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# 'tis but a scratch: on the moral neutrality of tattoos

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**Abstract:** In a recent article, Matej Cíbik claims that some tattoos are immoral because they are imprudent. (Cíbik 2020) In response, I argue that a tattoo can only be immoral if it causes harm to a third party, so that no tattoo is immoral simply because it is reckless. Conflating prudential and moral requirements in the way that Cíbik does would strike at the heart of liberalism, and has deeply counter-intuitive consequences, as we can see when we consider Cíbik's own discussions of suicidal individuals and smokers. After discussing the role of the self/other distinction in liberal moral philosophy, I affirm both the moral neutrality of tattoos and the importance of adopting non-judgemental attitudes towards the choices which a person makes concerning her own body.

**Keywords:** Tattoos, prudence, morality, liberalism, regret

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There has been a steep rise in popularity of tattooing in recent years. In the United States, it is estimated that one third of people aged 18-44 have at least one tattoo.[2] This rise in popularity has turned tattooing into a global multibillion dollar concern, with flourishing secondary industries involved in the supply of tattoo-related products (such as tattoo machines, chairs inks and disposable equipment) and laser tattoo-removal services. Mirroring these trends, there has been a corresponding rise in academic interest in practices of tattooing. Important work is being done in the history, anthropology and sociology of tattooing, and there is a small but burgeoning group of academics interested in the relevance of tattooing to philosophical questions.[3] These philosophers believe that the application of philosophical methods to issues around tattoos may help us to improve our understanding of the nature and significance of the practice, as well as helping us to shed light on thorny philosophical issues such as the nature of personal identity.

In that context, Matej Cíbik's article (Cíbik 2020) on the moral status of tattoos stands as something of an outlier. The aim of Cíbik's paper is not to increase our understanding of the practices of tattooing but rather only to condemn certain of them. More precisely, Cíbik believes that some tattoos, are, by virtue of their recklessness, evidence of immorality on the part of their wearer. As will become apparent, I disagree strongly with both the particular claims that Cíbik makes, and also the philosophical methodology that he takes to be appropriate to a discussion of tattooing. In what follows I will show the various errors and missteps in Cíbik's argument, in order to reassure readers who might have been persuaded by his article into thinking that tattooing is not only sometimes reckless but may also be morally questionable.

I take this work to be important for several reasons. First, as much as everybody else tattooed people often struggle with issues around their appearance and their relation to their bodies. We run the risk of doing real harm in telling them that in the choices they have made concerning their own bodies they have called their moral character into question. Since heavily tattooed people still face discrimination in society, it is important to oppose arguments which could be used to rationalise such negative attitudes.

Beyond that, I think it is important that readers who are interested in how philosophy might speak to practices of tattooing to realise that the potentials for such engagement go beyond the provision of moralistic arguments against the practice. There are many ways in which philosophy can engage with issues around tattooing. From an applied ethics orientation, work might be done to clarify the conditions under which a decision to get a tattoo meets the Belmont criteria for informed consent. From a phenomenological orientation, we might consider how practices of tattooing can shift a person's conception of the relation between their bodies and their agency, since in planning out tattoos, the body shifts from being the vehicle through which our agency is made manifest to the object of that agency itself. From an ordinary language orientation, we might enquire into the sense of ‘meaning’ involved in the claim that tattoos have a meaning or ought to be meaningful. And from an anthropological orientation we might enquire into the relation between the social and individual meaning of tattoos, and how far 'Western' tattoo artists should be sensitive to complaints of cultural appropriation when working with culturally specific styles.

These are just some of the ways in which philosophy might be brought into a fruitful relation to a discussion of practices of tattooing. But all these approaches depend on us treating tattoos as important in their own right, not simply for what they show us about a person's standing with

[2] See 'More Americans Have Tattoos Today than Seven Years Ago', Ipsos, https://www.ipsos.com/en-us/news-polls/more-americans-have-tattoos-today [accessed 22/11/2021].

[3] See for instance the contributions in Arp (2012).

respect to her hypothetical future self-interests. By contrast, most of Cíbik's effort is spent on attempting to show the immorality of recklessness; the recklessness of certain tattoos being taken for granted, he feels no need to dwell on the details of actual practices of tattooing. He considers neither what tattoos might mean to a tattooed person, nor what might motivate someone to get tattoos. He does not, indeed, give any discussion of immoral tattoos, save for two very sketchily introduced hypothetical cases. This approach, I suggest, forecloses the possibility for genuine understanding of the nature and significance of practices of tattooing.

The final reason why I take this work to be important is that Cíbik's critique strikes at the conviction that no person should be morally censured for choices which she makes that concern her own life and which do not cause harm to anyone else. Therefore, refuting Cíbik's argument is a way of defending the importance of this liberal conviction. Framing the issue in these terms brings out what is at stake here. Readers with no strong opinions on tattoos themselves should still be concerned with the general question as to whether or in what respect individuals' choices concerning their private lives should be open to moral critique by others.

Since we are concerned with foundational issues in liberalism, it will be helpful to begin by reflecting a little bit on these foundations, before turning to the details of Cíbik's argument. It is a tenet of liberalism that the individual is sovereign over her own body. This is one manifestation of the intuition that in decisions affecting me alone, I am the ultimate authority. In the legal sphere, this intuition gives us the concept of persons as bearers of rights, which can be suspended only by relevant authorities acting with proper cause. In the social sphere, the idea that we should not judge others for their intimate choices is the cornerstone of an open and tolerant society, one in which people are free to express their individuality without fear of censure. When differences are celebrated, then an open, tolerant and diverse society flourishes, with each citizen free to pursue his or her own 'experiment in living'.[4]

From this sovereignty of the individual is derived our understanding of consent, its nature and importance, as well as the related concepts of integrity and violence. Alongside the power to make decisions concerning my body comes the ability to invest that power, temporarily and within limits, in others. Amongst other things, I choose who will touch me, where and how; with whom I will associate; to whom I will listen and with whom I will speak. We permit others into our personal space, regulating our interactions with others, making our boundaries more or less permeable. Rarely do we allow others to use us as means to some specifiable end, but often we allow others to do things with or to us, thus ceding a degree of control over our experience. When that control is ceded, rather than wrenched from us, it is suspended in a way that yet acknowledges its importance. Consent enshrines the sovereignty of the individual over the domain of self-interest, which is demarcated by the concept of the private. Acts of consent are manifestations of agency in which one asserts control over one's life, albeit a control which is both fragile and limited.

Consent is one manifestation of the activity of choice. As Philippa Foot noted many years ago, choice is itself a complicated notion, one which depends on the background circumstances which give it its characteristic shape. As she put it, choosing is not mere picking for no purpose, as if we chose something simply by a sheer act of selection. Rather, choosing is "the kind of picking out for a rôle, which has a ground; we choose one thing rather than another because it

[4] Mill (1859/2003, 132).

has some advantage in the context, as a flat pebble is best for playing ducks and drakes, and a heavy stone to stop a car from running downhill."[5]

It is implicit in this analysis of the nature of choice that it involves a conception of the individual as being engaged in a series of ongoing activities and of selecting amongst alternatives only by virtue of having some stake in the outcomes. Choosing something differs from merely wishing for a certain outcome, as much as from blind picking, by virtue of the connection between the person making the choice and its outcomes.[6] It is because there is typically a connection between making a choice and being around to experience (at least some of) the results that we can attach any sense to the evaluation of alternatives, and so to being able to speak of better or worse choices, or making a mistake in choosing one thing over another. Regret is the characteristic feeling by which we come to learn to evaluate the choices that we make.[7]

Alongside this consent involves, in addition, an awareness of an individual outside of oneself, for consenting is a relational term, involving (at least) two parties and initiating a new kind of bond between them. In the first instance we speak of consent only when what is at stake are intentional actions, to be done *to* or *with* me, and *by* someone in particular; typically, one does not consent to being crushed by a falling stone, nor to the spread of a tumor. We speak of consent in such contexts only if we can detect a role for the individual's own agency in the circumstances - for instance, by ignoring warning signs or refusing surgery we might (though always controversially) be said to bring certain consequences on ourselves.

Of course, although our concepts of choice and consent grow in this context, they can be extended out of it. In philosophy and in life it is not uncommon to find cases where a choice must be made and where the person doing the choosing will not be around to experience the results, because of the various distances (temporal, spatial) between an action and its consequences. (This is one of the characteristics which makes the God of creation so alien to our own understanding of the will, for God experiences immediately all the results of her choices.) And there are cases where we speak of consent without being able to identify, in a clear way, either an act or the parties to it - for instance, when we speak of 'policing by consent'. In this case, the general tolerance of individuals to the authority of the police is taken as a sign of their consenting to the institution, and the police for their part are supposed to conduct themselves in such a way that they are sensitive to the demand to maintain this relationship - but both the relationship, as well as the parties to it, are idealisations.

Difficulties in the extension of these concepts come to a head in the question of our relation to future generations; how we are to understand our responsibilities towards the claims of individuals who do not yet exist. Such questions are especially puzzling precisely because they raise questions where the notions of choice and consent seem naturally to fit, but equally lack the typical contexts in which such claims have their application.[8]

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[5] Foot (2002, 143).

[6] A point first noted by Aristotle in his discussion of how rational choice (*prohairesis*) differs from mere wish; see *Nicomachean Ethics* 1111b. On the relations between choice, wish and will see Williams (1981, ch2) and Winch (1972, ch7).

[7] To call regret a feeling is not to suggest that it is not a judgement or answerable to standards of rational evaluation; on the contrary, regret is one of the phenomena which calls into question any easy distinction between emotion and judgement; regret is a kind of 'felt judgement'.

[8] This is a topic with a large philosophical literature, inaugurated by Parfit (1984).

Here we have, in rough outline, the beginnings of a distinction between the ways in which one affects one's own future, and the ways in which one affects, or is affected by, others. This distinction permeates our lives. Consider, for instance, the contrast between prudence and morality. Decisions that I make which fall within the sphere of my authority may be wrong, in the sense of mistaken; I might choose on bad information, or rashly. Suppose that on a whim one day I cut my hand with a knife. For a while at least this cures my boredom, for the pain gives me something new to focus on, and the bleeding sets me a task. But this act of mine is imprudent, because there is risk of infection, there is pain, and the same effect could have been achieved in another way.[9] On these grounds, I may come to regret what I did. However, decisions that I make in which I overstep the bounds of my authority, in which I compromise another person's control over her own life, are wrong in another sense. Suppose that on a whim I cut your hand with a knife. There is both pain and risk of infection. But alongside the physical consequences, I have inflicted a distinctive kind of harm on you; namely, I have shown a disregard for your boundaries. The cutting was a violent act. Not only have I done something wrong, I have wronged you. And so - absent special considerations - what I did was not just regrettable but was (morally) wrong.

Related to the prudence/morality contrast is the distinction between regret and remorse. Putting it crudely, while both regret and remorse are backwards-looking forms of self-censure, they differ in terms of their focus; whereas the focal point of regret is the agent, of remorse it is the victim. When I regret something I have done, I look at my past and parse it in a particular way - I identify some discreet choices, and some chain of consequences which followed from them, and I wish they had not happened. Regret is an imaginative activity of self-blame, in which one conceptualises one's present by juxtaposing it with an imagined alternative for which one longs.[10] (That is *inter alia* to imagine that one's regret would disappear as well, for in this counterfactual situation, I did not make the mistake and so have nothing to regret.)

Of course, what starts as a form of self-discipline can easily become a mechanism for self-abuse. Regret then slips from being a way of grasping the significance of one's present position into something else. We are surely familiar with the experience of pangs of regret intruding at an inappropriate time or in an excessive manner. An interesting case of this is when regret enters as something like the inverse of feelings of mourning, when for instance one achieves something after great difficulties, but rather than enjoying the achievement one instead thinks regretfully of the setbacks which prevented one's achievement being better or coming sooner. (This is the inverse of mourning in the sense that in mourning one's present sorrow is tinged by thoughts of past joys, whereas in this case one's present joy is tinged by thoughts of past sorrows.) When faced with this kind of feeling there are a range of psychological tools that one can employ to shift one's perspective. I will mention three, though there are doubtless others.

Firstly, one may question the framework assumptions in one's parsing of one's past. Regret has the form 'if I hadn't done such-and-such then things would have been better' but with a more-or-less idealized sense attached to this imagined state of affairs, for in fact we don't know how things would have been had we acted differently, and our guess may be wildly off target. The second is to try to shift one's attention onto other things. The energy which one spends absorbed

[9] Or, to put it more cautiously, the same effect should have been achievable in another way. Being in a condition where feelings overpower coping mechanisms to the extent that self-harm is the only way to find relief is indicative of needing assistance.

[10] See Williams (1981, 27).

in the past could instead be put towards enjoying the present or planning for the future. Finally, one can try to find some value in the experience which regret occludes. Indeed, even the regret itself can be transmuted, by a certain act of will, into one such value. It is at least doubtful whether hard-won wisdom could have been won any other way, and this doubt opens a route to finding solace in the past's being as it was.

In these and other ways one tries to live with regret, or to transform it into something else. Different in kind is remorse, which is (in Raimond Gaita's formulation) a pained awareness of the reality of another, as disclosed through having wronged them.[11] When one feels remorse the aim for a decent person cannot be to try to overcome the feeling through tactics such as those relevant to the case of regret, trying to minimize or reconceptualise what happened in order to feel better. In response to wrongdoing, to focus on one's own inner life at the expense of the victim is to magnify, rather than diminish, the harm done. Rather, the aim for a remorseful person must be to seek, as far as possible, to make amends for what she has done. Repentance, atonement, forgiveness; these are the characteristic accompaniments of remorse. One has overstepped another's boundaries, and so one must now humble oneself in their presence in order to allow the work of repair to proceed. Here is where the concept of forgiveness is most naturally at home, in the call-and-response of "I'm sorry' - 'I forgive you'.'[12]

The contrasts between prudence and morality, and between regret and remorse, undergird the distinction between self and other upon which the edifice of liberalism is constructed. Putting it simply: we must be free to make our own mistakes, at least within limits, but should not be free to harm others.[13] If someone acts recklessly and harms herself, we may, paternalistically, try to help her to see the error of her ways - whether through cajoling or advising, or some admixture of the two. But we must acknowledge that she has a right to act against her future interests - she has, in other words, a right to regret. However, if someone acts recklessly and harms another, our standing with respect to her changes. Now we are justified in intervening on behalf of the victim, and now censure, opprobrium and sanction become relevant.

The asymmetry in judgement encoded in this distinction is important in both directions. That we do not judge individuals by moral standards for acts that affect only her is necessary if we are to give people the space that they need to express their own individuality. That we judge

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[11] Gaita (1991/2004: 43-64).

[12] Someone might object to the characterisation in this paragraph that terms such as 'repentance' are questionable inheritances from a Christian conception of morality and that we would be better off if we abandoned these ideas entirely. I wholeheartedly agree with this objection, and think it is important that we reform morality to avoid the worst excesses of what Williams called 'the morality system' (Williams 1985/2006, ch10). However, such a reformation should take care not to blur the distinction between wronging another and harming oneself - in other words, between seeking forgiveness from another, and forgiving yourself. In a way liberalism can be seen as an attempt to reform morality in a way which does just that.

[13] Of course, despite (or because) of its importance, this contrast is not always clear. A more nuanced account of these matters would make the contrast I am drawing less sharp. However, it would not weaken the point that we must take care to distinguish the moral from the personal. Discussion would take us too far afield, but I will gesture at the kinds of limits I have in mind. One relates to the social aspects of rationality; if one's choices diverge too far from the ordinary canons of reasonability, then this can be evidence that one is not a fully autonomous agent. Thus, children are not given totally free reign to make their own choices, because they haven't yet been taught what constitutes a reasonable weighing of the alternatives. Another limit relates to coordination problems in social co-existence, for instance the tragedy of the commons; we may be justified in limiting the free choices of individuals even when those choices would not wrong any identifiable individual, if those choices would cause harm to the group. Since neither of these constraints affects the substance of my argument, I set them aside in what follows. The tragedy of the commons certainly is not relevant to the question of the nature of tattooing. Whether requests for very reckless tattoos can be taken to be a sign of someone not being in their right mind is an open question - and the question then is how we should react to someone in this situation. And yet even though such cases can be imagined, they do not support Cíbik's conclusions - as the discussion of the suicidal teenager below bears out.

individuals more harshly when they transgress the boundaries of another is important to prevent society collapsing from co-operative self-development into a battle of wills.[14]

Although familiar, these reflections bear repeating, for, Cíbik argues that tattoos are sometimes morally wrong simply because they are imprudent (Cíbik 2020), thereby suggesting that the contrast between prudence and immorality is, in some cases at least, merely one of degree rather than kind. This argument has the effect of running a cart and horses through the foundations of the liberal conception of the self.[15] Now, I hope it does not seem unreasonable to suggest that if Cíbik wants to overturn the consensus on which both Western legal systems and our fragile global moral consensus is based, then he owes some characterisation of what he means by the term 'moral'. That he does not offer any such account makes his argument immediately difficult to assess, but it also places a substantial burden of proof on his shoulders; a burden under which, as I will show, his thesis quickly collapses.

In a nutshell, Cíbik's argument runs as follows: tattoos are permanent and irreversible; they may be (severely) regretted later; absent good cause a person has a moral obligation (to his or her "future self") not to do things which she is likely to severely regret later; therefore, a person has a moral obligation not to get tattoos of a kind which he or she is likely to (severely) regret. Of course, it would be implausible to hold that any decision which carries a foreseeable risk of being regretted is immoral; were that so, then both the adventure sports industry and Catholic marriage would be even more morally problematic than the practice of getting tattoos. So, Cíbik must immediately qualify; only those tattoos which "significantly neglect our possible future interests" are immoral. Which are these? He suggests three considerations which are "likely" to move a tattoo up the scale into the realm of the "morally problematic", namely: "(1) the prominence of the tattoo; (2) the stability of the preferences of the given person; and (3) the possibly controversial nature of the tattoo." (Cíbik 2020: 10)

Beyond what point does recklessness become immoral? Cíbik does not specify. He gives two examples of people getting tattoos, in order to motivate his claim that sometimes we should say that the person acted immorally and not only imprudently. We will come to the first later on.

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[14] Lest it be thought that insisting on this distinction unduly limits the potential for moral criticism, I would stress two points. First, most of our actions affect others in a myriad of ways, many of which we are unaware of. These entanglements mean that settling the moral status of even apparently innocuous actions is harder and more controversial than might be supposed. Thus, an argument against tattooing might be raised on the grounds that the materials used (inks, needles etc.) involved morally questionable practices in their production. Or, more familiarly, it might be argued that the time and money spent on altering one's appearance should be spent alleviating suffering. Nothing in what I say should be taken to preclude that possibility; but these considerations would take us away from the matter at hand. Secondly, we have been concerned primarily with negative duties, which we have towards others, concerning requirements not to cause harm. Nothing in what I have said should be taken to preclude someone's seeing themselves as morally obliged to go beyond this in any of a variety of ways; for instance, someone might make it a moral imperative that they constantly interrogate and improve their way of thinking. Such a person might also, more problematically, develop these thoughts into a moral criticism of others or of society. Whether or to what extent such a move might be justified, and whether such a view would be consistent with the spirit (or even the letter) of liberalism are questions which I set aside; it is likely that they can only be answered by reference to the particularities of the case.

[15] Needless to say, liberalism has its critics, and it can claim no monopoly on the use of moral terminology. Thus, if one believes that good is what God commands, then whether there is a distinction to be drawn between the imprudent and the immoral will depend entirely on the nature of God's interest in us. If she lays down a command to the effect 'No ink in skin' then inking skin is wrong, whenever it is done and whoever's skin it is. (It may then be imprudent because it is immoral - the opposite reasoning from Cíbik's - if an afterlife gives one a vested interest in obeying God's laws.) Likewise, a believer in natural law will explain the moral obligations on people in terms of a requirement that we act in conformity with our natures; then, if tattooing is unnatural, it will also be immoral. From either of these directions an argument against tattoos could be formulated, though one that will never be less controversial than the broader framework in which it is embedded.

The second appears only in the concluding paragraph of his article, which also neatly summarizes the argument as a whole:

> *Getting a face tattoo on a whim while drunk is not merely imprudent. It is reckless. It grossly neglects your future interests and invites justified resentment. A decision to get such tattoo is therefore immoral. (13)*

I pause here to note that the case as described is quite unrealistic. Perhaps Cíbik has in mind here Ed Helms' character from the movie *The Hangover II*, who wakes up in Las Vegas with a large face tattoo that he got while drunk the night previously. But in reality, face tattoos lie at the extreme end of tattooing. Reputable artists will not perform facial tattooing on people who are not already heavily tattooed, or who can otherwise demonstrate their commitment to a tattooed lifestyle. Moreover, shops which adhere to professional standards will not tattoo people who are under the influence of alcohol. Alcohol both impairs judgement and affects the body's abilities to clot blood and to repair wounds, making tattooing riskier for both client and artist. Thus, no reputable tattoo artist would give someone a face tattoo on a drunken client's 'whim'. The explanation for this, however, falls squarely within the domain of professional ethics; artists want to help a person make a choice which they will be happy with, and no responsible businessperson would aim to enter a contract with someone when there was a significant and foreseeable risk of buyer's remorse.

Yet even setting this aside, we should take care to distinguish whether the decision to get a face tattoo under these conditions counts as grossly neglecting one's future interests, from whether it invites justified resentment. It seems unquestionable that this choice neglects future interests. Whether it invites justified resentment is another matter, and settling that requires distinguishing, as Cíbik does not, between self- and other- regarding attitudes. If I got a tattoo under these conditions, I may well regret my choice and would very likely rebuke myself for being so impulsive. However, it does not follow that anyone else would be justified in resenting my decision. Or, putting it another way, just because I might feel ashamed of my new tattoo, it does not follow that others are justified in shaming me for it. In a similar vein, I'd take umbrage if someone tried to pass *moral* judgement on me for what I did. If a friend called me stupid for my decision, or laughed at me, I wouldn't be pleased but I would see the responses as perhaps excessive but not inappropriate. By contrast, if a friend tried to tell me that the decision showed me to be a bad person, I would take exception. Only I suffer the consequences of my action and therefore only I can stand in judgement over it. By contrast, had I decided to get in a vehicle and drive while intoxicated, it would have been another matter; my behaviour would have been reckless in a different sense, and reproach from friends would be justified, and maybe even called-for.

Our reaction in the case of Helms' character from *The Hangover II* would seem to bear this out. As audience members we laugh at the Helms character. We may also worry that the behaviour shows some streak of desperation to escape from his dysfunctional relationship with his wife, who is portrayed as problematically controlling. We do not however think that his choice calls into question his standing as a morally decent person. The reason for this is that on a drunken whim he has done something which he somehow thought would help him (make him cooler or give him a sense of liberation) when in fact it has had the opposite effect. His behaviour is an extreme example of a pattern which many of us can empathize with.

Cíbik rejects this intuitive response, claiming instead that in general one's attitudes towards one's actions - whether forward or backward looking - are of the same kind as one's attitudes towards the actions of others by which one is affected:

> *I want to claim that the concern for our future is not merely a matter of prudential self-interest. It is also a source of obligations. Some actions are morally wrong (and not merely imprudent or foolish) even though they do not concern other people or the environment. In other words, our present is normatively bounded by (some of) the interests of our future selves, irrespective of whether we recognize them now. (3)*

This is a puzzling statement, which seems to imply that all obligations are moral obligations, and that prudence is therefore not a form of normative constraint. And indeed, the plausibility of Cíbik's claims both here and in general depend entirely on the reader accepting the conflation of being "obliged" to do or abstain from something with it's being "morally" right or wrong, and with it's being "normatively required".[16] Yet, as conflations tend to be, this is a mistake. A '"normative requirement" is simply some consideration which speaks for or against a particular course of action. Normative constraint comes in many different forms - not only moral and prudential but also social and legal.[17]

In order to justify his claim that sometimes in harming ourselves we are morally wronging ourselves, Cíbik leans especially on two analogies; a suicidal teenager and a father with lung cancer caused by a history of heavy smoking.[18] Regarding the suicidal teenager, he says:

> *If a distraught teenager wants to commit suicide, she should be stopped, even if the rescuer is a stranger and has to use violence. The reason for our right to stop her does not necessarily lie in the teenager's present condition. [...] If we have a reason to think that her condition might be only temporary, we can conclude that by committing suicide she would indeed carry out a great wrong – and her future self would be the victim. (3-4)*

Here Cíbik treats the teenager's 'future self' as independent from her 'present self' and identifies that future individual as 'the victim'. By splitting a single individual into two entities, perpetrator and victim, Cíbik is in effect claiming that suicide is an instance of involuntary killing, comparable therefore to murder. Since, according to Cíbik, 'future selves' and other people are not different in kind with respect to the moral standing of our actions, "the reactive attitudes we have towards our past selves are similar to the reactive attitudes we have towards other people." (4) The implication here is that people who commit suicide ought to be treated as murderers are. This is indeed a view which is espoused by certain Christians, though it is no longer official church doctrine in any major denomination.[19] In response, I will confine myself to the observation that this view is now, mercifully, outdated. In part thanks to a better understanding of the experiences and thought processes of suicidal people, and in part thanks to a liberal moral outlook which emphasizes individual freedom, our reactive attitudes towards people who commit suicide have evolved beyond the point where we would react to someone who attempted suicide as we would to an attempted murderer.

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[16] This conflation runs through his argument. It can be seen inter alia in the fact that he appeals to McMahan's prudential unity relations in support of his position, without spotting that McMahan limits these relations to a determination of the subjective value of life, which is distinct from (and conceptually prior to) setting questions of moral status (McMahan 2002: 189-267).

[17] Indeed, there may even be normative constraints on individuals derived from the concepts of truth and belief. See, for instance, Shah and Velleman (2005).

[18] He also mentions in passing our obligations to future generations, but since he gives no discussion of the topic and since it is itself incredibly complex and controversial, I set it aside.

[19] And even when this view is held, it is argued for on grounds which make ineliminable reference to explicitly theological considerations.

Of course, it is true that if a distraught but otherwise healthy teenager wants to commit suicide, she ought to be stopped, if feasible. However, the reason for this is not that she would be committing a moral wrong by her action, but rather that her decision to commit suicide, at this point in her life, betokens a failure on her point to think rightly, and so to make a free and fully informed choice. We prevent self-harm not out of a sense of moral indignation - as we would intervene if we saw someone attacking someone else on the street - but rather out of a sense of pity, and a desire to help someone who is clearly in distress and in need of support.[20]

For that reason, Cíbik also misstates our obligations towards suicidal individuals when he says that the teenager "should be stopped, even if the rescuer is a stranger and has to use violence". While it may be justified to use force to prevent someone from harming herself, that it is not the same thing as using violence. If someone is in distress and has lost the capacity to make informed decisions about her situation then we are justified in intervening to prevent her from causing herself harm, but that intervention must be done out of respect for her (now compromised) autonomy, and must therefore be proportional to the end of restoring her to her senses.[21] Restraint in this context does not constitute violence, because it is done in service of restoring to the person her capacity to set her own boundaries and to make her own free choices concerning her body. Although not authorized by the person directly, it is done on her behalf.[22] In no way does the fact that the teenager is disregarding her future happiness provide a justification for inflicting violence upon her. To think otherwise would be to endorse a conception of morality according to which I am entitled to harm strangers based on some perceived injury to her imagined future self.

Similar considerations apply in the case of the father who has lung cancer. Here Cíbik simply stipulates, without elaboration, that a father who regrets having smoked must judge himself to have acted morally wrongly by his choices:

> *It would be a very natural reaction for [the father with lung cancer] to resent his decisions. If a time machine was invented and the father could talk to his past self, he would certainly make a moral case for not smoking, highlighting the harm done, stressing the recklessness in his actions, insisting that his past self ought not to smoke. (4)*

Nothing in this description suggests that the father's appeal to his past self would be moral rather than prudential. The plausibility of the term 'moral' in Cíbik's description is, I think, derived from the fact that, in highlighting 'the harm done' by smoking, one tends to think not only of firsthand smoke, but of secondhand smoke as well. Indeed, the moral opprobrium that attaches to smoking, and the justification for smoking bans in restaurants and so forth, derives from the fact that in smoking, the smoker causes un-consented to harms to those around him or her. To set harms to others aside, and yet show smoking to be immoral would take a good deal of extra work. JD Velleman famously tried this years ago, in an article which also linked smoking and

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[20] Here we see a further structural difficulty in Cíbik's proposal, which the issue of suicide highlights, namely that actions which are overly reckless are evidence that a person may not be thinking fully rationally - but a person who is not thinking fully rationally is not typically held fully morally responsible for her choices.

[21] This is the point of Mill's famous example of restraining someone who is trying to walk across a bridge which, unbeknownst to them is unsafe (Mill 1859/2003:165).

[22] Of course, the boundaries here between legitimate and illegitimate intervention shade off into indeterminacy, and many ethical quandaries arise at the borderlands of informed consent. However, this observation does not weaken the important contrast between force and violence, but rather reinforces it, for it is only because of our sense of the importance of autonomy, and hence of the harms of violence, that borderline cases have the importance for us that they do. For an overview of some of the issues here, see Miller and Wertheimer (2009).

suicide.[23] His intuitive case appealed to the harm that the death of a person inflicts upon his or her loved ones. In the end, though, in order to make his case Velleman had to appeal to Kantian claims concerning respect for rationality, which made no obvious reference to the effect of self-harm or suicide on others, and his argument quickly became mired in controversial claims.[24]

Now, Cíbik might be tempted to follow Velleman's intuition and argue that the expectations of others morally oblige us in certain ways, and that in smoking one violates those obligations. That would be, in effect, to say that we have an obligation to look after our health because others care about us and will be indisposed if they see us suffer or die prematurely. On the face of it, however, this would be an unpromising avenue for an argument against tattoos, for, unlike smoking, tattoos carry negligible health risks. But pressing this line of thought, Cíbik might instead try to extend the obligations on agents to include not only expectations that one look after one's health, but to include some interest family members might have in regulating one's appearance.[25] Perhaps, it will be said, the person who gets a face tattoo on a whim harms her loved ones, who are now forced to see the tattoo if they look at the person's face. That would be to claim that our moral obligations extend to ensuring that our physical appearance does not cause distress to others.

There is some hint of this in the third of Cíbik's criteria for a tattoo's immorality, namely its being "possibly controversial". The difficulty with this criterion lies of course in the unclarity lurking within the notion of controversy. Despite their popularity, there are still social prejudices against tattoos, and they are in that respect, controversial. Someone who gets a visible tattoo will therefore cause distress to those who hold this prejudice. However, that is not a reason against getting the tattoo - indeed, insofar as it forces that person to confront their prejudice, and may therefore weaken it, it may be a reason in favour of it. In this way, a heavily tattooed person may in fact be doing her loved ones a favour in causing them distress; in working through this negative reaction those people may come to value others less for their visible appearance, and more for their personality.

Of course, some things are controversial because although they are wrong their wrongness has not yet been fully appreciated. And so, there are cases where distress imposes justified obligations on people to modify their appearance. For instance, tattoos which are associated with hateful ideologies can reasonably be said to cause harm to third parties. (In such cases there may be both particular harm to individuals who see the tattoo and a generalised social harm in the normalisation of that ideology.) Nazi symbols are the obvious case in point here. However, in these cases what is objectionable is not the person's appearance *per se*, but rather the illocutionary act which the decision to modify their appearance in this way encodes; being a visible endorsement of an ideology which is committed to the denigration or elimination of some group of human beings. Swastika tattoos are a case in point - getting a single swastika tattooed may reasonably be called immoral due to the distress it will cause others. Getting a pattern tattooed which incorporates swastikas as part of the design, say in a Hindu motif, will be a borderline case, the morality of which will have to be evaluated relative to questions of whether the symbol can be reclaimed from its associations with Nazism. In any case, the

[23] Velleman (1999, 606).

[24] For instance: One is sometimes permitted, even obligated, to destroy objects of dignity if they would otherwise deteriorate in ways that would offend against that value." (1999: 617) and "I often wonder whether proponents of assisted suicide don't overstate the moral significance of pain." (618)

[25] This would fit with Cíbik's attempt, in an earlier article, to derive moral obligations from social expectations (Cíbik 2018).

explanation of the morally problematic features of such tattoos ties them directly to harms to third parties.

Cíbik is right that getting tattooed can indeed fundamentally change one's self-conception. People with multiple tattoos may start seeing their skin in a different way, viewing their body as something more akin to a canvas, looking at un-inked areas of skin as potential spaces for designs, and trying to find a balance or proportion in their tattoo collection. They are then essentially engaged with their tattoo artist(s) in a long term and collaborative activity of decorating and changing their body. Part of that is negotiating their place in the world. This dynamic renegotiation of one's appearance is something we all do to varying degrees, though getting a tattoo is on the extreme end of the spectrum. In an important passage for his argument, Cíbik suggests that it is the extent to which a tattoo interferes with our appearance which makes the key difference to its permissibility:

> *An important threshold is passed when the tattoo permanently changes the appearance of the person. To explain, we often change how serious, classy, easy-going, smart or relaxed we look at any given moment. We want to modify our outward appearance depending on the type of situation and type of people we will be meeting. A freedom to manage the terms of our engagement with other people is thus clearly very important. Some of this freedom, however, is lost with every single visible tattoo. (11)*

A person who has visible tattoos changes their appearance - that much is uncontroversial. However, there is an important gap between 'my appearance' and 'how I appear to others'. According to Cíbik, the change of one's appearance in tattooing is not just an alteration of one's skin pigmentation, nor merely the introduction of a pattern or image recognisable onto one's body. Rather, a person with visible tattoos loses some of his or her freedom to appear how "serious, classy, easy-going, smart or relaxed" he or she looks at any given moment.[26] These are thick concepts for the description of people's appearance, and as such are heavily informed by social context.[27] It is true that heavily tattooed people suffer discrimination. Yet it is odd to think that this fact alone should be relevant to settling the immorality of the choice to get tattoos, rather than reflecting a social prejudice that we might hope to change. Thus, Cíbik concedes too much to the milieu when he says that we should accept that tattoos compromise people's ability to appear serious (or 'classy', whatever that means). To reject someone as unserious because they have ink in their skin, irrespective of their clothing choices, demeanour, or what they are saying, is simply prejudice. Even heavily tattooed people can express a full range of emotional states and can alter their demeanour and appearance to suit the occasion. Perhaps all that is needed to restore, for the heavily tattooed, the freedom to appear differently to others in different contexts, is for the rest of us to learn to be more discerning in our instinctive reactions.[28]

As an aside, I note that it is an irony of Cíbik's paper that he is sometimes willing to take a stand against our ordinary reactive attitudes, only not when these involve our reactions towards body modification. Considering our propensity to blame people for their adherence to fascist worldviews, he says:

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[26] But note the work the word "some" is doing here.

[27] On thick concepts see Williams (1985/2006, 128).

[28] Fortunately, since tattoos are now so popular, the reactive attitudes which people hold towards the tattooed are likely to shift in this direction anyway.

> *When some individuals flirt with far-right ideology, it may be a part of their search for identity connected with a desire to belong during their late teens. In retrospect, such episodes need not be judged harshly, especially if we know that they changed their worldviews and no longer subscribe to anything despicable. (9)*

One might hope that Cíbik could extend the same charitable attitude towards those whose search for identity leads to them a tattoo parlour rather than a Klan meeting.

Early on in his article, Cíbik declares that "tattoos are always intended as permanent" (2). He forgets that no tattoo need be permanent, since any tattoo can be either covered by another, or else removed through laser treatment.[29] So, if the problem with tattooing is just that the symbols one chooses might cause embarrassment or controversy in the future, then there is nothing to worry about it. To try to justify the thought that especially embarrassing tattoos are morally wrong, Cíbik appeals to a fictional case involving an 18-year-old woman, Amy, who gets numerous tattoos of her musical idol, Justin. Cíbik thinks this is wrong because she is therefore marked out for life as a fan of Justin's music, but this is not so; the day that her infatuation with Justin ends she can, if she likes, go to a tattoo parlour and start getting cover-ups. Of course, this will be a long process because she has "a series of tattoos with his image and his name on the most prominent parts of her body including her face, shoulders, neck and hands" - rare for an 18-year-old, since this degree of coverage takes time and costs and money, and most tattoo parlours will not tattoo under-18s, especially not on their hands, face or neck. But covering up the tattoos will be super easy, barely an inconvenience, and may take less time than it took her to get them in the first place.[30]

Of course, tattoo regret is a real and powerful phenomenon, and it is not confined to regretting one particular tattoo. Some regret getting tattoos at all, at the way that they have changed their relationship to their body. The regret that tattoos occasion can be severe and, at its extreme, can turn into a form of body dysmorphia. And sometimes people with body dysmorphia or other anxiety disorders start getting tattoos, either as a coping mechanism or else as a manifestation of their condition. In that case, should they regret their tattoo, that regret can easily lose proportion and become a fixation, often with crippling consequences. A cursory look at the testimonials of people on tattoo removal forums will reveal people very clearly struggling with their mental well-being, and many people with seemingly innocuous or even attractive tattoos who feel intense regret and shame over them.[31]

Suppose, then, that someone is feeling intense regret over their tattoo, and feels socially inhibited as a result. How should we respond to such a person? One way would be to treat her non-judgmentally. We might then be able to help her with her feelings of regret, either by suggesting practical steps which she might take to alter her appearance, or else by suggesting psychological tools through which she might come to see the tattoo in a different light. By engaging with her in this way there is a chance for both of us to learn something new, because in conversation a new connection might emerge between her tattoo and their previous life

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[29] Ironically, two of the kinds of tattoos that he identifies as the most problematic - slogans and face tattoos - are those which are the easiest to remove or cover up with another tattoo. Slogans, especially on a body part like a forearm, can easily be effectively covered up with larger pieces. Face tattoos, due to their size, the nature of the skin in that area, and the proximity to the lymph nodes in the neck, are the easiest to remove through laser treatments.

[30] At time of writing, artists who specialize in blackout tattoos can cover an entire arm within 3 hours, making blackout tattoos much faster than other styles.

[31] See for instance https://www.realself.com/tattoo-removal/forum [accessed 18/02/2020]

experiences, elucidating both. What was a source of shame might transform, in this way, into a source of pride.

Cíbik's proposal is different. A person who feels this level of regret over her tattoo must, on his theory, qualify for opprobrium. So, rather than helping her, we are not only to endorse her claim that she made a mistake, but to throw the term 'morally wrong' into the bargain. We are to tell her that she did something morally wrong in the past, but to give her no indication of how this wrong might be atoned for. We simply encourage her to remain locked in her regret, caught in an inner pantomime in which she plays both victim and villain.

I will leave it to the reader to decide which of these alternatives is to be preferred. But even if one is tempted to moralise the choice to get tattoos, that should not, I suggest, incline one to accept Cíbik's theory of moral responsibility. For, in his attempt to put moral weight on people's self-regarding choices, Cíbik ends up with an account that in the end deprives us of the resources we need in order to make sense out of the very idea of personal responsibility. One will recall that his conflation of norms of prudence and of morality depended on viewing our attitudes towards ourselves in the future as relevantly similar to our attitudes towards others in the present. He achieves this by parsing individual lives into time slices, speaking of my 'future self' as distinct from my 'present self' and imagining my relation to my future self on the model of my relation to a friend. In the case, if I regret a tattoo that I have, then I must see myself as the victim of the actions of a no longer existent person (my 'past self'). The tattoo is, in a literal sense, not my fault, and the person whose fault it is no longer exists. Moreover, when I am choosing how to act, I should realise that I will not be around to experience the results - my choice is made on behalf of someone else, my 'future self', who doesn't yet exist, and whose opinions I will never know. No one ever reaps what she sows.[32]

Cíbik does not pause to consider these points, feeling no compunction in telling some people that they are victims of a moral wrong done by their past self. This moralistic attitude prevents him from genuine engagement with people who are heavily tattooed, and from enquiring whether tattoos might be, for some people, more than merely "fashion". He both trivialises tattoos, by refusing to allow that what is the source of profound regret might become a source of deep pride, and, by comparing them to smoking, drink driving and suicide, over-states their importance. It is, of course, true that the choice to get a tattoo may be deep or superficial, and sometimes it is one because it is the other. However, we will only be able to understand the complexities in this choice, as well as its significance for the person, if we are willing to engage with him or her in a non-judgmental way. That means setting aside the tendency to reject as 'immoral' the decisions which people make concerning their private lives. To those who want to regulate the intimate choices of others, this will feel like a loss. But any loss here is more than compensated for by what one may gain from a respectful appreciation of others. This, in its liberating potential, is the heart of liberalism.

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[32] Another way to bring into view the incoherence here would be to ask how finely these 'selves' are to be sliced - at the limit, each individual exists only momentarily, barely long enough to formulate a thought, let alone make a decision.

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