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Abhorrence and Justification

John Shand
The Open University, UK

ABSTRACT. The paper explores a subclass of ethical judgements that are disturbing in that the strength of moral abhorrence generally associated with the judgements is not remotely matched by any rational moral arguments supporting those judgements, and yet we nevertheless appear to think we have no intellectual obligation to change the ethical judgments so as to accord with the degree of justification. This may stand as a warning that we should be guarded in holding our ethical beliefs since we may not be as rational as we like to think we are.

KEYWORDS. Abhorrence, justification, deontology, utilitarianism, incest, cannibalism, bestiality, rational

I. CASES 3

This paper explores a strange and disturbing phenomenon of our moral thinking and experience. It constitutes a subclass of cases where we experience strong and almost universal moral abhorrence – not just, or even, visceral physical disgust as one might to excrement – for which a rational moral justification for the moral conclusion we are led to by our feelings is either totally lacking or utterly inadequate to support the strength of our feelings and our moral conviction.

In short, there is a worrying subclass of ethical judgements, where the strength of moral abhorrence connected to them is not remotely matched by the rational moral arguments available, and yet where we seem to think we have no intellectual obligation to bring the ethical judgments into line with the degree of justification.¹ A warning that we

should be guarded in our ethical beliefs, as we are not as rational as we like to think we are.

This subclass of occurrences stands in sharp contrast to how we approach other items that occur in our moral thinking and experience. In most cases we either find forms of rational moral justification that adequately match our intuitive feeling of moral abhorrence and moral conviction, or we think we must bring our feelings and convictions into line with what the rational moral justification will support. But what we have in the subclass of cases discussed here are instances in which our feeling of moral abhorrence and conviction remains unmoved, no matter how clear it is that rational moral justification is tenuous or non-existent.

The two examples I am going to use, from what I believe is a small but significant subclass of cases, are incest and cannibalism. This subclass contrasts with two other subclasses of moral occurrences, moral experience and convictions. I shall divide moral thought and experience into these three subclasses.

As a preliminary, it should be noted that the issue raised stands aloof from the issue of generalised moral scepticism. General moral scepticism undermines *all* rational moral justification indiscriminately, and so nothing hangs on refuting it for the sake of the argument here, where a subclass of putative moral truths is considered. The argument here presupposes that there can be rational moral justification, but brings out a deeply puzzling subclass of aberrant cases *even if* it is supposed that this is so.

The three moral subclasses are as follows:

1. Cases in which there is great and universal moral abhorrence and conviction, and for which rational moral justification is mostly found without contention. Examples here include murder, rape, torture, and robbery.
2. Cases in which and for whatever reason – habit, culture, or natural inclination – we might feel strong moral abhorrence and conviction,

and in which we also think that such abhorrence and conviction can and should be brought into line with the available rational moral justification. Examples here include homosexuality, sex outside marriage, usury, and masturbation.

3. Cases in which and for whatever reason we feel strong moral abhorrence and conviction, but in which we are utterly unable to bring our moral feeling and beliefs into line with the lack of substantive rational moral justification, despite the complete lack, or woeful inadequacy, of rational moral justification. Examples here include incest, cannibalism, and bestiality.

I shall not discuss the third example of Cases 3, that of bestiality, at any length, but just allow the reader to transfer the arguments I am about to set forth for incest and cannibalism to that example him or herself. But it should be noted in passing that if it is thought moral to kill animals for meat, then it is hard to see what arguments would be left – along the lines, assuming they apply at all, of respecting the animals, respecting their desires, not using them as a mere means, perhaps as things – that could be used as moral objections to bestiality. If no distress, harm, or pain is caused to the animal by having sex with it, it is difficult to see what the moral objection could be. It could be argued that from the person's point of view, having sex with an animal is in some sense 'lowering' – but it is deeply obscure what this means, and it is also potentially question begging. It is difficult to see why any sense of 'lowering' here amounts to immorality, and why the same considerations would not apply to masturbation. For many, masturbation was regarded in just this way. However, masturbation has moved morally in the minds of many from Cases 3 to Cases 2. No such shift has accompanied incest, cannibalism, or bestiality.

Cases 3 is what primarily concerns me. Nothing need be said about cases 1, since they do not tend to give rise to conflict, except for the moral sceptic, and some difficult instances, in having our moral feelings

and convictions match the rational moral justification available. Cases 2 needs a little more attention. In historically and culturally situated instances, there can be strong moral abhorrence – to the point where even getting people to consider the relevant rational arguments is difficult. In these cases it has eventually been possible to convince a great number of people that they should override their moral feelings and convictions, and for many people, sentiments too have changed and become unproblematic in the end, such that no conflict exists between moral feelings and the available rational moral justification.

Cases 3, however, presents us with examples in which the moral feeling and our convictions stubbornly refuse to move or reflect the available rational moral justification, even when in theory we think they should, and where we suppose theoretically, as beings proud of being sensitive to the normative force of arguments, that the examples in Cases 3 should end up like those of Cases 2. What is interesting here is that there can be cases in which our feelings of moral abhorrence can be *so* out of kilter with rational moral justification, even for those who pride themselves in responding fully and responsibly to the rational moral justification available. But still, in a sense, they do not change their minds on the issue, even if they can see theoretically the overwhelming lack of argument.

One is virtually in a position of believing a contradiction, because two ways of arriving at a belief, one way entailing *p* and the other way entailing *not-p*, come together to form the overall belief (*p* and *not-p*). The *p* derives from non-rational feelings and the *not-p* derives from there being no adequate argument for *p*. Yet we end up holding *p*, even though all the arguments, or rather lack of arguments, point to its being such that we should hold *not-p* and we acknowledge that we should. But because of the disparate origins of the beliefs, we see a chink of light in between what would otherwise be a blatant contradiction that allows us to accommodate *p* and *not-p* at the same time.² Perhaps we salve our intellectual conscience by supposing that an argument for *p* will turn up

– there must be one, but we just haven't thought of it yet – or perhaps we think our abhorrent feelings will abate and our conviction will fall into line with the rational moral arguments. Either way, the contradiction will resolve. But for Cases 3, it never does, and it remains a puzzle as to why not. The feelings and convictions do not change and the argument in support never materializes.

It would not be so bad if the feeling remained but, in response to the rational moral justification, individuals' actions corresponded to what the rational moral justification indicated and supported. But even that is not so. No one is, as it were, even holding their moral nose, while dutifully permitting the behaviour in the Cases 3 for which moral abhorrence is felt, but for which rational moral justification barely exists, if it exists at all. Indeed, it is hardly possible to reduce or modify the feeling, let alone overcome it or set it aside. In many cases, as in Cases 2, some might explain their feelings toward moral contentions by supposing that they are natural, while acknowledging nevertheless that they are normatively unjustified and modifying them, setting them aside, or even overcoming them. In Cases 3, however, the feeling remains whatever we throw at it rationally. This may partly be a factual psychological matter, but this has not prevented the view in other cases that whatever the psychology of such cases and its causes, we should reject the conclusion that the feelings of abhorrence lead us to, and follow reason instead. However, the *philosophical* point is the concern here: that even when we feel we might have difficulty bringing our moral feelings in line with the rational moral justification, we still think that we *should*; at the very least we should not let moral feelings, but rational moral justification, determine our actions, or perhaps even our thoughts. We should, one might say, retrain our non-rationally, perhaps we might suppose irrationally, determined thoughts to accord with reason. This is our usual view, but in Cases 3 even this normative conclusion seems to be faint or lacking. We seem happy to ignore the cognitive dissonance, insofar as we even bother to bring it to mind at all.

The striking oddity about Cases 3 is that the gap between moral feeling and conviction, and moral rational justification, remains huge and seemingly insurmountable, even when we see rationally that it should be vastly narrowed or overcome.

II. DEFINING CASES 3

It will be necessary to examine briefly whether what is asserted here about Cases 3 is true. For one riposte would be to say there are strong and substantive rational moral reasons available in the instances that fall under such cases; that there is justification that accords with our feeling of moral abhorrence. So there is no need to change how we feel about such cases, or even think that we ought to. I shall attempt to show that this is highly implausible.

It is important first to define clearly what is meant by the chosen examples in Cases 3, those of incest and cannibalism as they are discussed here.

- a) Incest: sex between two people thought of conventionally as too closely related.
- b) Cannibalism: eating people.

It is important at the outset to say that these definitions may include cases in which we would think the actions wrong with rational moral justification. But in all these cases, it will be contended, the reason for the wrong-doing is not that they are cases of incest or cannibalism, but that they are wrong for some other reason.

A classic case of incest might involve a father and his young underage daughter. But the reason this is wrong is multifarious already without reference to incest: it involves a breach of trust, it probably involves coercion, and it is in fact also a clear case by definition of rape.

Similarly, a paradigm case of cannibalism would be the members of one tribe setting out to kill those of another in order to eat them. But this is already wrong, in a way that requires no appeal to cannibalism, for it may, if the circumstances are right, clearly be a case of mass murder.

In neither case is it the fact that the acts involve incest and cannibalism that makes them wrong. Indeed, it is not hard to construct examples where all the objectionable associated extraneous moral reasons involved with incest and cannibalism are removed, leaving us with pure acts of each, which may, it will be argued, be unobjectionable in themselves. In this way, we think properly about what is wrong with *incest* and *cannibalism*, and do not make the mistake of concluding that they are wrong because of things accidentally associated with and inessential to them. Here are two cases:

- a) Incest: the sexual act takes place between a brother and sister of similar age and mature adult years knowingly and with mutual consent. No offspring ensue.
- b) Cannibalism: one person eats another whom he happens to find recently dead. No-one else is involved.

Let us make the proviso that no-one is hurt, or distressed, or objects to the action because of his or her close association with either person. In fact, we could posit that no-one ever hears about it.

III. FAILING TO MORALLY JUSTIFY CASES 3

We may now go about seeing whether a rational moral justification can, contra to what is claimed here, be given for forbidding incest and cannibalism in cases similar to (a) and (b), by seeing what classical deontological and consequentialist utilitarian moral theories have to say about them. It may be arguable that these positions are exhaustive of moral theory; it

is undoubtedly the case, however, that they are central, and perhaps the most widely appealed to moral theories, and as such one would expect to find strong moral arguments here, if anywhere, applicable to Cases 3. Surely they must be able to come up with something to match our moral feelings and convictions when they are so strong. While there are other refined, or combined, moral theories we might look at, this is unnecessary because where moral convictions are widespread, virtually universal, and strongly felt, there is usually no problem, as in Cases 1, of coming up with some powerful deontological or consequentialist arguments as to why those feelings and convictions are justified. The application of deontological and consequentialist utilitarian considerations will be fairly brief and broad-brushed. This may seem like a fault – however, this is a mistake. If incest and cannibalism were as morally wrong as our morally abhorrent feelings would lead us to believe, then no subtle digging for moral argument leading to our moral conclusions should be required; it should surely be obvious *prima facie* as in Cases 1. In fact, it will be claimed that no such rational moral justification remotely capable of matching our moral feelings is available in Cases 3, no matter how much rational digging is engaged in. The onus is on others to show that something can be constructed. But the fact that it is not *obvious* is already damaging to the claim that the moral feelings and convictions are appropriate in Cases 3, and damaging to the probability of ever coming up with anything to match in normative force the non-rationally caused moral feelings.

Reasons for finding something morally objectionable on deontological grounds, usually stem from some reference to a transgression of the rational autonomous will of the individual. There are occasions when such a transgression is permitted, provided it does not result in persons being used merely as a means and not also as an end-in-themselves.³ Another way of dressing up this idea is that the rights of an individual have been ignored or transgressed in a way that is unacceptable or unjust.

In the case of (a), this deontological argument seems to have no purchase. The sexual act is between two consenting and fully aware

adults – we may even hypothesise that it is done with mutual love and respect. In no sense is one person using the other as a mere means and not also as an end. No transgression of the rights of one individual by the other has taken place either. The rights of other individuals have not been transgressed except if that right were the question-begging one of being able to forbid incest in this and other forms.

Perhaps more may be derived from a utilitarian approach to (a). One obvious line is to point to genetic deformations that are far more likely to result as a consequence of sexual relations between close relatives. This is surely one of the original and ancient reasons for banning incest – something that may have emerged by a kind of trial and error combined with observation. There is first a question as to whether genetic abnormality and consequent deformity or disabilities are bad things in any case – certain disability campaigners might fervently argue otherwise. But let us suppose they are bad things. This is ruled out in this case, as the brother and sister couple have, like many heterosexual couples – including some prone to passing on genetic diseases to any children they might have – decided not to have children. In any case, we feel unwilling to forbid couples who are not closely related from having children even when the chance of their having a handicapped child is far more probable than usual, or even to condemn them morally – certainly not with the strength of abhorrent feeling associated with incest. We might in this case similarly permit and even support our brother and sister couple in having children.

We might consider the offence given to others by such an incestuous relationship. But this again is dangerously close to begging the question. Various acts once gave offence that many now regard as perfectly moral and no-one else's business, so that the offended just have to get used to it. In any case, we can easily set the proviso that the sexual relation is unknown except to the participants.

Another consequentialist line might be a slippery slope argument. This is ruled out again by the sexual relation not coming to light. But one

might riposte that there is always a danger of its coming to light that cannot be excluded. But what is the objectionable slippery slope in any case? It would be something along the lines of saying that either logically it would entail permitting sexual relations between say a father and young underage daughter, or it would in fact encourage sexual relations between a father and young underage daughter. The logical slippery slope is simply false, and no truer than claiming that permitting sexual relations between consenting adults entails that one must permit rape. The factual slippery slope has more going for it, but it is unclear how much. Again, by analogy, does allowing consensual sex between adults in fact encourage rape? It is rather doubtful; indeed the reverse is probably the case. One has to remember also we are not talking about general and widespread brother-sister sexual relations, but just between those who desired it. We would probably find in fact, owing to non-rational causes, that few would desire to have sex with close kin. But the question is why it should then be thought morally wrong and prohibited for the few that do. It seems groundless to ban something because the take-up, we might suppose, would be small, if there are no rational moral objections to it. It would even be wrong to ban something in every individual instance just because, if hypothetically it were to become widespread – even if it were true – it might in fact have bad consequences. Apart from being a fallacious inference, controls could surely be applied piecemeal to prevent the cases one does not want.

A consequence cited could be the offence given to others. Again, secrecy rules this out by default. But even if it did not, the kind of offence given surely does not amount to the substantive harm that most consequentialists (certainly those of a Millian persuasion) would regard as sufficient to prohibit or morally condemn some action or behaviour.

We can now look at the same arguments applied to cannibalism as in (b). The deontological approach seems to founder at the start from the fact that the person whose body it was is dead. Consent is not involved here, but nor need it be, as it simply does not arise. There is no

person to gain consent from, no person who can be disrespected, no person whose rights can be transgressed. In any case, it was thought proper to ban and punish *consenting* cannibalism in a recent case.⁴ The person whose body it was has ceased to exist, so there is no question of our transgressing his or her autonomous rational will in an unacceptable way. It might be said that the person might not want hypothetically to be eaten. But this is surely stretching the notion of respecting someone's will – we certainly do not treat bodies as people, but nor do we treat them as mere things. After all, we quite readily set fire to them at cremations! But the question is, should we treat dead human bodies as something like persons? If we do, it is surely for the sake of the living that we do so. However, the question here is whether a dead human body is a person. We would not countenance eating a living person. But the person here is dead, so there is no person involved by all the usual definitions of personhood. In fact, the dead human body may be said by some to count morally for a lot less than a live animal, and many think it morally permissible both to kill and eat animals. The person in (b) is also found dead, and for the sake of argument, no-one knows or cares what happens to the body. Nothing that fits with not respecting another person or trampling on another person's rights even arises here.

The consequentialist arguments fare no better. It is hard to see what bad consequences would follow from an instance of cannibalism. Many of the world's cannibals lived in isolation; but that did not and does not prevent the belief that even in those circumstances cannibalism is wrong and should be forbidden by law. I made my example of cannibalism as unobjectionable as it could be; but in fact, it is possible to make the case stronger and more widely applicable one if needs be. Often actual cannibals do not kill people in order to eat them, but rather they kill them as part of a battle, and then they go on to eat those they have killed. It may perhaps even be a way of honouring the dead. But, in any case, returning to (b) as defined, and a consequentialist approach, there seems no harm that ensues from eating someone. The person is dead and

devoid of feeling. Indeed, in one view it would be a misnomer, as has already been suggested, to say that one is eating a ‘dead person’; one is eating the body that was the locus of a person, but is now in no sense a person at all; the body is, rather, literally speaking, meat. The fact that this remark is somewhat shocking and distasteful just goes to show how ingrained and strong our feelings of abhorrence are here. The significance of this will be discussed later.

Then there are the slippery slope arguments, logical and factual. Does permitting people to eat other people, logically or factually, respectively imply and lead to acts that we would regard as immoral, such as killing people in order to eat them? It is hard to see why. All such instances are ruled out as morally permissible or likely because they are clearly cases of murder. It is hard to believe that the murder rate would in fact increase because of a small group of individuals being permitted to eat other people. Again, it is unlikely to become a generalised desire – but why stop the few who desire it if it does no harm to others?

IV. LESSONS LEARNT FROM CASES 3

This leads us to the heart of the issue. It may have been possible to suppose hypothetically that there are no good arguments against incest and cannibalism practised under certain circumstances. But it is important to demonstrate, or try to demonstrate, that it is in fact the case that there are no such arguments. What is interesting here is the way that the available arguments against a certain subclass of very strongly held moral beliefs fall woefully short of matching the strength of abhorrent feeling and conviction involved in those moral beliefs. The feelings we have in these instances are so strong that we may hardly consider the rational moral arguments at all; in a sense, we may feel we do not need to. The alternative is virtually unthinkable. It looks as if our extreme abhorrence leads us not only to an unwillingness even to consider such matters, but

to think that there *must nevertheless* be good arguments, even though we have failed to carry out any investigation into whether there are any. We may continue to think this because of our powerful sense of moral abhorrence and convictions even after having tried hard and failed to come up with any such arguments. The explanation for our thinking it correct that we should still continue to hold beliefs for which, after long investigation, we have found little or no argumentative support, may be a result of the fallacy of supposing that because of how we feel about the beliefs, there must surely be *some* good arguments supporting the beliefs that we have missed. It is part of the purpose of this paper to alert us to the power of this way of thinking, one that enables us to hold onto beliefs for which all argument or evidence supporting them has been found to be lacking. Our moral abhorrence and strength of conviction themselves undermine the already dubious reconciling claim that such supporting arguments will be found – despite our looking for them and failing to find them – for in other such cases where there is similar strength of moral abhorrence and conviction it is notable and unsurprising to find that such arguments have already been found and that they are basically obvious.

What is curious is not the psychological fact, although it is a fact, that the abhorrence in a certain subclass of cases remains impervious to argument, but the philosophical point that many feel that the moral belief *should* remain despite there being no good argument supporting the belief. We might put this intransigence down to a habit of mind. But it is clear that such habits can be overcome as has happened the case of the way that homosexuality is thought about in modern Western societies; such habits, one might say, fashions of thought, can be overcome so that beliefs come to accord with the true weight of the arguments.. But in the cases of the subclass Cases 3 – instances of which are incest and cannibalism – we seem strangely *intellectually* comfortable and untroubled, or more intellectually comfortable and more untroubled than we should be by a long way, with the contradiction of feeling morally strongly and

certain about something, even when the arguments that would justify such a stance are lacking. We like to think there are no areas in which, even when we cannot shift our feelings so as to accord with our intellect, we can by effort of will at least set our feelings aside – bracket them off – and bring our *actions* into line with our intellect. But in a subclass of cases of matters for moral concern, we seem to fail remarkably, even though the intellectual case – or rather the lack of it – is overwhelming. It might seem, rather, as if what we have here is a kind of superstition or irrational taboo that we cannot throw off, while otherwise we feel proud of our capacity to free ourselves from superstition and mere taboo, and may indeed see it as a second-order and vital moral duty. This is perhaps a warning. We are not only not as rational as we might be, worse and far more dangerously, we are not as rational as we like to think we are, so we lower our guard. Even when we see that we *should* draw certain conclusions – or in this case, one might say should not draw them – we may fail to do so or to modify our actions implied in those conclusions.⁵

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NOTES

1. This condition is neatly summed up, albeit referring to the subject of ghosts, by Samuel Johnson: “All argument is against it; but all belief is for it” (Boswell 1778, 900).
2. This is similar to the situation explored at length by Nicholas Rescher (2009).
3. The allusion here is of course to the second formulation by Kant of the Categorical Imperative – the Formula of the End in Itself or Formula of Respect for the Dignity of person), “Act so that you treat humanity, whether in your own person or in the person of any other, always as an end and never merely [tr. has ‘simply’] as a means” (Kant 1964, 96).

4. The case of German Armin Meiwes, for example, who was arrested in 2002 for killing and eating his compatriot Bernd-Jurgen Brandes in 2001, even though the latter had clearly volunteered himself. Various reports: <http://news.bbc.co.uk/2/hi/europe/3286721.stm> [accessed August 10, 2010]; http://en.wikipedia.org/wiki/Armin_Meiwes [accessed August 10, 2010]; <http://www.guardian.co.uk/germany/article/0,2763,1099477,00.html> [accessed August 10, 2010].

5. I should like to thank Harry Lesser of Manchester University and Peter Cave of The Open University for reading this paper and for their suggestions.