Rules and principles in moral decision making: An empirical objection to moral particularism

It is commonly thought that moral rules and principles, such as ‘Keep your promises,’ ‘Respect autonomy,’ and ‘Distribute goods according to need (merit, etc.),’ should play an essential role in our moral deliberation. Principled-guidance means not just having our decisions conform to rules and principles but actually having rules and principles as inputs in our deliberation.¹ Rules and principles need not be consciously represented to be inputs in our deliberation; internalized rules can influence our decisions without our having gone through a conscious reasoning process at the moment of decision.²

There is another distinct way to understand moral thought, however. On the particularist view, moral thinking can get along perfectly well without moral rules and principles. The particularist argues that rules and principles can actually hinder our moral thinking and so we should avoid placing them at the center of our moral judgment and decision making.³ Particularists

¹ Moral rules and principles are meant to specify general features that contribute to making actions right or wrong. In general, rules give us fairly concrete kinds of behaviors to follow, while principles tell us what factors have moral weight and what we should consider when making moral decisions. My overall argument does not depend on the distinction between the two, however, and can apply to both rules and principles as long as they can be operative in our judgment and decision making.

² As Horgan and Timmons (2007) put it, moral rules and principles can be said to be operative in our developing specific judgments so long as we come to make particular moral decisions because we have accepted a certain rule or principle. Of course, rules and principles are not the only thing at work in our moral deliberation; we also need to use our judgment to recognize which principles apply to our situation and how to apply them (cf. Hooker 2000; Väyrynen, 2008). Ross (1988) recognized this need for sensitivity in his principlist account of prima facie duties. When making moral decisions, Ross thought we should look to see which principles apply to our case, but when they conflict, we need to rely on our judgment to determine our overall duty. This doesn’t give us an algorithm for applying our principles, but it is still a principlist account because it gives principles a central role in our moral decision making (McNaughton, 1988, p. 200).

³ The particularist need not care about whether rules and principles play a role at the basic level of cognitive architecture. In claiming that we should avoid relying on moral rules and principles, the particularist only needs to care about our reliance on rules and principles to the extent to which we
argue that this way of thinking about morality presents a major challenge to our common conception of morality (Dancy, 1993; 2004; 2009; McNaughton, 1988).

Much of the debate between principlists and particularists has focused on metaphysical issues regarding moral reasons and morally relevant properties. For the principlist, some properties always have the same valence. That is, some properties, such as 'being an instance of non-sadistic pleasure,' always count as reasons in favor of an action, while others always count against an action. Moral principles are meant to specify these features that contribute to making an action right or wrong.

For the particularist, properties of actions can actually change valences and play different roles in different cases depending on the other features of the case. So what is a reason for action in one case might be a reason against action in another case, or it might not be a reason at all (McNaughton, 1988, p. 193). Hence, whether a property such as promise-breaking is something that counts against a particular action is not something we can know in advance; we can only know how it behaves in our particular case by looking at how it interacts with the other features of the case.

Whether there are, in fact, any law-like moral generalizations that can be captured in moral principles is an important question, but even if we agree on the answer to this metaphysical question, this would not be sufficient for answering the critical prescriptive question: Should we have control over it. This includes more than just the conscious application of rules. Even in cases where we are not consciously applying rules or principles, we might be able to consciously override the unconscious application of internalized rules and principles, just as an individual might consciously override her implicit prejudices.

Another more recent debate between principlists and particularists concerns the role of principles in moral explanation (see, e.g., Lance & Little, 2006).

Even though such features maintain their positive or negative valence, they need not be absolute because they can still be overridden by other features in a case. To take Ross’ example, if one needs to break a promise in order to relieve someone’s distress, one might be justified in breaking the promise. However, we can see that this does not change the fact that one still has a prima facie duty to keep one’s promise because we think that in such a case, one should apologize for breaking one’s promise or try to someone make it up to the person. The promise-breaking is still something that counts against the action even if it is overridden by a more important moral concern (Ross, 1988, p. 28).
Rely on moral rules and principles in our moral decision making? The prescriptive debate between the priniciplist and particularist concerns the role of principled guidance in moral thought and moral practice, and this is not dependent on metaphysical claims. It is plausible that treating something as it really is will lead to more accurate judgments and better decisions. However, this is not necessarily the case. As McKeever and Ridge (2006) point out, it could be that there are true moral principles that are not useful in practice or that there are moral principles that are useful in practice but that don’t serve as standards that provide truth-conditions. The important thing to note here is that metaphysical and prescriptive claims can come apart and, thus, even if the particularist were right about the nature of moral reasons, this would not be enough to ground a prescriptive particularist account.

In order to answer the prescriptive question of whether we should rely on principled guidance, we need to know whether doing so will help us engage in better moral decision making. Both sides in the principlism/particularism debate make claims about what we should do that are based on what they think will lead to better moral decision making. Principlists McKeever and Ridge (2006) argue that “[a]gents who have internalized an assembly of even very simple rules quite regularly and indeed systematically seem to succeed in acting well by following them. The connection is systematic in the sense that the rules pick up on features which are in some sense morally relevant” (p. 197). By contrast, particularists such as Jonathan Dancy and David McNaughton argue that we should avoid placing rules and principles at the forefront of our moral decision making. They argue that doing so will lead us to engage in worse decision making because principled guidance is too rigid and it leads individuals to neglect or distort relevant details. Since these are, in part, empirical claims, this is not an issue that can be settled entirely from the armchair.

In this paper, I begin to fill this gap in the ethical literature. In Section I, I examine whether there is good empirical support for the particularists’ claim that principled guidance will lead us to engage in worse moral decision making. What counts as ‘better’ or ‘worse’ moral decision making is a complex and contentious issue in itself, but I will try to minimize this concern in two ways. First, in order to limit the scope, I will focus my discussion on the empirical claims that underlie two of the particularists’ key reasons for thinking that principled guidance leads to worse judgment and decision making. I will aim my critique at the more radical versions of particularism espoused by Dancy and McNaughton rather than more moderate versions advocated by philosophers such as Margaret Little (2000; 2001) because the more radical versions rely on empirical assumptions that can be more easily distinguished from principlism and more easily tested. Second, I will try to get
around the theoretical stalemate regarding what counts as ‘better’ judgments by examining empirical research on judgment and decision making in economics and psychology. In these disciplines there are some areas where it is relatively clear what counts as ‘better’ judgment and decision making: people are able to solve more problems correctly, make more accurate predictions of outcomes, make decisions that better accord with their preferences, etc. I argue that the evidence from this literature suggests that people can learn to use rules discriminately and that rule-based models tend to outperform even expert judgment, which casts doubt on the claims that principled guidance is too rigid and that it leads individuals to neglect or distort relevant details. In Section II, I address the issue of whether the evidence from Section I on the impact of rules and principles in the non-moral domain generalizes to the moral domain.

I. Should we rely on principled guidance?

Since the particularists’ claim that principled guidance leads us to engage in worse decision making relies on the empirical claims that principled guidance is too rigid and that it leads individuals to miss relevant details, one way to evaluate the particularists’ objection to principled guidance is by evaluating the specific empirical claims.

While there is little empirical work that addresses the question of whether relying on principled guidance is beneficial for decision making in the moral domain, there is an extensive body of work that looks at whether rules and principles help improve our non-moral practical judgment and decision making. I will argue that this evidence poses a problem for the moral particularist. If the particularist claims that we should not rely on decision-making rules when making practical decisions and it turns out that these rules help us make better decisions, then the particularists’ prescriptive account is deficient. However, if the particularist claims that we should rely on practical decision-making rules but not on moral rules, then she needs to explain how practical rules are different from moral rules and why we should rely on the former but not the latter. This is particularly problematic for Dancy because he does not seem to want to make this distinction. His particularist theory is a theory about reasons generally. He explicitly claims that moral reasons do not differ from other kinds of reasons in terms of how they function and that moral thought is not structurally different from non-moral thought (Dancy, 2004 p. 143; Dancy, 2009). Furthermore, Dancy’s objection to generalism is directed at the way in which principles guide our judgments and not at the particular content of moral rules.
In the remainder of this section I will challenge the particularists’ empirical assumptions that principled guidance leads to worse decision making because it is too rigid and it leads individuals to miss relevant details by providing evidence from non-moral judgment and decision-making domains which suggests that (1) people can learn to use rules discriminately and (2) rule-based models tend to outperform even expert judgment.

*People can learn to use rules discriminately*

One of the main reasons particularists think principled guidance will lead to bad decisions is that they think it leads people to be too rigid in their decision making. The worry is that principled guidance will be an “inflexible application of previously adopted principles to the case at hand” (McKeever & Ridge, 2006, p. 204). As McNaughton puts it:

Overreliance on principles encourages serious vices, such as inflexibility and rigidity in one’s moral thinking. If we choose to judge a moral system by the good or harm it does to the social fabric then probably more unhappiness has been caused by people ‘sticking to their principles’, rather than being sensitive to what is called for in a particular case, than would ever be produced by a society of moral particularists. (McNaughton, 1988, p. 203)

Principlists have tried to avoid this worry by making the theoretical claim that because principles are indeterminate, they must underdetermine our judgments and actions (O’Neill, 2001). Principlists admit that principles alone do not fully guide action and that we also need judgment

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6 Similarly, Dancy (1993) states:

Particularism claims that generalism is the cause of many bad moral decisions, made in the ill-judged and unnecessary attempt to fit what we are to say here to what we have said on another occasion. We all know the sort of person who refuses to make the decision here that the facts are so obviously calling for, because he cannot see how to make that decision consistent with one he made on quite a different occasion. We also know the person (often the same person) who insists on a patently unjust decision here because of having made a similar decision in a different case. It is this sort of *looking away* that particularists see as the danger in generalism. (Dancy, 1993, p. 64)
(Hooker, 2000; Väyrynen, 2008). The problem with this response is that it does not adequately address the particularists’ objection. The particularists’ objection is not that principled guidance is completely determinate or that it never allows us to use judgment. The objection is simply that principled guidance is too rigid, and ‘too rigid’ needn’t mean more than just not flexible or sensitive enough to particular facts. Hence, there is still a legitimate worry that we will be too rigid in our principled guidance even if we admit that rules and principles don’t fully determine moral verdicts.

We can better address the particularists’ objection with empirical evidence that people are able to learn to use rules and principles discriminately. One problem with trying to resolve this debate is that many of the ethical cases principlists and particularists appeal to are contentious. One way to avoid this worry is to look at cases where it is a bit clearer when people are being too rigid in their use of principles. The judgment and decision making literature in economics and psychology gives us a good place to find such evidence because there are cases that have clearer success conditions: people are able to solve more problems correctly, make decisions that fit better with their actual preferences, etc.7

Turning to this literature, we find that while people are sometimes too rigid in their decision making (see Catania, Shimoff, & Matthews, 1989; Luchins & Luchins, 1950), this may not be as big of a worry as the particularist thinks. Studies have found that people who are trained in principles are not simply more likely to appeal to those principles for all problems; instead, they are able to use them discriminately (Fantino, Jaworski, Case, & Stolarz-Fantino, 2003; Fong, Krantz, and Nisbett, 1986). To take one example, Fong, Krantz, and Nisbett (1986) trained a group of subjects in the statistical principle ‘law of large numbers,’ which holds that larger samples are better estimators of the population than small samples. Subjects were given 18 test problems that differed according to the sample sizes involved. The problems required participants to draw inferences about a population from a small sample, a large sample, or a small sample pitted against a large sample. Subjects were given 18 test problems but the law of large numbers was only applicable to 15 of them. The key question was whether those trained in the principle would be more likely to use the principle in the three cases in which it didn’t apply. Fong and colleagues found that subjects who were trained in the law of large numbers principle were only more likely to appeal to the principle in cases where it was applicable; they were not significantly more likely to

7 Even though it is easier to determine when individuals make good judgments in these non-moral cases, ‘too rigid’ is still a normative judgment and the exact line between rigid and too rigid might still be difficult to draw. For instance, how many times does an individual have to apply a rule inappropriately to be considered ‘too rigid’ in her use of the rule?
appeal to the principle in the cases where it was inappropriate than subjects who were not trained in the principle. This type of causal evidence that people trained in principles are able to use them in a discriminating fashion helps undercut the particularists’ objection that principled guidance is too rigid.

**Rule-based models tend to outperform expert judgment**

A second reason particularists believe principled guidance leads us to make bad decisions is that they think it will lead us to neglect or distort relevant details of our situation. On the particularist account this is a serious error because how a particular feature will contribute to the rightness or wrongness of an action depends on the other particular properties present in the case (McNaughton, 1988, p. 193). Thus, we can only determine how a feature will be relevant by paying close attention to all of the particular details of our case. Particularists propose that instead of relying on rules and principles, we should work on developing a sort of moral expertise—a sensitivity to the moral properties when judging particular cases. Dancy (1993) states, “To be consistently successful, we need to have a broad range of sensitivities, so that no relevant feature escapes us, and we do not make mistakes of relevance either” (p. 64). On the particularist account, not only is it important to pay attention to the details of our case, but this should render principles unnecessary. As McNaughton (1988) puts it, “If we can be sensitive to the individual moral properties of the particular case then we have no need of moral principles, as they are conceived, to show us the way” (p. 194).8

The empirical evidence suggests that this is not the case, however. A wide variety of studies indicate that even experts who have been trained to be sensitive to the relevant features in their field rarely outperform simple rule-based models. In an extensive meta-analysis, Grove and Meehl (1996) examined 136 studies that compared predictions made by clinicians to predictions using rule-based linear models. For example, in one study Grove and Meehl examined, sociologist Ernest Burgess compared judgments made by prison psychiatrists about the likelihood of parolees’ success to a linear model that “combined 21 objective factors (e.g., nature of crime, nature of sentence, chronological age, number of previous offenses) in unweighted fashion by simply counting for each case the number of factors present that expert opinion considered favorable or unfavorable to successful parole outcome” (Grove & Meehl, 1996, p. 293).

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8 Similarly, Dancy states, “Moral principles are at best crutches that a morally sensitive person would not require, and indeed the use of such crutches might even lead us into moral error” (2009).
By always counting certain factors as either favorable or unfavorable based on how experts think they tend to contribute to parole outcome, this linear model treats factors as if they were invariant and monotonic, which is precisely what particularists oppose. The psychiatrists, on the other hand, were able to make more flexible judgments of how factors contributed in specific cases. They could give factors different valences or weights depending on what other features were present in those specific cases. On the particularist view, this ability to show more sensitivity to the individual properties in each case should lead to better judgments than an inflexible linear model. Contrary to what the particularist might expect, Burgess found that the linear model actually made more accurate overall predictions than the psychiatrists, even though the linear model was based on the exact same information the psychiatrists were given.

In all 136 studies Grove and Meehl used in their meta-analysis, the clinician had at least as much information as was used in the rule-based model and in some cases the clinician had more information. Hence, it would seem that the clinicians had an advantage over the linear models. Yet, surprisingly, in only 8 of the 136 studies did the clinician outperform the rule-based linear models.9

The standard explanation researchers give for this phenomenon is that when it comes to making particular judgments, even experts do not consistently apply their own weights to variables. In other words, people are much better at selecting and coding information than they are at integrating it (Dawes, 1979). An even more telling example of this can be seen in Goldberg’s (1970) comparison of 29 clinicians’ predictions of psychosis. Goldberg found that linear models made more accurate predictions than clinicians even though the linear models used clinicians’ own ratings of profiles on the MMPI (Minnesota Multiphasic Personality Inventory) for psychosis versus neurosis.

If even experts can have difficulty integrating information when making specific judgments, this gives us reason to question Dancy’s claim that we just need to “have a broad range of sensitivities, so that no relevant feature escapes us, and we do not make mistakes of relevance either” (2004, p. 64). Merely being sensitive to the particular details of one’s case is not sufficient for good judgment; we also need to integrate the details into an overall judgment and there are at

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9 Grove and Meehl (1996) note that the 8 studies in which the clinicians outperformed the linear model are not concentrated in any one area and do not appear to have much in common. They attribute these 8 out of 136 studies to be the result of random sampling errors and not an indication that there is some domain in which clinicians develop a sensitivity that outperforms rules.
least a number of domains in which doing so in a rule-based way leads to better judgments than unaided, holistic judgments.¹⁰

II. Is the moral domain unique?

The evidence provided thus far does not out the possibility that there is some relevant difference between non-moral and moral decision making that leads rules and principles to be beneficial in the former but not the latter domain. However, such a move would require an explanation of how moral decision making is significantly different from non-moral decision making and why principled guidance is less efficacious in the moral domain. In the absence of such an explanation, this move would appear to be ad hoc given the wide range of domains in which rules outperform experts.¹¹ For it is not immediately obvious why rules would be less helpful for moral judgments than for non-moral judgments or why it would be easier to be sensitive to the specific features of moral cases than to the specific features of non-moral cases.

¹⁰ Of course experts do serve an important purpose: they are the ones who determine which features are important to consider when making judgments in their field. These features need to be identified before they can be inputted into a rule-based model and, hence, experts cannot simply be replaced by linear models. But the principlist is not suggesting that expertise isn't useful or that experts should be replaced by rule-based models. The principlist is simply claiming that rules and principles can improve decision making, and as we have seen, the empirical evidence appears to support the principlists’ claim.

¹¹ The impressive range of cases where rules seem to be advantageous can be seen in Grove and Meehl’s (1996) meta-analysis. Their meta-analysis was based on 136 different studies, which included 617 distinct comparisons between judgments made by rule-based models and those made by experts (physicians, psychiatrists, judges, social workers, members of parole boards, admissions committees, etc.). According to Grove and Meehl (1996), the studies “concerned a wide range of predictive criteria, including medical and mental health diagnosis, prognosis, treatment recommendations, and treatment outcomes; personality description; success in training or employment; adjustment to institutional life (e.g., military, prison); socially relevant behaviors such as parole violation and violence; socially relevant behaviors in the aggregate, such as bankruptcy of firms; and many other predictive criteria” (p. 4). Given that experts in so many different areas fail to outperform the rule-based models, it seems unlikely that we would be better off avoiding rules in our moral judgments.
Morality is about more than just outcomes

One possible difference between moral and non-moral decision making the particularist could try to appeal to is that for practical decision making, success is generally measured in terms of outcomes, but for non-consequentialists, morality is about more than just outcomes.

I have two responses to this objection. First, predicting outcomes is still an important aspect of moral decision making even if one holds that what makes an act right or wrong or an agent virtuous or vicious is not determined entirely by consequences. It is difficult to respect others, for instance, if we do not consider the likely effects of our actions on them. Second, it is interesting to note that one of the prominent objections to consequentialist ethical theories relies on moral rules. According to this objection, there are side-constraints (rules) that prohibit us from performing certain actions even if the cost-benefit calculations call for it (Nozick, 1974). Rules and principles also play a role in virtue theory accounts. Stoics such as Seneca held that both rules and principles have prescriptive force (Annas, 1993). And in a more recent defense of rules in virtue theory, Hursthouse (1999) argues that virtue rules (‘v-rules’), such as ‘Do what is honest,’ play a role in guiding our actions. The use of rules in moral decision making also fits with folk moral thinking, which has been shown to be sensitive both to cost-benefit considerations and to moral side-constraints (Lopez, Zamzow, Gill, & Nichols, 2009).

Of course, if different moral theories have different content to their rules, this may lead different theorists to reach different judgments about the same case. Following virtue rules should lead us to make judgments that are consistent with virtue theory, while following deontological rules should lead us to make judgments that are consistent with deontology. How helpful a moral rule is will depend on its particular content, but the point I want to emphasize here is that reliance on rules and principles in itself doesn’t seem to make us worse off, and, indeed, evidence suggests that it can make us better off.

Morality is not linear

The particularist might agree that we can know how certain factors tend to contribute to overall moral verdicts, but she might argue that this is not enough for the principlist because we still cannot know in advance how a particular factor will contribute in a particular case since it will depend on the other properties present in the case (McNaughton, 1988, p. 193). According to this objection, one problem with trying to use linear models for moral judgments and decisions is that
morality is not linear or monotonic. We cannot simply add and subtract features to determine overall rightness or wrongness because features of a situation can interact in various ways, producing non-additive verdicts. However, as Bishop and Trout (2005) note, the success of linear models does not require the phenomena they are judging to be linear. Linear models can accurately predict complex social phenomena such as marital satisfaction, even though marital satisfaction is not a linear relationship. Furthermore, these linear models are in a similar position in that they do not know in advance how a particular feature will contribute in a particular case. The kinds of statistical correlations used in rule-based models that predict whether an individual is likely to pay back a loan, whether a student will succeed in graduate school, whether a business will fail, and so on only give us probabilities of future events; they do not tell us exactly how a factor will contribute in a particular case in advance. Knowing that people over age 50 tend not to re-offend doesn’t tell us for sure whether a particular 55-year-old will reoffend, but it does make us more likely to make an accurate judgment than if we had no prior general information. So even if the particularist is right in claiming that we can’t tell ahead of time how a feature will contribute to an overall verdict, this failure must not significantly harm overall judgment since rule-based models are still able to outperform experts.

This evidence may not give us sufficient reason to start making moral judgments and decisions by using algorithmic linear models, but it does pose a problem for one of the particularists’ main practical objections to principlism. It gives us reason to think that even if we can’t say in advance how features such as lying and promise keeping will contribute in particular cases, as long as we can know how such features tend to contribute to the rightness or wrongness of actions, then rules that capture such generalities might also help improve our moral judgments.

III. Conclusion

In order to know whether we should rely on principled guidance, we need to know whether doing so will help us engage in better moral decision making. Particularists such as Jonathan Dancy (1993; 2004; 2009) and David McNaughton (1988) have presented particularism as a major challenge to our common conception of morality. They argue that placing rules and principles at the forefront of our moral decision making will lead us to engage in worse decision making because principled guidance is too rigid and it leads individuals to neglect or distort relevant details. However, when we examine empirical literature on the use of rules and principles in other domains, we find that people can learn to use rules discriminately and that rule-based models tend
to outperform even expert judgment, which casts doubt on the particularists’ empirical claims. This does not mean that the debate between principlists and particularists is insignificant. The fact that moral rules and principles are useful in practice does not necessarily mean that they actually capture invariable, law-like generalizations. As we saw earlier, the practical and metaphysical issues can come apart in this debate, so it is still possible that the particularist could be right about the metaphysical status of moral principles. At the practical level, however, Dancy and McNaughton have not given us sufficient reason to give up on principled guidance.
References


Broaders, R., van den Bos, K., Muller, P.A., & Ham, J. (2011). Should I save or should I not kill? How people solve moral dilemmas depends on which rule is most accessible. Journal of Experimental Social Psychology, 47, 923-934.


