy all those who pay for it.
DP5 All taxpayers pay for any school's curriculum.
So,
MC4a Any school's curriculum should satisfy all taxpayers.

And:

A7/5b
MP7b Any school's curriculum should satisfy all those who undertake it.
DP6 All of its students undertake any school's curriculum.
So,
MC4b Any school's curriculum should satisfy all of its students.

If you are able to break up an argument with a compound conclusion in this manner then, as touched on way back in Chapter 3 when we were discussing taming using our checklist, *you should*. Why? – because, as has been emphasized throughout the book, the more that you can break the tasks of critical enquiry up into manageable sub-tasks, the better. With A8/5 broken up into its component pieces you can concentrate your critical attention on the case for the satisfaction of taxpayers as one task and on the case for the satisfaction of students as a separate task. It might well be that you come to different appraisals of each of them and doing that is easier to keep track of if you have disaggregated the two arguments**.** In effect, what we have here is two separate simple structures that were being blurred together. Note that, because the structures are separate, the demise of one argument would *not* affect the other.

However, not all arguments with complicated looking conclusions can be broken up in such a manner. With some such arguments, the bonds among the elements are such that one can't break them down into simpler arguments without changing the meaning of what is said. These arguments are our focus in the next section.

Joint Conclusion Structures

Consider the following:

A7/6
MP8 Any desirable curriculum should be offered if and only if it is feasible.
DP7 Any curriculum is feasible if and only if adequate physical and human resources are available.
So,
MC5 Any desirable curriculum should be offered if and only if adequate physical and human resources are available.

It seems to me that this conclusion is being offered as a package that is indivisible in the sense that (according to the author) it would not be much good offering a curriculum if only adequate physical, but not human, resources were available or vice versa. Rather than two arguments that have been compounded together, we have here a single argument with a complex *but integrated* conclusion involving two aspects *jointly*.

Summary So Far

Mostly, your arguments will be simple or chained structures. Their predominance is why I have left these other variations until now. The main new skills involved here are two. The first concerns arguments that seem to have more than one thing going on in the premises – in which case you have to work out whether, in your feral, you do indeed have a single structure (a joint rationale structure) or whether it should be split up into two or more separate arguments (an independent rationale structure or, perhaps, an unnoticed *chained* structure). The second concerns feral arguments that seem to have more than one thing going on in the conclusion – in which case you have to work out whether you do indeed have a single structure (a joint conclusion structure) or whether it should be split up into two or more separate arguments (an independent conclusion structure).

   To complicate your lives, you might get mixes of these. For instance, when tracking back up a chained structure for a deeper rationale, you might have a link that is an independent rationale structure. If so, you would be wishing to have a think about it, realize that the link is indeed formed of two arguments that constitute an independent rationale structure and then split it up into its component arguments. Why? Because you will only be wanting to deal with one of them at a time.

Key Ideas

Argument structures form six main types: simple, chained, joint rationale, independent rationale, joint conclusion and independent conclusion. A key task for an enquirer is knowing what is going on, so: analyse what structures are offered in order to ascertain their type.

Roles of Some of These More Complex Structures

So, how might these more complex structures appear in an enquiry? As mentioned, it might be almost *accidentally* in that you were not trying to craft one but when you properly understood your feral, it turned out to be one or other of these more complex affairs. But it might also be a *deliberate* matter; there can be good tactical point in *choosing* to go down some of these paths. In this section, I wish to discuss

such *deliberate* complication (and we will revisit the matter at the end of the chapter when discussing dispute closures).

Independent Rationales   Consider independent rationales: say that you were engaged in an enquiry and, at some point where you had a steepish tilt towards one of a pair of clashing moral values, you decided to 'go counter-intuitive' and chose to defend the weaker value. Clearly, what you would advance as such a defence would be your best guess as to a satisfactory line of thinking in that role. Despite this, it might not fare too well and, if your tactical motivation in mounting a defence was to challenge your current intuitive leanings, it might prove to be a failure. Even so, you might feel obliged to not give up on 'going counter-intuitive'. So, what might occur?

You could, I suppose, try your other counter-intuitive option, challenging the view that you tilted towards, but say that, for whatever tactical reasons, you did not want to do that. As a result, you choose to try defending your defence, giving a longer argument 'chain' in support of the MP being defended. Say that, upon reflection, this still doesn't achieve much and your sympathies still lie about as much with the opposing value as they did at the start of the whole defence process. What now? You might judge that, no matter how you deepen that particular line of defence, it is not going to change your thinking. So, should you give up on defending and *now* move to challenging the comparatively more favoured value? Perhaps; but you might decide not to and (for whatever reason) *still* want to try bolstering the weaker view. Presumably then, as that particular line of defence was getting nowhere, you would think about other possibilities – in short, you might wish to investigate if there might be another, independent, rationale able to be advanced in support of MP, one that fares better as a challenge to our current inclinations (even though not as *initially* favoured as the one that has just failed in a protracted way to improve its standing).

The same sort of thing might occur somewhere in an enquiry when a *criticism* is being mounted. One line of critical argument might not be faring very well and seems unable to be satisfactorily boosted by appeal to any deeper supporting defences. So, one might abandon that line of criticism for the moment and mount another criticism of the same target moral premise. In effect, this gives us two independent rationales for the same conclusion, CMC say, which was the denial of the target MP.

So, the upshot of all of this is that, while I have advised you to try to keep to the minimum the number of lines of thinking that you have in play at one time, sometimes the inadequacies of an existing argument, or argument chain, warrant 'parking' it to one side while another line of support is investigated. Note that it is just being put on the 'back burner' for the moment. After all, it is not as if it has been 100/0 dismissed and it still counts as a source of lingering doubt about the merits of the more favoured moral value with which it is in dispute. (And, as will emerge in a moment, it might arise from near death in another form.) I will return to the issue of independent rationales when talking of closures in a later section.

> **Key Ideas**
>
> Although independent rationale structures might emerge as a result of unpacking a feral argument, one might also deliberately introduce them if the values initially advanced in defence of one side of clash seem unsalvageably weak despite exploration.

Joint Rationales   I turn now to *joint* rationales. Again, it just might be that when you come to make sense of a feral argument, it turns out that what is present is best captured as a joint rationale structure. But, it might also be that you have good tactical grounds for *deliberately* crafting such a structure type. There are a few metacognitive situations in which this might occur.

Consider the sort of scenario we just entertained, one in which some counter-intuitive exploratory defence (or probing criticism) of some MP for other has been mounted and which had the form of a simple structure (or, after development, was a fragment of a more extended chain). Let us say that the defence (for brevity's sake, I will skip constantly saying 'or criticism') doesn't improve matters and even defending the defence doesn't help. In short, your attempt at challenging your intuitions is not succeeding in shifting them. As explored above, you might give up and, putting the existing defence to one side, advance another rationale, one independent of the first, in defence of the moral premise in question. But it might not succeed either (not improbable given that it was but your second choice and your first choice failed to change your tilt). What then?

Well, you could persist in further attempts at independent rationales, or move to doing the other main counter-intuitive move of criticizing what you favour, rather than defending what you don't (of which more in a later section). Or, you could just give up on going counter-intuitive (again, of which more in a later section). There is, however, another option that is well worth consideration.

At that stage, you have two unsatisfactory independent rationales in defence of some MP. In this case, an example would probably help so, let's say that the enquiry in question is the 'lying nurse' one of Chapter 6 and, given our tendency to favour the 'respect for moral patients' value over the 'patients' welfare' one, we try a defence of the latter. As discussed at the end of Chapter 6, this might be already mentally 'pencilled in', but say that the decision was to get the defence formally written into the dialogue. We didn't pursue our dialogue any further in the last chapter but say that our initial defence of the duty to look after a patient's welfare appealed to a deeper commitment to patients' happiness. So we would have a descriptive premise linking the two by outlining the connection between welfare (understood as physical health, recall) and happiness. The details of the structure of all of this are beside the present point but it is worth portraying the newly emerged, post-defence, Deep Moral Clash. I would put it as follows:

> Should a nurse always treat morally good patients with respect for their status as persons even if sometimes such patients will thereby have a less happy life than they otherwise would have had?

Having consulted our intuitions, say that this defence makes no difference and we favour respect over happiness 90/10. As happiness looks to be a fairly basic, or 'bedrock', value, it is hard to see how it might be further defended and so we might put this line of defence to one side as not working (even though we did not reach 100/0 'closure' against it). In metacognitive deliberation, say that we decided that trying to defend the 'welfare' value was still tactically sound, so we proceeded to mount *another*, independent, defence (all as per the last section).

This time, the rationale for the 'patient welfare' duty has nothing to do with the happiness of the patient but with a concern for the wishes of relatives and friends of the patient. Put ferally, the defence is that nurses should maximize patients' welfare because that is the wish of most of those who are close to the patient.

Again, I won't fuss with the details of the argument structure but I will portray the Deep Moral Clash that it generates.

> Should a nurse always treat morally good patients with respect for their status as persons even when that runs contrary to the wishes of most of those who are close to the patient?

Although you might see the point in complying with the wishes of patients' friends and relatives, it might seem to you that this is also well outweighed (say 80/20) by the moral commitment to respecting morally good patients' status as persons. So, this has been of no great assistance in and of itself.

At this stage, we have two independent rationales for maximizing patient welfare:

It is for their own happiness; and

It is what those close to them want to occur.

Neither, however, is of sufficient importance in our mind to outweigh treating morally good patients with respect. However, this is if each is clashing *individually* with the 'respect' value. What if the values driving our two rationales, ones that are unsuccessful when considered independently, were to be combined to make a joint rationale defence – might such a *combination* outweigh the 'respect' value of the critic? Maybe, maybe not; but I trust that you can see that it is sometimes worth playing with such a possibility in an enquiry. A lot depends upon the strength of the individual tilts of the arguments that you are contemplating cobbling together. Clearly two near hopeless defences are not promising as raw material to combine for a joint rationale that has any hope of success. And, in our 'respect' scenario above, it indeed probably wouldn't be worth the effort. Certainly we have discovered that not only does the respect value find itself clashing with the patient happiness value (as a result of our defence of patient welfare), it also clashes with the wishes of most of those close to the patient. Neither matter concerned us very

much (90/10 and 80/20 tilts, favouring 'respect' in each case). And even adding them to make a joint rationale won't help; they are too slight and won't add up to enough.

However, on other occasions, the individual bits might end up to more of a tilt change when summated. Say that, instead of 90/10 and 80/20, we had individual rationale tilts of 70/30 and 60/40. I trust that you can see the promise of their combination into a joint rationale.

Before I leave this, I have a few observations that I would like to make.

The *first* is to note that, much as we have gone down the path of bolstering one side of a dispute (without success so far in our particular example scenario), so (for whatever tactical reason) might we seek to do the same for the other side. 'Respect' might not have to face its opposing values alone. The decision as to what cards should be placed on the table and when is, as I had been at pains to emphasize, a matter to deliberate metacognitively upon. The thing to keep in mind is that there are often more cards that could be put on the table and put on the table in ways that go beyond our simple and chained structures of the last chapter. In effect, the list of options facing you has grown once you realize these further possibilities.

Recall that, when you were first introduced to the business of carrying out metacognitive deliberation in the last chapter, I said that, before trying to work out what you *should* do next, it would be an idea to have a robustly complete understanding of what you *could* do next – the list of available options. At the time, I said that the list came from two sources: first, a bunch of options connected with whatever the most recent substantive argument was and second, whatever *un*used options were left over from past deliberation.

I had my reasons for doing things that way (primarily trying to defer some complications, rather than confusing you with them when the basics were not yet understood) but now I want to revisit and revise my advice about the status of options from the past that have already been *used*.

Think about what we did earlier when discussing deliberately developing an independent rationale (a new one that is distinct from an extant one that has proved 'wobbly') in defence of some moral premise or other (which could be a DMP, CMP, CCMP or whatever but we will just call it: 'MP'). A defence of that moral premise had already occurred so, as per last chapter, 'defend MP' is a *used* option. Thus, as things stand, the advice from the last chapter on the options available would not even have up for consideration the mounting of *another* defence of MP. Initially in a thread, such option restriction is a good idea – recall what I said about wanting not to generate a spread of 'for' (or 'against') arguments that constituted an unexamined and unappraised list. This still applies in the *early* stages of a position's development – one doesn't want a premature explosion of rationales for the same proposition.

But think about the scenarios that led us to wanting to mount either an independent rationale or (later) a joint rationale. This wasn't just adding 'for' cases for the sake of it without having considered the merits of any of the extant ones. Rather, it arose from the protracted failure of a given extant defence of some moral

premise (even after development) to gain traction against the moral value with which it is clashing. The option 'defend MP' has certainly been *used* but what emerged was without much profit in terms of trying, counter intuitively, to boost the un-favoured side of the dispute.

In such a context, to re-do the option 'defend MP' with an independent rationale is not so much giving a supplementary rationale that has been gratuitously added to an existing un-appraised one as it is to be having another go at satisfactorily trying that option.

Similarly, if two dubious independent rationales are combined to form a joint rationale, then the combined argument has a different status to the components out of which it was formed and, strictly speaking, is a further go at the option 'defend MP' – an option which has already been used twice (by the original rationale and then by the independent new one that would have occurred by this stage in the enquiry).

Again though, this is *not* gratuitous generation of multiple defences. It has only occurred in the face of near failure of earlier attempts. Remember, none of these earlier efforts were 100/0 *rejected*, it is just that they are unable to improve the fate of that side of the dispute against its rival – even if given further 'defence of the defence' style development.

So, in short, after a certain amount of unsatisfactory working with an existing offering in service of an option, you might well be tactically advised to have another go (as an independent rationale) and, later, perhaps to combine some such efforts (as a joint rationale). Doing this is, however, something that is not to be rushed into and it is only pursued when an existing extant argument, even when developed, is not succeeding. I'll revisit the issue later (when we discuss what I will then call 'track backs') but that will do for now.

The upshot of all of this is that it is a good idea to add to our options lists (for metacognitive deliberation upon) the following 'catch-all' option:

Revisit some already 'used' option.

It might be queried: 'Why bother to list it like this rather than just keep carrying *every* option (used or unused) forward for consideration next time?'. We could do this but there are two reasons why I prefer my above 'catch-all' way of doing it. One is that it lessens the length of our listings (something that becomes more important as an enquiry goes on). The other is that its unusual style of portrayal in our list reminds us that this is an option that is only to be considered in very special cases. Still, if you want to carry all options forward for completeness of listing, then do so. In effect, when you came to consider the option: 'defend MP' (or whatever) your tactical thinking would usually be something like: 'No, don't bother to do this as we already have a defence in place and its fate hasn't been properly considered yet'. It might be, though, that in the sorts of scenarios (protracted failure of extant defences) outlined above, you'd say: 'Perhaps, although we already have a defence

in place, given that it is faring poorly, even after further development, we should consider mounting another defence'.

The *second* general observation that I wish to make is a response to a common query: 'Why not put *all* of the cards on the table right at the start?'. The quick answer is that you would likely swamp yourself and not have the capacity to intuitively react to, say, five reasons for having nurses lie and four against and a multitude of defences and criticisms and criticisms of criticisms and so on. Best, I suggest, to *build* complexity in your thinking *step by step*. Methodically deploy and refine your guiding principles as you go. This way you don't just have a gut intuitive response to a whole great pile of considerations, you develop your intuitions as you go. This gradual teasing out of things gives you your best chance of getting a better understood and sorted out set of moral principles to apply, not just to the case at hand, but also to other ethical problems. It will also usually be the case that not everything that possibly bears upon the topic will have to be looked at for you to reach confident closure on the issue.

So far, I have discussed grounds that you might have for *deliberately* introducing a more complicated structure type such as an independent or joint rationale. Both of these more complicated types focus upon premises. In each case, it is a matter of having a more complex type of case for some given conclusion that you are concerned to defend. What of our other two complex structure types – independent and joint *conclusions* – are there circumstances when it might be wise to introduce them? If there are, then I haven't come across them. It seems indeed that these structures would only appear as a result of unpacking a rather messy feral argument.

Key Ideas

Apart from developing independent rationales, there might also be good tactical point in bundling some independently weak rationales together to form a *joint* rationale. This is usually only worth doing if the tilt that results changes one's metacognitive thinking about the enquiry's direction. Independent and joint *conclusion* structures seem without such *deliberate* point.

Complex Structures and Non-moral Claim Types

Although I have made moral propositions a deliberate focus of the book, you already, of course, realize that sometimes the focus of an enquiry is upon the disputed truth status of a descriptive or conceptual proposition as initially deployed as a premise in some argument. Of course arguments concerning the merits of such propositions might be simple or chained but they can also be one of these four more complex types and more or less the same remarks apply as those just made concerning moral propositions.

Another (Unusual) Type of Simple Argument Structure

Way back, in Chapter 4, I said that, in enquiries into professional ethical issues, there were two main types of argument structure that might appear.

One was what I called: 'set inclusion' arguments. There were sub-varieties of this but the rough idea was that some ethical stance was supported by noting the *sort of thing* it was and then relating that to some sort of broader principle as, say, an instance of the latter. So, for instance, one might (ferally) defend the view that Bartholomew should be sacked by appealing to the general principle that all employees who are incompetent should be sacked and asserting that he is indeed an incompetent employee (included as a member of the set 'employees' and of the set 'incompetents').

The other type I called: 'means/ends' arguments. Again, there were variations on this but the rough idea was that some particular action (or class of actions) was defended by appealing to the *consequences* of doing it. So, one might defend the position that Bartholomew should be sacked by being (morally) committed to (the end of) efficiency being improved and holding that sacking Bartholomew (the means) would have the consequence that efficiency would be improved.

It is such means/ends arguments that I wish to focus upon and contrast with another pattern of argumentation that is also to do with consequences – but in a different way. Sticking with the Bartholomew case for illustration, we could lay our means/ends argument out schematically as follows:

> MP efficiency improvement ✓
> DP Bartholomew's sacking → efficiency improvement
> So,
> MC Bartholomew's sacking ✓

(The ticks are ones of moral endorsement and the arrow in the DP is some sort of causal connection with sacking as cause and improved efficiency as effect.)

This is all rather roughly portrayed but so far, so familiar, I trust. I am just reminding you of past stuff.

Note that the focus of attention in the MC is Bartholomew's sacking and it is in 'cause' (or means) position in the DP claim with some effect being claimed if we were to do the sacking. So, sacking, *now*, will lead to efficiency improvement, *later*. In this argument an action is proposed (MC) on the basis of a good consequence that will flow (as effect) from it.

As noted, the extra structure type that I am about to outline is best thought of in comparison to our standard means/ends arguments. I will call this new type of simple argument structure: '*commitments*' arguments. Let's try an illustrative example. Ferally, we might argue as follows:

> 'Sometimes guilty people should escape punishment because that is the outcome of a fair trial process'.

Put as a structure, we get:

> MP* The processes of fair trials for alleged offenders should always be carried out.
> DP* Sometimes carrying out the processes of a fair trial for alleged offenders leads to guilty people escaping punishment.
> So,
> MC* On those occasions, guilty people should escape punishment.

Let me lay this one out schematically as well:

> MP* fair trial ✓
> DP* fair trial → not punished
> So,
> MC* not punished ✓

Examine this in contrast to the schematic version of the Bartholomew case and you will see that the key difference is in the descriptive premises. The direction of the 'causal arrow' is different. Earlier, we were defending something (the sacking of Bartholomew) by noting some good consequences that flowed *from* it (as an outcome). Here, though, it is the *outcome* that is being defended (some guilty party not being punished) on the grounds that it flows from something good (fair trials) as a consequence. This time, looking at the causal relationship, it is the *effect* that is being defended (as flowing *from* a good cause) whereas earlier it was the *cause* that was being defended (as flowing *to* a good effect).

You can imagine how arguments of this sort might crop up. Imagine that the discussion was one about guilty people escaping scot-free sometimes and, in that discussion, the above argument was offered. Basically, the point would be that we are stuck with that situation sometimes happening because it is an occasional result of something that we should support (fair trials). If you like, the line here is that it is a situation that we should be willing to (morally) accept as part of the cost of having a commitment to a 'fair trial' justice system.

The upshot of all of this is: be careful. If you have some sort of 'consequences' type of argument present then have a careful think about just what it is that you take to be going on before you lay it out as a structure. In particular, get straight just what the author is trying to make a case out for. Mostly, consequences arguments will turn out to be some form of our means/ends type but sometimes it will be a 'commitments' style of argument that you have – so, careful analysis is enjoined.

Key Ideas

'Consequences' arguments come in two types. The more common is the means/ends type outlined earlier but sometimes an argument will be of what I have called the 'commitments' sort.

Deep Moral Clashes and Their Treatment – Revisited

Introduction

In the last chapter, you were introduced to the basic notion of Deep Moral Clashes; and, above, you had that built upon with our discussion of the possible role of more complex structures in dealing with them. In this section, we'll look at a range of other matters that bear upon your understanding of these clashes and their treatment. Later, we'll revisit them under another heading.

Issues of Degree – Moral Clashes and Tilts Revisited

Some moral agents have a single 'bedrock' intrinsic value. For instance, you will have come across the utilitarian maxim: 'Act always so as to bring about the greatest happiness of the greatest number'. As it stands, it is overly obscure, nonetheless its driving motivation is sufficiently clear for present purposes. What is *intrinsically* valued is (human) happiness and *nothing but* human happiness. No doubt other things will be valued but not intrinsically; they will be *extrinsically* valued only in so far as they are instrumental in helping to maximize human happiness. They will be valued in terms of their consequences and the only consequence that ultimately matters is human happiness. If you act so as to more serve the cause of human happiness than any other action open to you, then, on this view, you have done the right thing.

In effect, for such agents, any chain of argument resulting from deepening some initial argument (by defending its MP) will run out with the deepest link having this utilitarian maxim as its MP.

Mind you, even with such a *single* guiding goal, there are practical, or computational, difficulties concerning working out which particular action of a spread of options actually does best serve the cause of human happiness – but they are technical difficulties. Such problems are to do with the truth or falsity of various fact-type premises operating in one's deliberations. So, for instance, one might reason as follows: 'I *should* cheat on my exam because so doing will increase *my* happiness and do nothing to decrease anyone else's happiness and no other action open to me will more increase human happiness and I should increase human happiness as much as possible'.

The trouble with that piece of reasoning is that all of the fact-type premises here seem dubious. Will such cheating really do nothing to decrease anyone else's happiness? What if the incompetence associated with one's cheating (despite one being *certified* as competent) impinges upon others? Is it indeed sufficiently probable that it will even increase *your* happiness? What are the chances of being caught? And, if caught, how will being known as a dishonest fraud affect your happiness? And is this action really the one that, more than any other available option, will contribute most to human happiness? Maybe dropping one's course of study and working somewhere to help the plight of starving Africans would be superior in the service of the intrinsic value of human happiness.

So, in short, even someone who has only one such intrinsic value, who values only one thing at that bedrock level, is hardly spared difficulty in working out what should be done or how to judge some action of some person. For most of you, however, the situation is more difficult yet again because most of you will have *more than one* intrinsic, or bedrock level, moral value guiding your actions as moral agent. Why this creates more difficulty is that they will sometimes *clash*. So, a pressing problem is: *What to do in the face of the possibility of such intrinsic moral value clashes*.

To some extent, we have begun to address this problem already in that the usual form that a counter-argument (criticizing a target argument's MP) would take would be to suggest that some sort of moral clash is occurring, to say something like: 'Such-and-such (MP) shouldn't happen because it clashes with so-and-so (CMP) which is more important'. To date, you have been basically advised to use the critic's challenge as a vehicle for exposing such disputes and thus as a step towards sorting out your priorities concerning the clashing values (by considering things further, deepening the author's and critic's arguments and so on). What I want to do now is flesh out (with a little bit more sophistication) just what might be some of the elements of such an initial moral clash and its resolution.

As you know, these clashes usually begin with fairly *non*-bedrock values that are close to the ethical problem under consideration – an initial argument's MP and a counter-argument's CMP if you like. Why would such a moral value clash exist? Basically, there are the two possibilities just touched on. First, if you were to track deeper down the chain of values underlying MP to its moral bedrock, then (at least) one such bedrock value is found and if you track down the chain underlying CMP, then you get a *different* bedrock moral value (or values). In short, one possibility is that your shallower value clashes, those ones closely tied to the ethical issue at hand, arise because of *deeper* moral conflicts. So, ultimately the task will be to sort out those deepest, or bedrock, level conflicts as best you can.

There is a second possibility though. It might be that the fairly shallow MP/CMP moral clash is *not* ultimately derived from a clash at the level of fundamental values. It might be that you only have one bedrock value – like our utilitarian maxim. (Or, if there are more than one, they are not here conflicting, so not generating the problem at hand; I'll ignore this scenario for the moment.) Recall that these

fundamental moral values are the motivational drivers of other, shallower, moral principles or judgements. So if 'author' and 'critic' start off with the *same* such fundamental driving value, how is it that from that same starting point we generate an MP and a CMP which clash? There are just two ways that this can occur. One is that somewhere we have an illogical argument. The other is that we have a problem with some *non*-moral premise or premises somewhere – that is, either we have managed to get ourselves in a conceptual muddle or we have an unnoticed conflict (and thus error) in our claims as to what the facts are.

Professional ethical enquiries start at the level of a particular problem so of course you are starting things at the shallow end and building depth by various defences and counter arguments. And, when you thereby generate some MP/CMP clash early in the enquiry, it simply may not be clear to you how it is that you have sympathy with *both* MP and CMP *yet* see them as clashing. It might be that the conflict indeed reflects deepest level moral conflicts which you have among a number of bedrock values that do not always agree. Or it might instead be that you have only one bedrock value and that the apparent *moral* conflict is really just that – apparent – with the real source of the apparent clash being a factual error or conceptual confusion or an illogical argument somewhere in the web of arguments forming your enquiry. For instance, two clashing views about the propriety of cheating might both rest upon the utilitarian maxim we outlined. The shallower level clash about cheating might be explained by, say, a factual disagreement about whether cheating on an examination will or will not have the consequence of causing unhappiness for various people. Because of this dispute as to the facts, two people in deep level *agreement* might end up in shallow level *dis*agreement. Moreover, by losing metacognitive track of things, such problems might arise in your own thinking when you are, so to speak, both author and critic. How would you be able to *tell* what is going on in any given enquiry?

First, by careful development of the elements of the enquiry and keeping your descriptive premises true as far as you know and, in particular, not having descriptive premises from various arguments in conflict without you noticing. Second, by keeping your concepts as precise and clearly understood as possible. Third, by meticulously ensuring that your arguments are indeed logical. Also, a lot of the work is going to be done in metacognitive reviews in which you try to keep your finger on the pulse of what is unfolding and, in particular, just what you think the emerging areas of contention are.

Key Ideas

Shallow level moral disputes (MP/CMP style) might be driven by deepest level disputes but might occur even when there is agreement about bedrock values. In such a case, the culprit is one or more of the following: a conceptual muddle, a disagreement as to what the facts are, or an illogical argument. These *non*-moral sources of *apparent* moral dispute can be tracked/prevented by careful crafting and checking of arguments and careful metacognitive tracking of their relationships.

As you realize, the whole approach that I recommend is a 'ground up' one, one in which you grow the enquiry's depth by careful teasing out of motivations and objections. Again, you might think that it would be simpler to just identify your bedrock values and see what they say about the issue at hand. My reason for not advising this is that most people do not have an adequately *clear* and *precise* picture of what, at the most fundamental level, they actually do value. Their grasp of their own bedrock values is likely to mean that they will construe them in too simplistic a way to be a useful guide and basis for simple application to professional ethical issues. One can't simply apply ethical principles if those principles are ill-understood and it is unclear when they conflict and what is to be done about it.

Take the utilitarian maxim that I spoke of above. It might be attractive to you and seem clear enough for application. I assure you that it is not. The way that we have put it masks the existence of sub-varieties and those sub-varieties (all of which could be *vaguely* expressed in the way I put the maxim) would give *different* guidance in various ethically problematic situations. Better to 'bottom-up' build the complexities of your thinking as needed by the problem at hand, rather than expect to be able to just state an adequately complex set of guiding principles that you can 'top-down' apply.

Moral Disputes Based on Bedrock Moral Value Conflicts   Anyway, say we have some value clash to sort out. Further, I am going to assume for present purposes that it is one that is ultimately generated by a moral clash at the deepest level – one of fundamental, or bedrock, intrinsic moral values (so it is not just a matter of getting our facts wrong or getting in a conceptual muddle or being illogical). So, let us assume that we have teased things out methodically and got to such a deepest level moral clash. In short, we are fundamentally ethically conflicted in our values. What is to be done?

Your first thought might be that it is all a matter of sorting out a *hierarchy* of moral values, one listing them in order of their comparative importance. So, let us say that you have as bedrock values both the value that lying is bad and the value that one should be kind to people (of course, even if you hold these values, they might not actually be bedrock values for you, but shallower ones, but just assume that they are). Clearly these morals might clash. For instance, you may be asked

a question by a colleague who has written a grant proposal: 'Is my document any good?'. In your view, the proposal might be dreadful. Saying that it is so satisfies one's bedrock value against lying. But, let's plausibly assume, if you say this then the colleague's feelings will be hurt, self-esteem lessened and so on. 'Be kind' seems to enjoin lying to your colleague and pretending that the work is better than it is. The point is that in this scenario you *can't* satisfy *both* values (although in other scenarios they might not clash). In response to this, the hierarchy suggestion would simply place the two values in an order of importance. So, you might say that, although lying is bad, failing to be kind to people is *worse*. So, in effect, *whenever* the two clash, you should, on this view, *always* tell a kind lie. Putting this in terms of our earlier talk of tilts, you would close any such dispute 100/1 in favour of being kind.

If such simple rank ordering of values could always be done, then the life of moral agents would be greatly simplified. One way of thinking of such a hierarchy with, say, 'Be kind' outranking 'Be truthful' is that one could construe the moral prescription 'Be truthful' as being somewhat sloppily worded. A more sophisticated version would be: 'Be truthful unless being truthful clashes with being kind'. In short, write in an *exception clause*. So, were one to just have a bunch of four values, 1, 2, 3, and 4, ranked in descending order of importance, then sorting out value clashes would be a fairly simple thing (apart from the technical descriptive, conceptual and logical difficulties mentioned earlier). One would always do 1 (assuming that it was an applicable option) and do 2 unless it clashed with 1, do 3 unless it clashed with 1 or 2 and do 4 unless it clashed with 1, 2 or 3.

Unfortunately, such simple rank ordering of the relative importance of a number of bedrock values is simply not possible for most moral agents. It is likely that you have more complicated, or nuanced, moral views than that. Say you are, as before, tossing up between two action options: 'tell the kind lie' and 'tell the unkind truth'. In some sense you might rate kindness as more important than truth but it is often not clear cut. Say that the scenario is the following. A person has suggested to an academic journal that she has a new theory of the origin of the universe which she can prove to be true. What would be done by the journal's editor is to send the paper out to a couple of expert referees for their advice. Say that the putative proof of the paper's thesis is flawed and that the journal's referees pick this up. The editor knows that rejecting the paper will upset the author and yet to accept it for publication would be for the journal to tell a lie as to its worth. In such a case, the value concerning truth-telling looms large. It would be such a *large* lie that you might feel that the *degree* of un-truth involved outweighs any unkindness shown to the author by the rejection of the paper.

But what if the clash between the two bedrock values involves minor lies with considerable unkindness avoided by those lies?

The 'hurt feelings' versus 'truth-telling' dilemma was chosen by me as one which crops up in a number of professional situations – for instance, the contexts of feedback to students, clients and colleagues, formal reports (such as appraisals of colleagues for tenure/promotion), discussions with patients/clients, reports on

authors' submissions and so on. It ranges across a spread of professions. (It is not, of course, the only sort of moral value clash professionals face.)

Even where you might feel very confident of the rigidity of some hierarchical ordering, worrisome cases can be crafted. Ordinarily, you might feel that preservation of life rates as more important than avoidance of suffering. If, in some decision scenario, you were (never mind why or how) faced with a choice of causing someone pain and suffering for a while or killing someone, I surmise that you would tend to favour causing pain as better, or less evil, than killing. But what if it were a great deal of suffering (very extreme and extended pain indeed for that person) yet on the other option, the person up for death had only a few days of unconscious life to live anyway? Would killing such a person be less evil than causing such horrendous pain to the other person? Many people, faced with this choice, would opt for killing; and would do so *despite* a rough and ready judgement that killing is worse than causing pain. What is making the difference is the *degree*, or extent, to which a moral value is satisfied or transgressed in each case.

So, when you appraise options and consequences to judge the rightness of actions, a major complication is that it is not as if it is a simple matter of one option satisfying one value and another option another; it's importantly also a matter of the degree, or extent, to which those values are satisfied.

Key Ideas

The relationship between values in dispute is rarely clear cut. In particular, things are often complicated by what I call 'issues of degree' – the *extent* to which one value is being satisfied and the extent to which its rival is not (in various clash scenarios).

Tilts Revisited   Recall that, with our tilts, I said that you might get anything from 100/0 to 50/50 to 0/100 the other way. I spoke of this as a rough indicator of the confidence that you had that one value would outweigh the other were they to clash. We are now ready to refine our understanding of this business of tilts. Let's work through another example scenario.

Say that you originally argued that disabled students should be included in mainstream schooling because that was the most effective way of fostering their socialization with their peers and such socialization was important and clashed with no other value that was more important.

Say also that, in response to this, a counter-argument was advanced as follows: the academic learning of ordinary students is more important than the socialization of a disabled student and inclusion of a disabled student will indeed interfere with the academic learning of the other (ordinary) students in the class so such socialization *does* clash with a more important moral value (academic learning).

You conceive of the Deep Moral Clash in this way: 'Should the peer-socialization of disabled students be fostered even if it interferes with the academic learning of ordinary students?'. Concerning this, you have sympathy with the critic's point of view and assign a tilt of 80/20 favouring the critic's commitment to the academic learning of ordinary kids over the peer-socialization of disabled kids.

Assume for simplicity's sake that, after much enquiry, the bedrock value motivating the author's thinking is some sort of commitment to the fair treatment of individuals and that motivating the critic is our earlier-outlined utilitarian maxim. (Of course we would want to spend some time clarifying each of these bedrock values but, as when I first outlined the latter, I don't want to divert to that task of clarification and will leave things obscure as it doesn't matter for now.)

Also, concerning this deepest level clash of fundamental moral values (should happiness be maximized even if its cost is unfairness?), let's assume that your tilt is 70/30 favouring happiness over fairness (see the section on 'tilt shifts', below). Note that our tilt is *not* 100/0 so we don't have a neat rank order hierarchy of happiness over fairness available to us. Our ideas are messier than that. So, just what is going on?

One way that I have encouraged you to think about a tilt is as a gut-level expression of your confidence in preferring one over another of two clashing moral values. We are now in a position to have a more sophisticated understanding of what is going on here. The 30 that you are assigning to fair treatment can be thought of as a suspicion that in some cases you might prefer to sacrifice happiness for fairness. Now connect this with the 'issues of degree' part of the section title. Plausibly, what is going on in these tilts that are not 100/0 or 0/100 closures is a combination of two things. The first is that, say, our 70/30 tilt means that we feel that, *mostly*, in a happiness versus fairness clash, we'd go for happiness – but not always. The second aspect of these tilts is that, although *generally* you rate happiness maximization over fairness, things get complicated by what I will call 'issues of degree'. There are scenarios where the degree, or extent, of unfairness involved in increasing human happiness outweighs the increased amount of happiness thereby achieved. Reread this last bit and have a bit of a think – it is important and I don't want it to be overlooked as you flow through with the discussion.

So, what we have with our 'non-closure' tilts is an intuitive appraisal of the chances of one moral value outweighing another and the reason for sometimes jumping one way and other times the other, lies with the varying degrees of satisfaction or dissatisfaction of the values in question in various particular scenarios.

I have focused on bedrock moral value clashes because that is where genuinely moral disputes end up but, of course, non-decisive tilts occur at shallower levels as well. Indeed, in most professional ethical enquiries, they occur *first* at such levels. In this particular example scenario, we had a clash of peer-socialization of disabled kids versus the academic achievements of ordinary kids.

As you would guess, this is not a dispute that is likely to be resolved by simply ranking the two clashing values in a hierarchy of importance. After all, it is not as if, on one alternative (exclusion), the disabled student will be totally unsocialized and the rest of the class will have maximal academic learning and on the other alternative (inclusion), the disabled student will be maximally socialized and the rest of the class without any academic learning whatsoever. Rather, what will presumably occur with inclusion is *more* socialization of the disabled student and *less* academic learning by the rest than were the disabled student not to be included. Your view as to the morality of inclusion will likely depend on just *how much* better socialized the included student would be and *how much* academically worse off the rest would be – and that might vary from particular situation to particular situation.

We'll revisit things below in the section on 'dispute closures', but it may be that the upshot of all of this will be something rather more complex than simply being in favour of, or against, the inclusion of disabled students in regular schools. You might end up favouring it sometimes, in some circumstances, for some such kids, depending on just how much their socialization changes and how much such inclusion (or not) connects to the sort of fairness that you have finally worked out to be one of your bedrock values. Mind you, it will also depend on the degree to which other students' academic learning is affected and thus, ultimately, how much human happiness is thereby downgraded.

Finally, realize that many issues don't involve the prioritization of just *two* clashing values. You may have a bundle of merits (of differing degrees and importance) of some action being weighed up against a bundle of demerits (again of differing degrees and importance). Recall the more complicated structures of an earlier section in which appeal was made to more than one value in support of a conclusion (which could well be the conclusion of a *counter*-argument) and you will imagine how complicated things can become. Of course a good many merits or demerits might end up tracking down to rather fewer bedrock or fundamental values that are motivating such judgements.

My advice remains, though: grow the complexity through metacognitively deliberate unfolding of it and don't expect to be able to just put it all on the table at once without suffering muddle.

Key Ideas

Appeal to the previous point about 'issues of degree' can help us understand what is going on (at least in part) when we have a 'non-closure' tilt present.

'Voices' Revisited

In the illustrative enquiry used in Chapter 6, we introduced the idea of 'voices'. There, our third 'voice', one critical of the 'respect' value, was one that was a 'first cousin' of the CMP1 that it was criticizing. Like CMP1, CCMP1 generally favoured respect over welfare, it just had a more restricted view about when that respect should be issued (only to the morally good). We had CCMP1 outweigh CMP1 90/10 and thus, with that preference in the internal dispute between the critics, we were focused on a single Deep Moral Clash – CCMP1 versus MP1. But sometimes things will not be this neat. In our dialogue, the second and third voices were both variations on the 'respect' theme with MP1 as the common foe, and, in a sense, getting straight which version of the critic we tended to favour was wise before revisiting the issue of patient welfare. So, a three-cornered contest? – yes, but two corners (the two critics) were fairly closely aligned. Some enquiries might end up with voices that are more distant from each other than that. In this section, I'd like first to briefly discuss such scenarios and then I will go on to another matter.

More Severely Disagreeing Voices   Let me illustrate with an enquiry that I will but briefly sketch, one quite different from the 'lying nurses' one and drawn from another profession, teaching. I won't bother laying all of the arguments out in full.

   Say that the topic was what the primary focus of school curricula should be. Say further that the initial stance on this was that the primary focus of school curricula should be on literacy, numeracy and IT competence. Why? – Because that is what most employers want and schools should do whatever most employers want.

   All a little bit feral and no doubt it would benefit from some TLC but it will do for present purposes. In particular, we have the driving moral motivation, the moral premise, of this argument explicitly present – that schools should do whatever most employers want them to do. Say that we proceeded to criticize that moral premise (MP) along the lines that it was of utmost importance to have a society in which as many people as possible have shared moral values and a key ingredient in having this happen is for schools to have indoctrination of those values as a primary focus despite this interfering with doing what employers want. Again, I won't fuss with the detail but I will portray the Deep Moral Clash, to wit:

> Should schools do whatever employers want even if the result would be that fewer members of society would have shared values than would otherwise have been the case?

Fine; now say that, for whatever reason, after metacognitive deliberation our decision is to criticize the critic's CMP. So, as an argument disputing that view

(that as many people in society as possible should share moral values) we might get the following feral:

> Everyone should have maximum freedom of thought and, as the only way that maximizing shared values in citizens can occur is by restricting some citizens' freedom to hold unpopular values, society should not have as many citizens as possible sharing values.

Explicitly in the first clause, we get the CCMP and its commitment to freedom of thought. I will, in this case, pause to give a rough and ready working definition of 'freedom of thought': to have one's freedom of thought maximized is, to the maximum extent possible, to have only those values, beliefs and so forth that one chooses to have (including via rational persuasion). This is still a bit murky but it will do for now.

So, the Deep Moral Clash with the original critic is clear enough:

> Should as many people in society as possible have shared values even if it's at the cost of lessening freedom of thought?

So, we have two Deep Moral Clashes so far: MP versus CMP and CMP versus CCMP. But, as you might have guessed, this last 'voice' doesn't just dispute its intentional formal target, CMP, it also disputes MP. How so? Well, getting what employers want might be at the cost of some freedom of thought. To help see this possibility, look back at the initial argument: what employers seem to be wanting is a suite of knowledge and skills to do with literacy, numeracy and IT to be present in school leavers; but what if some of the students involved would not freely choose to have such knowledge? It looks, according to MP, that the schools should do what employers want regardless of what students might want to be the contents of their minds, regardless, that is, of how they might want to exercise freedom *of thought*.

So, we have two *quite distinct* clashes involving the initial MP, the 'values' dispute with CMP (which was deliberate) and the CCMP 'freedom' one which is accidental, a by-product of the deliberate CCMP dispute with CMP.

This is all to be kept careful track of in metacognitive reviews. And it may well be that the way the enquiry unfolds means that one criticism of MP is ultimately defeated (and that thread is thus closed) but that still leaves the other one not, or not yet, defeated. And, curiously, it might be that the deliberately mounted criticism (CMP in this case), which was your 'first cab off the rank' as a line of objection, is the one that fails and (after some exploration) the 'accidental' one succeeds. Stranger things than this occur when you start exploring the complexities of a topic in some depth – which makes the point again that your first thoughts in an enquiry into some professional ethical issue are unlikely to be your last ones: surprises happen.

Deliberate Creation of Voices   In the above case (and our earlier 'lying nurses' one from Chapter 6) we had the unintentional creation of a third voice. That it was present in the enquiry was only realized upon careful and methodical metacognitive review after the crafting of the argument containing CCMP. In effect, the enquiry has *accidentally* become more complicated in terms of streams of competing ideas than the two-voice dialogue we might have hoped that we were continuing. Although I have recommended that you try not to have too many balls in the air at once, sometimes we might *deliberately* seek out such complexity; sometimes the introduction of a third (or fourth, or whatever) voice might be done on purpose for *good tactical reasons* as outlined in an exercise in metacognitive deliberation. How might this go?

Say that you have some MP/CMP dispute but realize that the whole enquiry is going to involve investigation of more competing viewpoints than that. You could follow my standard advice and keep things as uncomplicated as possible and just concentrate on that dispute but you might feel that it would be profitable that further complications occur now, that you want to have a wider picture on the table, and in your mind, so that you can sort out bits of it. So, using our curricular aims dispute example, we might explicitly realize that, although we are conflicted about whether it is more important for employers to get what they want or society to share moral values, there is another issue: *any* such *compulsory* curriculum is an imposition upon students' freedom. You might wish to have a spread of such mutually conflicting values all on the table at once. If so, then all I suggest is that you have a very clear idea of just *why* you think making things messier is a good move and that you keep very careful metacognitive track of such matters in your reviews. Such added complexity is to be viewed with caution.

Finally, although I have used an MP versus CMP versus CCMP scenario in my exposition, 'voices' multiplication might not occur this early in an enquiry but later down it. One such scenario might be the following:

Say that you had an initial MP/CMP two-voice clash and that tilt was not a closure-style 0/100 but something messier. Let's say that it favoured CMP over MP at 70/30. Accordingly, you play around with defences of the two voices and challenges to various deeper moral premises on each side and craft independent rationales and joint rationales and what-not until a quite multi-layered and many-faceted rendition of the dispute between those two voices has emerged. In short, you really have teased out the dispute between those two voices.

But say that the enquiry is getting nowhere in another sense. You still tend to favour the critic's side of dispute (no matter what level that dispute has got to) and with some similar sort of tilt as what you started off with – 70/30. That we have not got 100/0 means that you have some persistent doubts about the critic's web of values (when put up against the author's). The elaborate teasing out of competing views (including some nuancing involving 'issues of degree') simply hasn't settled things much and you feel that you have 'hit a brick wall'.

Sometimes nothing can be done, and things stay messy and unresolved – a scenario that we'll discuss further at the end of the chapter. But sometimes it is worth introducing another voice as a 'circuit breaker'.

It could be that the 70, and not 100, relative score for the critic in the dispute with the author indicates qualms about the critic's web of values that simply haven't emerged in the formal dialogue with the author but are there somewhere in your mind. Sometimes these features can emerge better if the dominant view (in this case, the critic, is put in conflict with a *third* voice (a critic of the critic). What sometimes emerges from this is that the third voice prevails and the critic's deepest moral premise so far (which would have been the target for the third voice criticism) gets modified to accommodate successful (100/0) criticism of it. (We'll come back to this business of modification of a premise – in the face of its successful criticism – in a later section on what I call 'track backs', but we did already touch upon it earlier when talking of clashes and possible hierarchies in response to them and exception clauses as a way of expressing hierarchical relationships.)

In effect, as a result of the success of the third voice challenge to the critic, some of our niggling, half-conceived of, qualms about the critic's line of thinking might emerge into the light of day. As a result, we might get a modified, or 'toned down', version of the critic's views emerging. And it might be that this new version of the critic's view (with the niggle excised) is one that you are more comfortable with and moves you closer to closure against the author.

Key Ideas

Sometimes extra voices might enter an enquiry without you intending that. If this occurs, then part of the job of a metacognitive *review* would be to become alert to this development and to chart precisely what is going on so that you can decide what response you wish to make to that development.

Sometimes, however, extra voices occur because you deliberately introduce them; this should only occur for good tactical reasons that you explicitly understand.

Tilt Shifts

As we have seen a few times, when defences of one or other of a pair of conflicting values occurs, intuitive tilts concerning the new, even deeper, moral clashes can be different to those that preceded them. In this section, I wish to try to ensure that what is happening in this process is not misunderstood. I will look at two different scenarios.

First Scenario   By now, I hope that I can operate fairly schematically without laborious illustration; so, say that we had an initial argument that was something of this sort:

    MP
    DP
    So,
    MC

Say that the MP was then challenged to give us this sort of counterargument:

    CMP
    CDP
    So,
    CMC

Our Deep Moral Clash tilt is, say, 80/20 favouring CMP over MP. So far, so familiar, I trust. In the face of this, say we decided, counter-intuitively, to defend MP; and say that such a defence gives us:

    DMP
    DDP
    So,
    MP
    (and)
    DP
    So,
    MC

With such a defence of MP in place, our new Deep Moral Clash is DMP versus CMP. Say that the defence was *partly* successful in that the new tilt is 70/30, still favouring CMP but slightly less so for the conflict with DMP than was the case against MP.

I have said that all of these Deep Moral Clashes are bipolar. The tilt is a *relative* weighting of one moral value against another, not an absolute endorsement 'strength' of any given value. Even were there to be a 100/0 tilt, all that would be being said (tentatively always) would be that whenever the values in question clash, you would, without doubt, always prefer one over the other (and regardless of any issues of degree). A particular value can reach 100/0 closure against another value but still lose out, or be unclearly ranked, against some different value yet again. As I said, tilts are all *relative*.

So, having carried out a defence, are we left with *two distinct* Deep Moral Clashes here – namely: MP versus CMP and DMP versus CMP? (With the author

faring marginally better, 70/30, in the deeper, latter, one than in the former one which had a tilt of 80/20.)

Not quite; and here is where the main business of the section begins.

With DMP (together with DDP, of course) we have provided an argument supporting MP; that was, indeed, the whole point of introducing it. Let's assume initially that, as with the descriptive premises in our 'lying nurses' enquiry, we are near certain of the truth of DDP. If the argument supporting MP is logical (which it should be, unless we have bungled) then your confidence in DMP should 'bleed down' the argument to boost MP. So, if you are 30/70 confident in DMP when in clash with CMP, then that boost in tilt rating transfers to MP. In effect, you *used to be* only 20/80 confident in MP against CMP but now (with DMP) that you have seen a reason for thinking MP, that support would raise your confidence in MP (when opposed to CMP) as well. In short, the tilt weight of your MP versus CMP tilt gets changed to align with your DMP versus CMP tilt. So, although tilts are bipolar, increased confidence in DMP in opposition to CMP affects the MP versus CMP tilt as well. Why? – because MP *follows from* DMP. Or, to be a bit more careful, it follows with the bridging assistance of DDP. And here lies a complication.

We assumed above that DDP was near certainly known to be true. What if it were not? What if one problem with our defence of MP were to be that the value upon which the defence depended, DMP, isn't very well-connected to MP? For instance, say that in MP we were committed to maximizing the average wealth of citizens and, in its defence, we appealed to the role of increased wealth in making people happier. So, DMP would be a commitment to increasing happiness and the connection of that to MP's enthusiasm for wealth would be some such DDP as: 'Maximizing average wealth is an essential part of the package which comprises the best way of maximizing average happiness'.

But is that true? You might be anything but near-certainly confident of this (as far as I know, the wealth/happiness connection is highly dubious). Given those hesitations, the support given by DMP to MP is correspondingly dubious. By no means then, will the tilt rating of DMP over some CMP just 'bleed down' and automatically boost MP against CMP.

So, it requires a moment's thought as to how tilts associated with the current Deep Moral Clash might affect previous, 'as deep as you had, at that stage, got to' Deep Moral Clashes. (We'll revisit this issue of dodgy supporting defences below when we talk about what I will call 'messy outcomes' in a later section.)

So, to summarize this first scenario, if DMP, the deeper moral premise offered in defence of MP, fares *better* than MP in a moral clash with some critic's CMP, that greater strength of the DMP 'bleeds down' the argument and bolsters MP (which, after all, follows from DMP – at least it does given that the descriptive bridging premise(s) are true).

Second Scenario   As you mount a defence, another thing to be alert to concerning tilt values is the following. In the above discussed situation, DMP was faring better

against CMP than MP had (originally, anyway, that is, prior to being defended). And, of course, the whole tactical point of the defence was to try to boost confidence in MP. But what if it *failed* in this task? After all, if you are carrying it out with a counter-intuitive motivation, then you will be carrying out an exploratory defence of something that you don't much favour. Given this, it would hardly be surprising if that attempt at fair-minded thoroughness didn't quite turn out successfully. So, let's talk about such a scenario.

Say that your best 'go' at such a defence involved a DMP that, when opposed to CMP as the new and the latest Deep Moral Clash, actually fared *worse* than MP did in comparison with CMP. In effect, it is an *un*successful attempted defence. Let's assume the *new* Deep Moral Clash tilt to be 90/10 favouring CMP. In such a scenario, would the *lower* tilt score of DMP against CMP 'bleed down' and lower MP's rating (much as happened in our earlier scenario when DMP rated higher and that higher tilt score bled down)? Let me roughly sketch an example to help us think about this.

Say that we had an original argument that had as its moral premise the claim that as many school students as possible should get the highest academic results they can. Say further that a challenge was raised against that MP and that the CMP of that counter-argument stated that no students should suffer high levels of stress. Of course we might want to clarify some of these ideas with working definitions but for present purposes I am not going to fuss.

At this stage then, we would have a Deep Moral Clash that can be expressed as follows: should as many students as possible get the highest academic results they can even if that is at the cost of some of them suffering high levels of stress to achieve such results? Say that our tilt concerning this were to be 30/70 favouring CMP's concern about stress levels.

Given this tilt, we 'go counterintuitive' and decide to defend MP. The DMP appealed to in that defence is that all students should achieve academic results to whatever level their parents wish (with a connecting DDP to the effect that all parents want the highest possible academic results from their children). So the new Deep Moral Clash might be put as follows: should all students achieve academic results to whatever level their parents wish even if that is at the cost of some of them suffering high levels of stress to achieve such results? Say that our tilt concerning this particular Deep Moral Clash were to be 10/90, still favouring CMP.

In effect, the defence has been a tactical failure; far from bolstering our esteem for the author's case it *seems* to have lowered it. But one has to be cautious here. Certainly DMP is thought of less well than MP as a rival to CMP and so, in the context of exploring the merits of that author/critic dispute, DMP has proved to be a bit of a blind alley. But just because MP has been defended unsuccessfully by appeal to DMP doesn't mean that MP is automatically downgraded in esteem. Remember the relationship between DMP and MP is that MP is in the role of conclusion in that little defending argument, with DMP in the role of premise. And it is perfectly possible to have a logical argument with a wonderful conclusion and an absolutely lousy premise. To illustrate: whatever the tooth fairy says is

true and the tooth fairy says that the Sun rises in the east, therefore the Sun rises in the east. That the premises of this (logical) argument are ridiculous does not detract from the truth of the conclusion. Generally speaking, the same sort of point applies when it is moral propositions that are the key argument elements of which we speak.

Generally speaking then, the situation with such a weak defence by DMP of our moral premise MP (now in role as conclusion) is that the DMP low rating does not 'bleed down' to MP. All that it means is that the offered defence has failed in its tactical job. We are thus back with MP as *not yet* satisfactorily backed up and with its tilt rating unchanged.

Now as, in our scenario, MP was faring badly in the clash with CMP, things would be beginning to look bad for MP's comparative merit were it not to be able to be defended in some other way that fared better than DMP did against CMP. This, of course, might well be possible (as explored when we talked earlier of independent and joint rationales).

The point is, though, that MP isn't *automatically* degraded in its appeal by DMP's comparative lack of merit. Mind you, as noted earlier, with a successful defence involving a DMP that rated better against CMP, MP would have it is appeal *automatically* enhanced (assuming the truth of the DDP). There is, then, an asymmetry here about whether DMP's tilt rating against CMP bleeds down the argument to MP or not. Of course, in either situation, MP's tilt status is unlikely to be final and may shift as further enquiry ensues. If nothing better emerged by way of a rationale for MP and CMP stayed robust, then we would begin to worry about MP as literally indefensible.

Key Ideas

Generally speaking, if a defence of an MP generates a higher tilt (against the opposing moral premise) than before, then that tilt score 'bleeds down' to improve the rating of the defended MP. If, on the other hand, it is an unsuccessful defence that generates a lower tilt score, then that lower score does *not* 'bleed down'.

Tilts And Counter-intuitive Motivations (and an Aside on Criticizing Moral Premises Appearing in Premise Defences) In the last chapter, I advised that, if you had a steepish intuitive tilt concerning some particular Deep Moral Clash, then a primary tactical motivation guiding your choice of what to do next would be to challenge your current tendencies. The steeper the tilt, the more powerful is the motivation to 'go counter-intuitive' (as I put it).

In this section, I want to suggest at least one scenario when the tactically smartest thing to do might be to *reinforce* your current tendencies rather than subject them to challenge. In particular, instead of an exploratory defence of the unfavoured proposition, or a probing criticism of the one you favour, it is sometimes wise to

go *with* your intuitions and *defend* the moral proposition that you favour. Why so? What would be the circumstances that would warrant that?

Well, say that, at some stage in an enquiry, when confronted with a Deep Moral Clash between two values (which I will refer to as MP1 and CMP1 in familiar fashion) you have a tilt of 80/20 favouring CMP1 over MP1. In short, your decision to criticize MP1 has been a tactical success and your confidence in MP1 (when put up against CMP1 anyway) has been rather dented. Given this tilt, you make the sound tactical decision to 'go counter-intuitive'. So, your short-list is: criticize CMP1 or defend MP1. Say that, for whatever secondary motivation, you decide to defend MP1.

You do that and the moral premise of the defending argument (call it 'DMP1') fares less than robustly against CMP1. So, say that your tilt concerning the latest Deep Moral Clash, DMP1 versus CMP1, is unchanged at 80/20. Still acting counter-intuitively, you have another go at defence and defend DMP1. Still not much success; the tilt for DDMP1versus CMP is 75/25. Perhaps, though, although it was the first line of defence you thought of, the DMP1 to DDMP1 'chain' is not the best way to support MP1 and you can't see that any further development (say, by digging down to some DDDMP1) is likely to help.

Accordingly, you might decide that it is tactically sound (still in the spirit of 'going counter-intuitive') to explore another line of defence of MP1, a rationale *independent* of the existing DMP1/DDMP1 chain of support. So, call the moral premise of this new, second, defence of MP1, 'D2MP1'. This gives, as our new Deep Moral Clash, D2MP1 versus CMP1. Say our new tilt is 85/15 favouring CMP1 over D2MP1. This is still not a defence that is managing to outweigh the critic's CMP1. Indeed, it is faring even worse than the first line of defence did, especially after that first defence's development to DDMP1.

Now what? Well, you might play around with deepening this new defence by defending D2MP1 but, for brevity, let's say that you can't see how this might happen in any way that looks at all promising in terms of tilt adjustment.

So, two failed defences and it might not seem to you that anything else that has more hope can be said by way of yet another independent rationale in defence of MP1. It might occur to you to try combining the two independent rationales to make a joint rationale but, even though the whole is sometimes more intuitively attractive than the mere sum of the independent tilt values might suggest, say that that doesn't work either and CMP1 outweighs the combination of DDMP1 and D2MP1 60/40.

This is tantalizingly close to 50/50 but it is the culmination of extended counter-intuitive effort and say that all of the ammunition available in defence of MP1 has been used up. Perhaps we could, still in the spirit of counter-intuitive thoroughness, try our other counter-intuitive option, namely 'criticize CMP1'. Consider the question of 'voices' however. Such a criticism couldn't be in the voice of the author because, for it to change anything tilt-wise, whatever card was put on the table as a CCMP1 would have to be a new value yet the history of the enquiry to date has been that everything relevant to the dispute between author

and critic that the *author* might have to offer has already emerged in the guise of various defences – and without result. So, perhaps a criticism of CMP1 done from a non-author perspective, a third voice, could be a path forward?

Maybe. But recall that all of these Deep Moral Clashes and their related tilts are one-on-one affairs. Even if CMP1 lost out in comparison with a 'third voice' CCMP1, that doesn't *automatically* help MP1 (and its defences in whatever depth and combination) against CMP1 as that dispute is a distinct one. Remember that your tactical motivation for even considering doing this is one of doing a thorough job of going counter to your intuitions concerning the dispute between author and critic (MP1 versus CMP1 and later developments). Given that motivation, the only chance of relevance for a third voice challenge to CMP1, is that the new CCMP1 (or some deeper moral premise in defence of it if that line became further developed) would, by success, eventually force some modification to CMP1 and then that such a modified CMP1* would be less attractive than the original when put in clash with the DDMP1 plus D2MP1 combined rationale. I suggest that you pause for a second, reread slowly and thoughtfully, and try to ensure that you are following all of that.

Again, for brevity's sake, let's assume that nothing like this looks to be a 'starter' or, if tried, it doesn't make any difference to things with respect to the author/critic clash. (This doesn't mean that such a CCMP1 versus CMP1 Deep Moral Clash might not be bearing helpfully on the current 'author versus critic' concern; it is just that it did not shift your sympathies on that clash series.)

What now? You really *really* have tried to challenge your intuitions and, although some shift has finally occurred in tilt *steepness*, the *direction* is unchanged – you still favour author over critic, although now with rather more doubt.

Look at what has occurred and there has been considerable development of the author's case but *none* of the critic's. That case has faced an expanding array of opposing values but remains in its original form. Perhaps if it were to be developed more, we could not just balance the depth of argument on each side of the dispute more but, by going *pro*-intuitive, resolve the doubts that we have comprehensively explored to no final avail and be able to move to closure in favour of the critic over the author.

For such reasons then, we would be metacognitively warranted in ceasing to try to challenge our intuitions and, instead trying to boost them by going *pro*-intuitive. This could be by challenging D2MP1 or DDMP1 or by defending CMP1. And, if a challenge to the author's defending values, it could be in the voice of the critic (in which case more of the critic's values will emerge as challenges to the author's deeper values) or in some third voice. Probably, given the relative lack of development of the critic's case, it would be tactically unwise to add further voices at this stage and, if you are to do a new criticism of the author's deeper case, then why not have it from the point of view of the critic, thereby further developing the *current* dispute rather than adding others?

An Aside

This is almost *not* an aside as it fits the flow of things here quite well but skipping it and returning to it at the section's end is possibly wise.

I said above the one option might be to criticize D2MP1 or DDMP1. More generally, sometimes an option is to criticize some moral premise (which I will just generically talk of as DMP for short) offered in defence of some other moral premise (again, just generically MP for short). This might occur early or late in an enquiry. In our scenario here, it is 'late' and after quite a bit of development and our motivation is to go pro-intuitive. But it might be that the defence of some initial MP is the very first thing that occurs and we *then* decide to criticize the DMP (we touched on this early in Chapter 6 in another aside in a section entitled 'What Next?'). Moreover, such a criticism might be a counter-intuitive 'probing one'.

Anyway, however early or late, and whatever the motivation, why would one criticize *D*MP and not MP?

Consider the following argument:

> A7/7
> DMP1 No one should be a financial burden upon society unless them being unable to financially support themselves is unavoidable.
> DDP1 All unemployable school-leavers are financial burdens upon society who are not able to financially support themselves but whose inability is avoidable.
> So,
> DMC1/MP1 All school-leavers should be employable.
> DP1 Having all schools aim at having all school-leavers employable is an necessary part of the most efficient and effective means for having all school-leavers employable.
> So,
> MC1 All schools should have the aim of having all school-leavers employable.

So, in this case, a counter-argument against A7/7 would be an argument which had as its conclusion some form of denial of DMP1 rather than of MP1. But why? Think about the ways in which an argument can go wrong. Recall that there were only two: a logical hole or an unacceptable premise. Now consider MP1; say we were to wish to criticize it. MP1 has, however, already been defended; wearing its other label as DMC1, it was supported by DMP1 and DDP1. Given that it has already been argued *for*, it is immune to criticism *unless* there is something wrong with that defending argument. Were the argument to be perfect, with acceptable premises and a hole-free logical move from them to DMC1, then DMC1 (that is, MP1) would be established. A criticism of MP1 can only be successful if there is something wrong with the defence it has already received. So, criticizing MP1 presupposes criticizing the argument raised in its defence. But, as I just reminded you, there are only two things that can go wrong with that argument. One of them is already checked by the time that we have got to this stage of the enquiry.

We have *already* satisfied ourselves that there is nothing wrong with the move of logic in either of these component arguments of A7/7 when we automatically carried out our logic criticism/patching exercises. So, unless we bungled, the only thing that remains to go wrong with that defence of DMC1/MP1 is an unsatisfactory premise. The problem might lie with either (or both) of DMP1 or DDP1. In short, when working out what to criticize in a chained argument, it is rather silly to criticize a premise (in this case we've talked of a moral premise) that has a defence sitting above it. It is best to go down to the elements of the supporting case and to subject them to critical attention. Commonly, if you have been careful in keeping your descriptive claims true as far as you know, then the focus of your attention will be whatever the deeper moral premise is and it will be that DMP rather than the MP which is subjected to premise criticism.

End of Aside

Returning to our flow, we were considering criticizing the author's deeper story. Mind you, rather than challenging the author's line of thinking from the point of view of the critic, if one were to be interested in developing the critic's side, it would be just as well done by simply defending CMP1; and that is what I would do as it is the easier path to keep track of. (And, on that point, you can see how the diagrams of the last chapter, especially the second, landscape, sort that charted relationships among the substantive arguments, would help you to not get lost in all the moves.)

Anyway, the point is that sometimes is worth developing the view that you favour, going *pro*-intuitive, especially if you have already satisfied the demands of intellectual thoroughness by having a good go at counter-intuitive explorations.

Key Ideas

Sometimes, when counter-intuitive moves have been exhausted without success, it is tactically sensible to *reinforce* your intuitions by defending the favoured view or criticizing the unfavoured one.

Dispute Closures

Introduction

This is one of the more important sections for, unless you are to argue back and forth for ever, the hope is that in some clashes you will be confident enough to (100/0) *close* the dispute in favour of one or other of the clashing propositions (as complicated by issues of degree perhaps). As explained earlier, one of the explicit intentions of extended enquiry is to go beyond one's first impressions and delve into the depths of the issues and beliefs that underlie the initial problem

or topic. These issues can be of any of our three types and a common result of deep enquiry is to discover that one's deeper beliefs and values are in conflict. Much of the 'to-ing and fro-ing' of enquiry is an attempt to sort out those deeper conflicts. If some dispute is, at some stage, still unresolved, then the result of metacognitive deliberation would be some further argument, one teasing out some further elements of your thinking. This is done in the hope that, with more 'cards on the table', your priorities, or beliefs, might become clearer, more resolved and you can move to closure. In what follows, I will explain and illustrate the sort of thing that occurs when one finally *does* get clear just which way one wants to (100/0) close on some dispute.

I have emphasized that, as they are the primary motivators of your judgements, *moral* issues loom high on the agenda as important to get sorted (and we've seen that moral disputes are usually complicated by what I have called 'degrees of goodness'). Such disputes will be our initial focus. As we have an enquiry involving a series of such disputes available from the last chapter, I'll use that 'lying nurses' enquiry as my example here. (You might want to quickly reread it if you don't find my summary below sufficient of a jog to your memory.)

'Track-backs'

Recall that, crudely put, we had an initial argument that was motivated by the moral principle that nurses should have patient welfare as their highest priority (MP1). The driving motivation for the criticism of this was a rival moral principle concerning respect for patients' status as persons (CMP1). It was decided to challenge that and the basis of the challenge was the view that such respect should be limited to those who are not morally bad (CCMP1).

In the last chapter, the tilt that we had concerning the clash between CCMP1 and CMP1 favoured CCMP1 90/10 over CMP1. After some consideration of voices, we also had CCMP1 and MP1 in clash and, in that case, had a tilt of 90/10 against MP1. As we had only an 80/20 tilt favouring CMP1 over MP1 and given our favouring of CCMP1 over CMP1, we decided to focus on CCMP1, not CMP1, as the source of criticism of MP1. After some deliberation, we decided that 'defend MP1' was the tactically soundest next move. We left it there, without implementing our decision. In this section, I'd like to borrow the first three substantive moves, or arguments, of that enquiry (it saves time and you are already familiar with it). For present purposes, however, I am going to suppose that, when it came to doing our metacognitive review after CCA1, we didn't have a 90/10 tilt but a 100/0 one. In short, say that we were *totally* persuaded by the criticism of CMP1 and the option we would choose is thus 'accept CCA1'.

Pause for a moment to think about how we tended to approach the issue of deliberating upon our options. Basically, the first decision to be made about any given dispute was whether we were ready to (100/0) 'close' on that dispute or not if not, then we had a closer look at the other 'opening out' options and started

weeding them by, say, 'going counter-intuitive' as a primary tactical motivation and so on.

Consider also that we realized in our Chapter 6 *review*, that is, *prior to* any deliberative decision-making, that we had CCMP1 clashing with MP1 as well as CMP1 clashing with it.

At this point, for this section's expository purposes, I am going to assume that the review was sloppily and incompletely done. In particular, assume that we simply did not properly think about the issue of 'voices' and thus did not notice that we had that 'third voice' versus 'first voice' dispute on our hands. Accordingly, when we consider our options, the list is going to be shorter than before (owing to our supposed incompetent metacognitive review) and thus we are focused upon the CCMP1 versus CMP1 clash as the new element in the enquiry.

As I've said, in this illustrative scenario, we are supposing that we are 100/0 bowled over by the criticism of CMP1 and thus any further deliberation upon options is otiose; we simply *accept* CCA1.

This is, of course, going to mean that the version of the enquiry that we pursue here is going to go down a different path to that of last time (as just said, last time we foreshadowed a defence of MP1). So, given that we are ready to 'close' the CCMP1/CMP1 dispute in favour of CCMP1, what happens next?

It is this that I wish to explain and illustrate in this section. Mind you, such acceptance is an implausibly swift outcome and it is likely that most enquiries would not reach a decision on a clash this quickly and the judgements as to the relative importance of various values would be nuanced by what, in an earlier section, I spoke of as issues concerning the degree, or extent, of satisfaction, or transgression, of a value. I am simply going to ignore such subtleties and, to illustrate the concerns of this section, I am assuming that we are satisfied with a simple rank ordering of the two values regardless of their degree and without further enquiry.

What happens next? Well, any such closure decision is not isolated; it has *consequences*. Let's trace them.

If our tilt is 100/0 favouring conditional respect over unconditional respect, then that amounts to accepting CCA1 (given that it is logical and its other premise is true). Now, if CCA1 is accepted, this means that, to our present satisfaction, it establishes its conclusion. But its conclusion, CCMC1, denied CMP1. So, if CCMC1 is accepted, CMP1 is rejected. In short, the original critic's argument, CA1, has had its key foundation, CMP1, kicked out from under it. We no longer have the apparently unconditional sympathy that we had for the view that all nurses should treat *all* patients with respect for their status as persons. But to reject that premise is *not* to have to reject it in an *extreme* way. Our agreement with the criticism of it does not force us to abandon CMP1 to the extent of saying that *no* nurses should *ever* treat *any* patients with *any* respect for their status as persons. Nonetheless, CMP1 can't now stay as it is.

Given our enthusiasm for CMP1 prior to the advent of CCA1, my suggestion here (and generally) is to make an adjustment to CMP1, but one which is the

slightest one possible. CCA1 has forced a rethink, so CMP1 can't stay as it is but how *much* do we have to back off? – just to the extent that our agreement with CCA1 dictates. So, I suggest making the smallest adjustment that still results in the modified CMP1 (let's call it 'CMP1*' to mark the change from the original CMP1) accommodating the success of that criticism of the original version of it. So, consider this:

> CMP1* All nurses should treat all patients *who are not morally bad (to a certain extent)* with respect for their status as persons.

This satisfies the demand that we 'tone down' CMP1 just enough so that the new CMP1* accommodates the successful criticism (a process I sometimes call: 'fiddle and fix'). So, what next?

Well, with that adjustment to the moral premise, we have begun the process of (what I call) *tracking back* down our enquiry to see the *consequences* of our decision to accept CCA1's criticism of CA1. The closure decision has consequences and it is a matter of tracking back down the enquiry to identify what they are and to make the appropriate changes to your thinking in response to that closure decision.

The next part of that backtracking is to see what adjustments are required *elsewhere* in CA1 to *restore its mesh and validity*. After all, its original form was laboriously checked so that all of its bits meshed and the premises entailed the conclusion. Now we have intruded a new (italicized) element into the moral premise, an idea that that is present *nowhere else* in the argument; clearly then, the argument won't any longer be in mesh (or logical). Also, that new element weakened CMP1 and the resultant CMP1* might not now 'say enough' to (in combination with CDP1) entail CMC1. So, a rewrite is probably in order. Sometimes this will only involve the other premise (or premises), sometimes just the conclusion, sometimes both and, very rarely, nothing at all. You will have to judge each argument on its own merits. In any event, the tasks are to restore mesh and validity. In this case, I suggest the following as a revised version of CA1.

> CA1*
> CMP1* All nurses should treat all patients *who are not morally bad (to a certain extent)* with respect for their status as persons.
> CDP1* Sometimes, maximizing a *not morally bad (to that extent)* patient's welfare entails treating her without respect for her status as a person.
> So,
> CMC1 On those occasions, it is not a nurse's primary responsibility to maximize his patient's welfare.

Note that, in this particular case, CMC1 did *not* get changed in its wording.

It is important to note this because it means that, although CCA1 has shown us that the original CA1 was flawed, toning it down to make it cease to be vulnerable to that criticism has not weakened it so much that CA1* has ceased to operate as

a criticism engaging with MP1. CMC1 denied MP1 and, being unchanged in the revised argument, of course it *still does*.

So, in *this* case, the backtracking exercise ceases with the rewrite of CA1 into CA1*. Sometimes, especially if such a closure occurs later down an enquiry, backtracking might go further as we trace a ripple effect back through a series of connected arguments as far as its influence goes.

If we now did a metacognitive review of events, (as we should do) it would be worth reminding ourselves of the dynamics of the enquiry as part of that. Remember that we were assumed to have been sloppy in our previous review and not noticed the 'third voice' clash with MP1. In this particular enquiry, our error has, in large part, corrected itself. Look at the general thrust of CCA2 from Chapter 6 and at CA1* and you should see similarities and it would be astonishing dim-wittedness were the above congruence of third and 'fiddled and fixed' second voice criticisms of MP1 not to now begin to loom into a reviewer's consciousness so that belated appreciation of the CCMP1/MP1 clash now occurred. However, not always will errors be fortuitously retrieved like this, so thoroughness in the first place is enjoined.

In any event, a post 'fiddle and fix' review is important in order to find out just where the enquiry is at.

I would do this new review something like the following: In my initial argument, I warranted nurse dishonesty by appealing to patient welfare. In probing criticism of this, I was motivated by a commitment to respect for patients' status as persons, a respect that would sometimes not be in the interest of a patient's welfare. Having sympathy with the criticism, I chose to subject it to critical scrutiny. It occurred to me that perhaps I was too sweeping in my commitment to respecting people. Does just *anyone at all* deserve such respect? – maybe not. Accordingly, my criticism of the 'respect' moral premise proposed that such respect should be limited to those who are not morally bad, rather than apply to everyone. Upon reflection I was satisfied that I was confidently enough in agreement with this to accept this criticism of CMP1. This meant that CMP1 had to be adjusted to accommodate the criticism. Having adjusted CMP1 to CMP1, I made other adjustments to the elements of CA1 to restore mesh and validity – giving CA1*. In this case though, softening the tone of the criticism *made no difference* to its capacity to continue to critically target MP1. So where am I left? – with an original argument having its MP challenged by a criticism, a criticism that has been modified somewhat but which was not seriously upset by its earlier version having to be changed in the face of successful challenge. Reflecting upon things, I think that I was incompetent in my lack of consideration of the issue of the 'voice' of the CCMP1 value. I suspect that this was because, as soon as I articulated it, I was totally convinced of the CCA1 criticism of CMP1 (which struck me then as too simplistically sweeping). My attention was thus to focus upon that dispute and I was illegitimately rushing on to adopt the next path forward. I now see that where I have ended up with the CMP1* versus MP1 Deep Moral Clash is much like what I would have had with a 'third voice' CCMP1-based criticism of MP1. Not quite, though, as CCMP1

is more general and one can see CMP1* as a subsidiary principle of it. For the moment, I will continue down the path I have begun (with CMP1*) but keep in mind the broader motivation (CCMP1) that the 'qualified respect' line of criticism seems to have at the heart of it.

Some such review as this helps you to keep track of things, especially when they get complicated.

The only *remaining* Deep Moral Clash is, then: 'Should all nurses' primary responsibility be maximizing patient welfare even in situations where fulfilling that responsibility has, as its cost, treating patients *who are not morally bad (to a certain extent)* without respect for their status as persons?'.

And, as it is a *new* clash, I should revisit my tilt. Say that, in this case, it is 90/10 in favour of CMP1*. Curiously, a successful criticism of the critic has *firmed* my enthusiasm for the general thrust of the respect point by *removing a weakness* present in the original, overly sweeping, CMP1.

Of course, other challenges to CA1/CA1* might be mounted. And although *this* criticism, despite its success, has not disturbed the critical power of CA1/CA1* against MP1, some other challenge to CA1* might be more damaging. So, perhaps our best next move would be to try *another* challenge, this time targeted at CMP1*. Such a challenge might be *another* 'fourth voice' or might be a 'first voice' response by the author and rest on some deeper value of the author as its driving motivation. Or, for that matter, we might just defend the unfavoured MP1 as our counter-intuitive response to our preference for CMP1* over MP1 in cases where they clash. For now, let us assume that the last option is selected for much the same tactical reasons as we had in Chapter 6 at the end. That metacognitive decision made, we would set about trying to implement it. In a real enquiry, something promising would probably emerge as development of the author's case. In this illustration, however, I am, for brevity's sake, going to assume that either nothing emerged at all, or that it did but, upon some further exploration, the defence failed to improve the tilt. In such a case, we might try our *other* counter-intuitive option – criticize CMP1* from a *fourth* voice point of view. But say that no promising lines of value conflict with CMP1* seemed to emerge. We are thus left with the dispute between MP1 and CMP1*. In effect, no matter how we set out to dispute or outweigh CMP1*, we fail. Such *sustained* failure would probably firm our support for CMP1*. Say that it did and, in its dispute with MP1, we decided to close 100/0 in favour of CMP1* over MP1 (perhaps after the sort of pro-intuitive defence of CMP1* we touched upon in an earlier section).

So, what now? Well, having closed on another clash, we repeat the process. I'll do this in a minute but first I want to digress to discuss something.

An Aside

A moment ago we revised CA1 (having fiddled with its moral premise). In that argument, it turned out that CMC1 could stay as it was. In other arguments, it may well be that, when you make adjustments to suit the revised moral premise this

isn't so and, the *conclusion* has to be adjusted to fit in with the new premise. If that happens, then there are two possibilities.

One possibility is that it gets so mucked about that is no longer capable of denying whatever premise was its target. If this happens, then the result of it having been successfully criticized is that it has 'had its teeth pulled' as a source of criticism of its intended target. Had this happened in the enquiry that we are playing with, then we would have been left at the end of our backtracking with just A1 'on the table'. CA1 would have been so successfully criticized as to have been demolished to the point that it would be useless in performing its role in life: denying MP1. So, in such a scenario, when carrying out our metacognitive review we would have construed events as an enquiry that had attempted to mount a criticism of a key premise (MP1) of our initial argument but, after that criticism was itself successfully criticized, the enquiry was left where it started: with A1; an argument that is, so far, *un*successfully challenged. What next? – probably another criticism of MP1, one appealing to entirely different grounds for concern. Or, if the other premises had not been as immune to criticism as our DP1 happened to be, perhaps a challenge to some other elements of the author's case ('well, I have finally decided that the moral principles upon which your case is based seem OK but I'm not sure that you have your facts straight ...'). What would probably be premature is *accepting* A1.

The other possibility is that, even though CMC1 gets *changed* as a result of adjustments to the rest of the argument, the *changes make no difference* to its power to deny MP1. In this scenario, the changes are harmless changes that don't stop the critic's argument doing its critical job. In such a case, the situation is much like the one we were discussing before our aside: changed or not, the important thing would be that we *still had a viable criticism* and thus a Deep Moral Clash (MP1 versus CMP1*) to think about.
End of Aside

OK, let's go back to where we were. A1's MP1 was under challenge by the revised CA1*. In that 'CMP1* versus MP1' Deep Moral Clash, our scenario was that the weakened (but, as a result, more sophisticated) version CMP1* was now even more attractive to us but not decisively so. After further attempts to bolster MP1 and/or unsettle CMP1* had failed, we decided that CMP1* was sufficiently attractive to us to decisively outweigh MP1 so that we 100/0 tilted to close that dispute in its favour. And that is where we left off for the aside.

All of that amounts to saying that CA1* has, to our (always tentative) satisfaction, proved its conclusion and thus *proved MP1 to be unacceptable*. Now what?

As was done with CMP1, we try adjusting MP1 so that the revised version is immune to (by accommodating) the criticism and then proceed to make whatever changes we have to make in the rest of the argument to restore mesh and validity. So, what changes are forced upon MP1 by the success of CA1*? We could try this:

> MP1* All nurses' primary professional obligation is to maximize the welfare of all of their patients *unless* this involves not treating those patients who are not morally bad (to a certain extent) with respect for their status as persons.

This amounts to us putting in what constitutes an exception clause. Usually this sort of thing is fine (indeed, it is a common form of 'fiddle and fix' modification and we touched upon it earlier when discussing rank ordering as a response to having competing values; mind you, as was also said then, things can be complicated by 'issues of degree'). It does, though, read oddly in *this* particular case. If patient welfare is being over-ridden, then it seems odd to still talk of it as a *primary* obligation, even with the 'unless' clause. Perhaps it is over-fussing about wording but keep in mind that words are the vehicle for your ideas and imprecision concerning them has some potential for generating muddles. Anyway, try this as a less jarring go at revising MP1:

> MP1* All nurses should maximize the welfare of all of their patients *unless* this involves treating some patients who are not morally bad (to a certain extent) without respect for their status as persons.

As before, we can't leave things like that and other adjustments will be in order to restore mesh and validity. So, try the following for the rest of the argument:

> DP1 Sometimes, in order to maximize a patient's welfare, it is necessary for a nurse to lie to them about their medical condition.
> CP1 To lie to anyone about their medical condition is a case of not respecting their status as a person.
> So,
> MC1* On those occasions upon which it is necessary to lie to a patient in order to maximize their welfare, a nurse should do so *unless* the patient is not morally bad (to a certain extent).

Rather involved and wordy isn't it? But read it thoughtfully and you will see how the bits all do some work. Note that the revised premises *don't* yield the *original* conclusion but *only a qualified one*. In this case, the changes in MP1* necessitated a revised MC1* but left DP1 as it was. We have, however, put in another premise to make a connection explicit and, note that this premise is a *conceptual* one – I am taking it as saying that the *very idea* of respectful treatment entails not lying to someone about their medical condition.

So, let's do a metacognitive review concerning where we have ended up on this thread of possibility. Not only did the original argument suffer (ultimately) successful criticism and have to be changed to accommodate it, those changes extended to the *conclusion*. In this case, MC1 had to be 'toned down' to MC1* in order to get something that actually validly followed from the modified premise set that the successful criticism forced upon the author. This means that, as a line of support for the *original* MC1, an A1 style of argument has proved a failure. If we keep the original MC1, the premises that entailed it are flawed (in that MP1 was shown unacceptable). But change MP1 to the more acceptable MP1*, and MC1 is no longer entailed, only the more restricted, or 'toned down', MC1*. In short, a process of criticism has established to our satisfaction that the original line of argument was flawed. In no form does it provide a satisfactory case for its intended conclusion, MC1.

What is to be done in the face of this result? As usual, there are options.

Remember that A1 was advanced as a central, important, line of argument for MC1. Presumably, we had, at that time, considerable enthusiasm for MC1 and were trying to articulate our main reason for that enthusiasm. This enthusiasm might still be present but it is not able to be warranted by any variation upon A1. Mind you, A1 was just *an* argument for MC1. Conceivably there is some other argument, call it 'A2', that, although not our first choice, might fare better in the long run (than A1 did) as a case for saying that it would be right for nurses to lie to patients on those occasions where it is necessary for patient welfare to be maximized. If we can think of such an A2 that looks promising, then we'd advance it and off would go a new thread in our thinking on the topic. In terms introduced earlier, we would be advancing an *independent rationale* for MC1 (independent of A1 that is).

Another possibility is that, although we can't think of anything which is even worth seriously considering as an independent rationale for MC1, we can think of a sort of 'half reason' which, when combined with another such 'half reason' would look like plausible rationale. That is, we might be able to craft what we called 'a *joint rationale*'. Sometimes the elements of this would be new but, as discussed in an earlier section, it might be that an argument that didn't succeed as a stand-alone independent rationale can be bundled together with some other consideration as part of a joint rationale.

I am going to assume for the purposes of this illustrative enquiry, that no such way of mounting a different defence of MC1 (that is even vaguely plausible) occurs to us or, if it does, it ultimately fails. This leaves us with MC1 being *indefensible*, with the most that we can salvage (as something we *do* have a case for) being MC1*.

So, is that finally the end of the enquiry? Should we choose the option: 'accept A1*'? Not automatically (sigh!). While A1* is a satisfactory reaction to the success of CA1*, the latter might not be the *only* line of critical challenge against the author's thinking. One possibility is that of mounting a *new* critic's argument (call it 'CA2') against the *revised* A1*. This might be a new stand-alone criticism or, it might be that more complex affair, a joint rationale. Also note that A1* has a premise (CP1) that was not present in the original A1. It might be a focus of critical attention (in which case the discussion would be challenging the contention that the meaning of 'respect another's status as a person' rules out lying to them about their medical condition if one was committed to such respect).

So, what next? Your tactical motivation might be to want to see if, with the change to MP1*, we have got the moral principle driving the author's case into a 'finally' satisfactory shape yet. If we suspect so, then, for familiar counter-intuitive reasons, we might wish to mount a counter-argument against MP1*. Also, as moral clashes have been our concern for a while, we might be advised to stay in that mental 'set' until our moral principles get better sorted out. Even if, upon reflection, we think that CP1 is worth critical attention, we might be wise to defer such criticism for a while. So, perhaps the best next move is to investigate some new challenge to the author's motivating moral principle, which, in its current incarnation, is MP1*.

In an abbreviated form, let's try flow-charting some of the above so that we can keep track of it.

| Substantive enquiry | | Metacognition |

A1

| MP1 (plus some other premises) |
| MC1 |

Criticize MP1

CA1

| CMP1 (plus some other premises) |
| CMC1 |

Tilt 80/20

Criticize CMP – *yes* (other options)

CCA1

| CCMP1 (plus some other premises) |
| CCMC1 |

Tilt 100/0

Accept CCA1 – *yes*

CA1*

| CMP1* CDP1* |
| CMC1 |

Various attempts to defend MP1 and criticize CMP1 tried and failed.

A1*

| MP1* DP1 CP1 |
| MC1* |

CMP1/MP1 Tilt 100/0

Accept CA1*

CA2

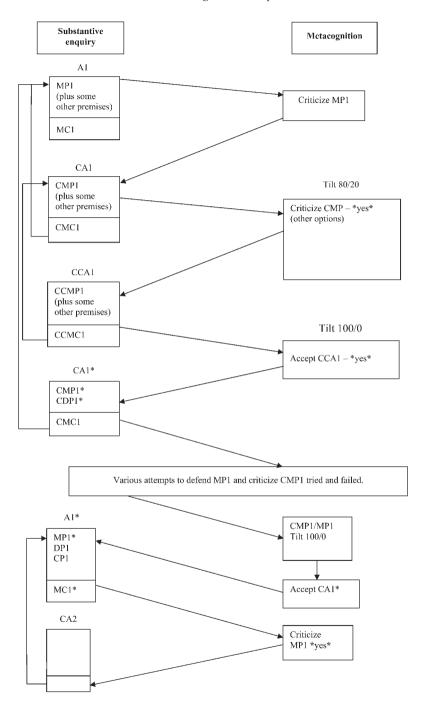| |
| |

Criticize MP1 *yes*

Diagram 7

As for our substantive argumentation 'landscape' diagrams, try this (again, in abbreviated form):
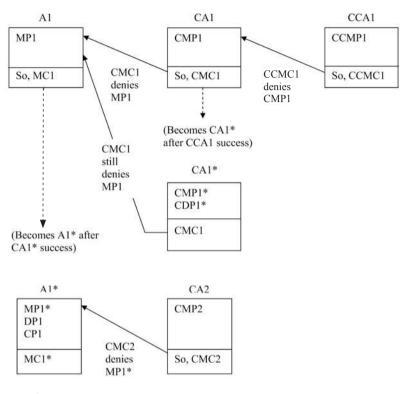

Diagram 8

This is where I will leave things for now. I hope that I have clearly enough portrayed a process of *methodical* 'backtracking' down the enquiry from moral 'closure' decisions concerning some dispute or other (in our case the CMP1/CCMP1 dispute was the start of this process). As you have seen illustrated again, there are always options even if you've got some sort of a path forward (or backward, for that matter) pretty much worked out. Note again that the initial thread of this particular enquiry was truncated early for expository purposes and the process of backtracking would probably not be as brief as this. The point where you first manage to close on some dispute might be early or late in the enquiry and the backtracking to accommodate it might be extensive or only involve a move or so from the past (as it was in this case).

In all of this, though, the principles remain the same: if you can settle something, then methodically trace the consequences of that decision for the rest of your enquiry and then review where that back-tracking exercise has left you and deliberate carefully upon what seems to be the best path forward from there. It will

mostly be the case that closing on one particular dispute will not be the end of your enquiry but merely settling your views upon one aspect of it.

As always, be fully aware of the spread of possibilities facing you and choose from among them with *explicit* tactical motivations in mind! Also, realize that things are almost always more complex than they first appear but that being methodical and metacognitively aware can help you expose and deal with those complexities.

Key Ideas

The hope in generating Deep Moral Clashes is that, upon development, you'll be able to 'close' in favour of one side or the other. That closure decision is not an isolated one but has implications for elsewhere in the enquiry. Just how extensive such effects will be will vary from case to case and it is a matter of methodically 'backtracking' changes that are consequential upon the closure decision.

'Voices' and Multiple Deep Moral Clash Closures

In the last chapter, and earlier in this one, the issue of 'voices' was raised. Recall that more voices than just the two of a simple author/critic 'dialogue' might emerge as an enquiry becomes more complicated. One possibility with a third voice is that it disputes not just its intended target but some other moral premise as well. In such a scenario, what will be generated is not just the intended Deep Moral Clash but another one as well. Although I have recommended that you try not to have too many 'balls in the air' at once, it sometimes occurs that the enquiry thus has more than one controversy of current concern demanding your attention.

In this section, I want to discuss the issue of dispute closures when more than two voices are present and all are quite distinct in stance (unlike our earlier CCMP1 and CMP1 from the 'lying nurses' enquiry which were closely related variations upon a theme).

As an illustrative example, I will move from our familiar 'lying nurses' one to another one more suitable for the task at hand, The one that I will use was introduced and sketched above in the section entitled: *'Voices' Revisited*.

If you look back at that section, the enquiry involved was drawn from teaching and, for present purposes, it will initially suffice for us to briefly sketch the various moral premises and their inter-relationships.

The moral premise of the initial argument was:

> MP All schools should do whatever most employers want.

This was subjected to counter-argument and the motivating premise of that counter-argument was:

CMP As many members of society as possible should have shared moral values.

So, we had a Deep Moral Clash that could be expressed as this question:

Deep Moral Clash 1: Should schools do whatever employers want even if the result would be that fewer members of society would have shared values than would otherwise have been the case?

CMP was then itself subjected to criticism and the motivating moral premise of that critical challenge was:

CCMP Everyone should have maximum freedom of thought.

This yields as an intended Deep Moral Clash with CMP:

Deep Moral Clash 2: Should as many people in society as possible have shared values even if it is at the cost of lessening freedom of thought?

But, as is familiar to you by now, CCMP is *also* in Deep Moral Clash with *MP*:

Deep Moral Clash 3: Should everyone have maximum freedom of thought even if that can only occur if schools do not do what employers want?

So, basically we have a three-cornered dispute with each of the three 'voices' disagreeing with each other one. Or, if they are 'all you', as is probable, you find yourself quite morally conflicted when you start to make explicit those values of yours that bear upon the issue of what school curricular priorities there should be. I have left out the tilts but, as you have *three* Deep Moral Clashes, there will be three of them. Let's say that the MP/CMP tilt is 30/70 (favouring the latter), the CMP/CCMP one is 20/80 and the MP/CCMP one is 10/90. So, we favour CCMP and CMP fares slightly better against it than MP does.

Now, what is to be done in the face of this complexity is, as usual, something for careful deliberation. My concern in this section is not so much to practise that in detail but to focus on *closures* so what I will be doing is somewhat abbreviated in some respects. (I will, as before, assume that the *non*-moral parts of the various arguments happen not to be up for challenge.)

Looking at the various disputes, there is some common ground between MP and CMP. In each case, they are willing to override freedom of thought; it is just that they have different ideas as to what might be important enough to warrant doing that. MP would override it in order to satisfy employers' wishes and CMP in order to have greater commonality of moral values among citizens. Of course any two of the three values in contention at least share the feature that they are each in opposition to the third but I find the MP and CMP versus CCMP divide to be of

particular interest. This is because it seems to me to be some sort of fundamental *prima facie* right for people to have freedom of thought and a key division is between those who would see grounds for its restriction (MP and CMP but for different reasons) and those who would not (CCMP). So, for me, the key question is if either MP or CMP constitutes a good enough reason. On the evidence of my tilts, CMP is more promising as a rationale (although still faring badly). Despite this, in the spirit of 'going counter-intuitive', the MP versus CCMP clash is what I have decided upon as the one to be focused upon next (with the 'shared values' basis for freedom reduction being put in the back of our mind for now).

This decision trims the range of seriously considerable options to those associated with the arguments these two moral premises are part of. And, given the steep tilt, a counter-intuitive next move is advised. Say we choose to defend MP and the enquiry proceeds on for a while until, at some point, we close on some deeper dispute that we have exposed. The details of all of this don't much matter for now but let's say that, after backtracking the consequences of our decision back down the enquiry, we are left with the surprising result that CCMP *fails* in its dispute with MP. In short, we have a closure in which we have, after some further enquiry, dramatically reversed our earlier tendency to favour freedom of thought over granting employers power over schools. We are now satisfied that the loss of some freedom of thought is *not* a good enough reason to fail to grant employers such power. Now what?

Basically, of the three Deep Moral Clashes we had, one has been resolved and two remain. Thus there is still unfinished business that has emerged from the enquiry to date. So, presumably the next move is to begin the process of trying to resolve one or other of them. Just because one dispute has been sorted to our satisfaction doesn't mean that the enquiry has ended.

We still have the original criticism of MP, that based on CMP, to consider and it was a criticism that our tilt shows we thought well of. It was itself challenged by the argument motivated by CCMP and our tilt at the time favoured CCMP over CMP. That CCMP was ultimately unsuccessful in its dispute with MP doesn't mean that it won't be successful against a different rival, CMP. Remember that these tilts are all bipolar. They are also, recall, just at-the-time intuitive ratings of the values in clash and, as we saw (somewhat dramatically) with MP and CCMP, they are subject to revision. As a result of our rethinking of the merits of freedom of thought when in conflict with giving employers power over what schools do, it is obvious that we are less sweepingly enthusiastic about freedom of thought than we were. So, even though CMP is a different rival for CCMP than MP was, an intuition re-consultation is probably in order before pressing on. Ditto for the MP versus CMP clash.

Say that we do that. It doesn't really matter for present purposes how these tilts change or don't; the point is that when we come to work out what is our tactically smartest next move, our deliberation just might be informed by a review that contains *revised* tilts.

So we would choose one of the remaining disputes to pursue, the one that it seemed to us was the most important the attend to first and so it would go on. The point is that, with just two 'voices', you might get a succession of clashes as each has its case deepened but this will still amount to *only two* basic viewpoints in dispute at various levels. This can become complex enough to sort out (as seen earlier) but different, and more, complexities enter when the clash of ideas contains *more than* two voices.

The basic guide in all of this is remains: when you think that you have reached closure on some particular dispute, track the consequences of that closure decision. But realize that settling a clash between two voices will probably leave unfinished business when it comes to those voices' separate clashes with some third voice.

Key Ideas

Having more than two voices in dispute complicates closure scenarios but the main operating principles are as outlined earlier.

Closures Involving Non-moral Propositions

Above, and throughout the book, I have focused particularly upon moral disputes (Deep Moral Clashes as I have termed them). This is deliberate because the most usual foci of concern in professional ethical problems are various moral values that you have sympathy with but different ones of which lead you in different directions on your problem.

However, as noted in the last chapter, it might be a descriptive premise or a conceptual premise that you wish to challenge. If so, off would then go some enquiry into what you take the relevant facts to be or what you take to be the conceptual relationships among the ideas in question. Let's assume that, after some such process of enquiry, you reach closure on the dispute in question – what next? Basically, it is much as we have outlined for closures concerning moral disputes – methodically rewrite various arguments involving the descriptive or conceptual propositions in question in a manner that reflects your current judgement as to what the truth is concerning them. Much as before, you start with those arguments where the dispute got settled and then track back from them to make whatever changes elsewhere in the enquiry that are forced upon you by their connections to the arguments you have adjusted. Finally, in metacognitive review, appraise where the enquiry is at as a result of the changes and, in particular, what unfinished business there still is. Then, metacognitively deliberate upon what will be the best next direction for your enquiry to take.

> **Key Ideas**
>
> Much the same lessons as applied to dispute closures involving moral propositions apply again to those involving descriptive or conceptual propositions – methodically trace the implications of your decision back down the enquiry as far as they go.

Problems upon Patching

If you reflect back over the ideas and techniques covered to date, we have had a certain ideal form which we have sought to have all of the arguments involved in our enquiries take on. First, we have tried to ensure (by patching if necessary) that any argument employed is logically tight (as far as we know). We sought to have our arguments' conclusions *follow* so that *if* one accepted the premises, then one would also *have to* accept the conclusion. We have typically begun with some particular topic and with some tentative stance on the topic issue and that intuitive stance became the conclusion of a feral argument that was tamed, clarified and made logically tight. In an *illogical* argument, the problem is always that what is said in the premises is not enough to generate, or entail, what is said in the conclusion. In the face of this, one has two options for achieving validity. One is to, as I put it, 'beef up' the premises so that they do say enough to generate the conclusion. The other is to 'tone down', or weaken, the conclusion claim so that the (unchanged) premises do manage to at least entail the weakened conclusion. Of these two choices, I have recommended that, in response to detected invalidity, you first try 'beefing up' the premises. The main reason for this is that the existing conclusion constitutes your best bet as to what you want to prove, so you might as well stick to that intuition for a while (until forced away from it perhaps). Also, the (admittedly illogical) argument under examination was nevertheless your initial go at a good line of reasoning in support of your tentative answer to the topic question so you might as well see what the premises would have to look like to actually do that job properly and entail the desired conclusion.

A possible problem is that, having done that as the price of getting some logical holes patched, the *new*, or *revised*, premises that you have deployed might themselves be problematic. Although we touched upon similar matters in an earlier section, I want to highlight the issues in this one, especially as arising from *logic* criticism.

Generally, having achieved logicality by means of 'beefing up' the premises, one has almost always made those premises more vulnerable to criticism. The more they say, the larger a target they present for critical attention. Here lies a problem. Although we could give much the same analysis for other premise types, let's say that the only hole was an inadequate MP. Sometimes, having 'beefed up' such a moral premise in response to an identified logical hole, you will *instantly* feel that the revised version is too extreme for you to accept. Although the original

(too weak) MP was a view you happily endorsed, the patched version is not. For instance, the original might have said that the pursuit of truth is *one* duty of a scientist and when it got revised it became the claim that it was the *most important* of a scientist's duties. And you simply might not buy that. At this point, you should be disturbed. It looks as though this line of reasoning for your 'hoped for' conclusion is in trouble no matter what. In its original version, it had an MP you are happy to endorse but that version of the MP (together with the rest of the premises) would not logically entail the conclusion you were seeking to support. Yet modify the MP so that it does say enough to patch the hole and the resultant logical validity has been bought at the cost of an unacceptable premise. It's not much use having an argument, however logically valid it is, that has a dud premise, so (unless you have incompetently over-patched, of which more in a moment) this ought to tell you that *any* variation of this line of reasoning for your original conclusion is doomed. It looks as if it either has an OK moral premise but is invalid, or it is valid but at the cost of a dud premise. What now?

As always, there are *options* for metacognitive deliberation upon. I have just one suggestion to make when considering your options. A theme of the intellectual style encouraged in this book is *thoroughness*. To the extent that the topic's importance and time permit, I have advocated that you resist too quickly closing down consideration of some issue. Of course, sooner or later you will want to do just that and there is not much point in generating discussion just for the sake of it. So, what has this to do with the current situation? I have spoken of the possibility that some new or revised premise deployed as a patch in pursuit of validity might in itself be unacceptable. My suggestion is that, even if you are confident that some premise is indeed unacceptable, you should consider the possibility that there may be merit in formally exploring the basis for that snap judgement. So, say that we had some patch modifying some MP (like the one in our scientists' duty illustration). There may be some tactical point in formally mounting a counter-argument in criticism of the revised version of the MP (MP*, say) that was offered as a patch even if you are fairly confident that you don't at the moment think that the pursuit of truth would constitute the *highest* duty of a scientist. For instance, you might be confident that such status ('most important duty') is over-stated but not have a very clear idea of just what you would take to be more important and why. Moreover, such comparative ratings are quite likely going to be complicated by what we above spoke of as issues of degree. It is possible that it will be important for your enquiry to explore the intricacies of all of this even if you are indeed confident that MP* is not going to outweigh everything else in the 100/0 way its wording suggests.

Then again, it might not matter for the circumstances of your particular enquiry to tease this complexity out.

All I am suggesting is that you metacognitively *entertain the possibility* that, say, merely being confident that MP* is to be rejected might be a less satisfactory state of affairs for your enquiry's health than proceeding to tease out some of the detail as to *why* (and, just maybe, surprising yourself by changing your mind).

An Aside

A moment ago, I parenthetically alluded to the possibility that you might have over-patched. I would like to just expand briefly upon this before returning to the main flow. Recall that the idea of patching is, generally, to fix a logical hole by utilizing the 'smallest' patch that will do the job. Put another way, one attempts to modify the original premise as minimally as possible, just to the extent required for it to do the logical job that was asked of it in the argument (and that it was failing to perform in its original form). By means of logic criticism, it has been established that the original premise is indeed too weak to perform that task; so, something has to be done in an attempt to salvage the argument. Sometimes, however, what people write in as a revised premise to restore validity makes more changes than the logic criticism forced the author to make. In effect, they over-react to the logical problem that they face. So, if the premise under challenge said that all real estate dealers are dishonest and this was challenged successfully by the critic establishing that there were some exceptions, then it would be an over-reaction to the critic's exception cases (what I am calling '*over*-patching') to revise the challenged premise to say that *no* real estate dealers are dishonest, rather than just making a less radical adjustment that merely says that *some*, or perhaps most, real estate dealers are dishonest.
End of Aside

Anyway, say that, after some further thought perhaps, the situation under consideration is indeed that of an argument that can't escape having either dud logic or a dud premise – what should be done next?

As explored in an earlier section, you could just give up and abandon that line of reasoning as hopeless (or hopeless as a stand-alone independent case for its conclusion). This would mean either finding some other, *independent*, rationale for your conclusion or combining the too-weak original MP with something else to form a *joint* rationale.

If nothing of either sort seemed worth pursuing, or didn't work out, then, instead of 'beefing up' the original MP so that it patched the hole (but at the cost of becoming unacceptable), you could then legitimately move to 'tone down' the conclusion to whatever did follow from whatever premises you felt able to accept (read back a couple of asides ago and that is what we did in an argument that had a problematic descriptive premise). Such a readjustment of your original thoughts and hopes is a good result from the process of critical analysis.

We noted above that one result from a 'patching' process in response to a criticism of an argument's logic might be modification of the MP with possible 'ripple-effect' modification to the MC (toning it down) as well. Similar problems might also occur with premises of other propositional types. For instance, when patching up an illogical argument it is sometimes the descriptive premises that we change such that we have, as the cost of attaining validity, a resultant DP* that is logically adequate but false. Again we would be in a bind where we either had a

DP* (patched version) that was false although logically useful in the generation of the original conclusion, or a DP (original version) that was more plausible but had the failing of not saying enough to generate the original conclusion.

When this sort of thing occurred with a moral premise, we modified it again back to something plausible as the first move in a 'fiddle and fix' exercise of rewriting the argument. So, why not just modify an unsatisfactory descriptive premise in the same way with the same resultant adjustment of the rationale under discussion?

No reason; and that is precisely what I suggest that you do. So if, say, as a result of patching a logical hole, such a 'beefing up' of a descriptive premise has made it false as far as you *now* judge, then try toning it down until it becomes true (again, as far as you know). This *might* mean a total reversion back to the un-'beefed-up' descriptive premise of the original argument but, then again, it might not (you might have over-patched originally). Whatever the detail is, it might thus be that you decide that there is some version of the descriptive proposition in question that, though it is stronger than the original version, is not as strong as the over-patched version, and thus manages to be both true and, logically, a good patch.

Just to illustrate the above sort of process, try the following as the original, logically problematic, argument:

> A7/8
> MP9 All and only those who understand the aims options and their consequences should decide the broad aims of schooling.
> DP8 All teachers understand the aims options and their consequences.
> So,
> MC6 All and only teachers should decide the broad aims of schooling.

Say that, in the course of the logic criticism, we noticed that DP8 was too weakly worded to do the logical job asked of it and re-write it to get:

> A7/8*
> MP9 All and only those who understand the aims options and their consequences should decide the broad aims of schooling.
> DP8* All and only teachers understand the aims options and their consequences.
> So,
> MC6 All and only teachers should decide the broad aims of schooling.

But DP8* is just obviously false. Yet, if we wish to retain MC6 as the conclusion, it is hard to see what weaker proposition one could put in as a replacement descriptive premise that would still force that conclusion to follow. So, what is to be done here is to weaken the descriptive premise back to what you judge to be true and then see what will follow from this. Sometimes what you write in as plausible will be a reversion to the original premise and sometimes not. In this particular case, having focused your attention upon the descriptive premise and

thinking about plausibility issues you would likely decide that even the original was, upon reflection, implausibly overstated. So, in this case, I would retreat even further to something like the plausible claim that *some* teachers understand the aims options and their consequences. I can't see how anything stronger is plausible. So, let's try writing that in as a descriptive premise and then make other changes to accommodate the fact that the new descriptive premise is rather weakly worded. What we would get is:

> A7/8**
>
> MP9 All and only those who understand the aims options and their consequences should decide the broad aims of schooling.
>
> DP8** Some teachers understand the aims options and their consequences.
>
> So,
>
> MC6* Those teachers should be among those who decide the broad aims of schooling.

As you see, this is all very much like our 'fiddle and fix' argument rewrites in response to successful c*ounter-argument*. In a like vein, a version of the original line of reasoning that has a 'toned down', or weaker than original, conclusion has resulted – one that actually follows from premises that we feel able to accept. So, in this particular example, we have managed to restore our ideal of an argument with acceptable/true premises and logically valid reasoning by, in effect, retreating to only being able to prove a weaker conclusion than we originally were after. Sometimes even backing off like this doesn't quite work in getting an argument that has premises that you are totally satisfied with and is logically perfect; we will turn to this in the next section.

In any event, and whatever the outcome, it is worth learning about the merits, or otherwise, of the original argument that you had high hopes about.

Key Ideas

Sometimes the trade-off for making an argument logical by 'beefing up' some inadequate premise is that it is at the cost of the new premise (the patched version) being unacceptable. Even if you are confident of this, it might be tactically wise to explore your judgement by mounting a premise criticism of that patched-version premise. If it does ultimately prove to be unacceptable, then reverting to a more plausible premise and then 'toning down' the conclusion to what *is* entailed by that more acceptable premise set might be a viable way forward.

Dubious Premises and Messy Outcomes

I said at the start of the last section that what we had as an ideal was an argument with valid reasoning and true/acceptable premises. As things emerged, we saw that these two demands might clash and that some line of reasoning for a particular conclusion might not be able to be made to satisfy both of these demands. In the face of this, I suggested a good hard metacognitive think about what to do next. The hope was still, however, that, sooner or later (and after extended thought perhaps), we would end up with a logical argument that had premises we were happy with and which thus established its conclusion (perhaps not the original one) to our satisfaction.

This is fine if you can do it but it might not prove possible.

For instance, let's consider a case where some MP was challenged by a counter-argument which pointed out that it is in conflict with some further value with which you have some sympathy. Say that the criticized MP advocated that all members of society should share the same values and the counter-argument pointed out that this clashed with freedom of thought (at least about what values to adopt) and contended that the latter was the more important value. You simply might not have thought about this potential clash (that is, that the price of achieving shared values might be indoctrination that interferes with freedom of thought) and although the criticism unsettles your confidence, you might not be sure quite where you now stand on the issues, especially given the likely complications of issues of degree.

If you think way back to when I outlined to you the metacognitive deliberation options in the face of a counter-argument, two of them amounted to defending one or other of the values in rivalry. Sometimes, this sort of probing for yet deeper reasons will resolve the dispute and if, say, the 'critic' prevails, you will end up knowing what sort of revised MP (if any) you wish to have in replacement of the original. Sometimes, though, even when you explored what can be said for the values in rivalry (and explored criticisms of those cases and so on) even when you get to the end of what might be quite an elaborate web of such argumentation, it is possible that you *still* simply don't have things clearly sorted out. You know that you are not happy to continue with the original commitment to shared societal values and you know that you have some sympathy with the freedom of thought line of the critic but it's not *enough* sympathy for closure (in which you accept the criticism and return to 'fiddle and fix' the original into, say, something like: 'All members of society should have shared values provided that such agreement has been freely arrived at'). Despite your sympathy with freedom of thought, you might feel that forced agreement is probably *sometimes* right (perhaps when the forced value is an important one) but you are not sure (issues of degree arise once more).

In short, although not happy with the original MP, you might not be confident about the acceptability of *any* candidate substitute and not know how to accommodate misgivings raised by the criticism (and any ensuing exploratory enquiry).

Similar murkiness can arise with the *DP* as the problem. Having decided that the DP is too strongly worded to be confidently endorsed as true, you might not be all that sure what is to be accepted in its place as true. You might, on reflection, not quite know what the facts are even if there is a research literature. Ditto again for CPs, uncertainty might persist.

Indeed, although we have viewed the problem as one emerging with one premise or another as a result of some sort of criticism and then further enquiry that doesn't manage to sort things, the misgivings might be there from scratch. You instantly might feel that, although some line of reasoning that is logical is '*sort of*' OK as a case for some proposal, you are simply not totally confident of the moral acceptability of the MP, or of the truth of the DP or CP, and thus even your first go at the argument fails to meet our ideal. Faced with this, you are probably wise to explore such misgivings via counter-arguments but say that things do *not* get sorted out satisfactorily and no neat resolution occurs.

In summary, *some arguments that you don't feel like totally discarding or accepting will, nonetheless, have foundations that you have some sympathy with even if you are not quite sure of things*. Moreover, although you might be tempted to put such an argument 'on the back burner' until you've sorted out your views on the premises more satisfactorily, sometimes decisions won't wait for that or resolution seems unlikely even with more time. Nor might you want to discard the argument totally for, inconclusive as it is, you might still consider it an important element in your thinking. As convenient shorthand, let's call these arguments with such uncertain premises: '*non*-conclusive arguments' and give our earlier ideal model the tag: '*conclusive* arguments'.

In principle, the way of coping with this hesitation is simple (and touched upon in an earlier section). To the extent that you are unsure of the premises, you should be unsure of your conclusion. So, for instance, if you were 100 per cent confident of the moral claim of the MP but only 90 per cent sure of the truth of the DP, then (assuming that there is a valid logical move from premises to conclusion) you would only be warranted in endorsing the conclusion with 90 per cent confidence.

There are hassles with the neatness of the above picture though. The main one is that it is rare for us to be able to assign neat probability weightings like this (especially to the value premise claims). This is a pity because, if we could do that, then much of our deliberation would become algorithmic using the probability calculus. But it isn't and that means that arguments with premises that you are imprecisely 'sort of confident' about are hard to assess the worth of as cases for their conclusions. The best that you can do is to have a rough and ready 'degree of confidence' appraisal of them.

What might indeed emerge, as the whole enquiry unfolds, is that *none* of the arguments critically considered by you is of the sought-after conclusive quality. Despite this, my suggestion remains that you initially keep all of your arguments as logically tight as you know how and with premises that initially yield the conclusion you seek to support and then tone things down in response to criticism,

further thought and so on. If you do end up with a conclusive argument for your proposal then you've hit the jackpot. If not, then you might be stuck with trying to work out where the weight of argument lies. Unfortunately there are no recipes for that but it helps lots to have the arguments you are trying to weigh up being as well sorted out and understood as possible, hence all of the foregoing and the earlier chapters' sub-skills.

Key Ideas

Sometimes arguments and disputes never get sorted out so that you have a nice neat conclusive case for your conclusion. Despite this, an argument having sound premises and a valid logical move is the ideal and is worth pursuing. Even if that ideal is not reached, your enquiry will give you a much more sophisticated understanding of the complexities underlying the topic and your views concerning them. This should help you to make a tentative judgement as to where the weight of reasons lies even if you are still somewhat confused and doubtful.

'Real-world' Reasoning

No doubt the stuff in this chapter especially (but even the previous one) seems terribly complex and it is. Also, I have no doubt, you are thinking: 'I won't ever do this sort of thing, it's too complicated and too involved'. Well it *is* involved. Any enquiry thread growing out of any given initial argument might go on for some time as you tease out your views on various deeper values. And there might be several initial arguments supporting that same stance and, further, distinct, stances on the topic each with its own spread of initial arguments and each of those arguments generating an enquiry thread as its soundness is examined. There is simply no way around this complexity if your final judgement on a complex topic is to be thorough.

So, you might think, if that is thoroughness, then I will just have to content myself with sloppy superficiality. Up to a point, this strikes me as a legitimate attitude, even for a professional with, as I have earlier insisted, a professional duty to have considered views on these matters. Note, though, that thoroughness is not an on/off matter; it is more a matter of degree, one can be *more* or *less* thorough. How thorough you should bother to be is a matter of how much time you have to spend on the matter, how important the issue is and so on. I put it to you as an observation that many important value judgemental matters to do with your profession may not be able to be given totally comprehensive scrutiny but still deserve more thorough treatment than is common.

How much of the above you employ on any given question will vary but it gives you the tools for going as far as you wish. At the very least, you should be able to state the arguments that motivate your position in a clear and complete

way with the moral values that are impacting upon your position explicitly identified. You should also be able to self-criticize and realize that your initial arguments might not be as sound as you first thought them to be and have some ideas as what to do in the face of those flaws. You should, further, be alert to poor argumentation by others and have some capacity to probe for clarification of ideas, hidden assumptions in what they are saying (like implicit moral premises were) and have the tools to critically engage with their arguments and keep some metacognitive track of, and direction to, an enquiry. As I said, how far this goes will depend upon how important the issue is, the time available, the intelligence of the participants and so on. There is, however, great room for improvement in the level of discussion present in most professional contexts. I am no playwright but try the following as the first few moves of a more informal dialogue covering some of the skills displayed earlier. As my characters, I will have Albert as 'author' and Cindy as 'critic'.

> Albert: (A1, if you like)
> You asked me what the institution of schooling should be trying to do. Well, surely when people leave school they should be able to enter employment and if schools don't try to make that happen it just won't happen as well as it could. So, one thing that school should be trying to do is having exiting students employable.
>
> Cindy: (Thinks: Hold on, that whole case rests on the assumption that school leavers should be employable and I don't agree that all of them should be.)
> Says: (CA1)
> But the only jobs that they could get right after school would be low-skilled ones and many students aren't going to want to go into those and it's wrong for them to have to be employable at that stage in jobs they do not want. Such school leavers, at least, need not be employable.
>
> Albert: (Thinks: OK, she's criticizing my commitment to school leavers being employable and I have considerable sympathy with what she is saying so maybe I should defend that commitment.
> Says: (defence of the MP of A1)
> I suspect that you are right but, so that I don't too quickly agree with you, I'd like to tell you why I thought they should be employable at that stage. My thinking was that if they're not employable then they will be parasites, dependent upon our handouts and that's not right.
>
> Cindy: (Thinks: But isn't it right? Again, his case is resting on an assumption that I don't agree with; surely it is sometimes OK to be a parasite, if that's what he wants to call being financially dependent on other people. I could challenge what I take him to be saying but as it seems so weird perhaps I should make sure that I understand him first?

Says: (seeking a working definition of 'parasite')

I don't quite get where you are coming from here. It sounds like you are just generally in favour of people being totally financially independent no matter who they are or what their circumstances are. Is this what you meant by not being a parasite?

And so on (with increasing complexity).

Although informal, the spoken portion of the above could (mostly) be represented in a 'Substantive Argument' column in a flow chart diagram. Between each spoken move and the next is some quick thought, some brief metacognitive planning by the next speaker. Note that, although they are informally stated, each of the offered arguments is fairly tame and, in particular, has an explicit moral premise. Albert and Cindy are having a fairly tight dialogue and, in particular, trying not to be simple-minded about their views. It might look deceptively easy. I would suggest to you, however, that that is mere appearance. To progress an enquiry as nicely as they are managing to do requires sound skills in argument and a sophisticated metacognitive grasp of how the enquiry is unfolding and where it could go next (the 'thinks' bits in the above). Once you have such formal skills 'under your belt', then you are able to operate an enquiry *in*formally but in a way that is argumentatively tighter and metacognitively more aware than it would otherwise have been. All of the elaborateness of the earlier sections is the framework of a training exercise to get those skills in place. Hopefully, you will then be able to improve the sophistication of your thinking and writing and discussion in whatever professional circles you move in. Usually it is in written documents that greater sophistication occurs but even if you don't carry out all of our 'bells and whistles' you should be able to think things through better than commonly occurs. As you will see from the next chapter, some improvement is warranted.

Summary

As I said at the start of this chapter, we laid down the *basic* architecture of pursuing an enquiry in the *last* chapter. The task of this chapter has been to portray a series of complications that were deferred because I did not want them to get in the way of getting that basic architecture outlined. One problem is that the series of complications tends to be a series of rather distinct points and a rather long series at that. Wading through this chapter required you to have your wits about you to a rather extraordinary extent. What I want to do now is just sketch through the bones of what we have covered.

In the section on non-moral disputes, I pointed out that although the investigation of disputes involving moral propositions was core business and was what we focused on in Chapter 6, other types of dispute might crop up along the

way as we pursue an ethical enquiry. Accordingly I briefly covered such disputes involving one or other of our *other* two proposition types.

In the next section, I took our thinking beyond the simple argument structure types that we had met to date and outlined some more complicated patterns and discussed how they might crop up in an enquiry, sometimes in a very deliberately planned way.

In the section following that, I returned to something that we had spoken of before, namely, *Deep Moral Clashes*. Exposing and dealing with Deep Moral Clashes is core business for an ethical enquiry and in this section I outlined some elements of a more sophisticated treatment of such clashes.

In the next to last section, I reminded you that the point of an enquiry was, ultimately, to work out what we think on something rather than to just keep on enquiring for the sake of it. Accordingly, I discussed the situation when one was ready to *close* discussion of some particular dispute and outlined what happens as a result of such closure. I also discussed the situation when an enquiry doesn't seem to end up with a neatly satisfactory version of some rationale.

Finally, I observed that, even if you didn't work through things with the sophisticated methodical rigour that full deployment of this range of techniques and processes would involve, your more informal private thinking and interaction with others on professional ethical issues should be argumentatively tighter and more metacognitively aware and planned than before. This is no mean achievement if you can manage it.

As I remarked at the beginning, not everything in the foregoing is of equal importance and you might be directed by your tutor to focus upon some sections and sub-sections more than others.

In the next chapter, I want to do two things: the first is to analyse critically a spread of slogans and buzz words of an incoherent sort ('babble') that infest discussions of professional ethical problems; and the second is to go through some concepts and distinctions that occur sufficiently frequently across a number of professional fields, and in ethical problems arising within them, to be worth having a fair grasp of but which are too often wielded in an obscure manner ('murk').