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On the Defensibility and Believability of Moral Error Theory:

Reply to Evers, Streumer, and Toppinen

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Abstract: This article is a response to critical articles by Daan Evers, Bart Strumer, and Teemu Toppinen on my book *Moral Error Theory: History, Critique, Defence* (Oxford: Oxford University Press, 2014). I will be concerned with four main topics. I shall first try to illuminate the claim that moral facts are queer, and its role in the argument for moral error theory. In section 2, I discuss the relative merits of moral error theory and moral contextualism. In section 3, I explain why I still find the queerness argument concerning supervenience an unpromising argument against non-naturalistic moral realism. In section 4, finally, I reconsider the question whether I, or anyone, can believe the error theory.

Keywords: contextualism, Mackie, irreducible normativity, moral error theory, queerness, supervenience

I am very grateful to Daan Evers, Bart Streumer, and Teemu Toppinen for forcing me to rethink much of what I said in *Moral Error Theory: History, Critique, and Defence* (henceforth *MET*). In this response I will be concerned with four main topics. I shall first try to illuminate the claim that moral facts are queer, and its role in the argument for moral error theory. In section 2, I discuss the relative merits of moral error theory and moral contextualism. In section 3, I explain why I still find the queerness argument concerning supervenience an unpromising argument against non-naturalistic moral realism. In section 4, finally, I reconsider the question whether I, or anyone, can believe the error theory. Few will be surprised to hear that the process of rethinking has not lead me to renege on the main lines

of arguments on these topics that I offered in *MET*, but I very much welcome the opportunity to present them in a clearer light and to improve on the weak spots so astutely identified by my critics.

1. Queerness and Its Role in the Argument for Moral Error Theory

Moral error theorists have long insisted that moral facts are or would be queer in one way or another. In my view, moral facts are queer because they are or would be irreducibly normative. Hence, it is not morality in particular, but irreducible normativity in general, that is queer. This of course invites the question what irreducible normativity is supposed to be. I tackle it in a moment. Another pertinent question—which Evers raises in the course of his discussion of whether queerness objections are polemically toothless—concerns what queerness is supposed to be. Evers complains that I say too little about this in *MET*. I continue to think, however, that it is difficult and probably not very fruitful to try to determine what queerness is in general or in the abstract. We do better to look at alleged examples of queer facts, features, or entities, in order to examine whether their alleged queerness supports nihilism in the relevant area.

Nevertheless, Evers' complaint is admittedly not unjustified so let me offer an example familiar from another area of philosophy, of something I find queer. According to David Lewis' modal realism, there are countless possible worlds that, although they are "of a kind with this world of ours,"¹ differ remarkably from our world with respect to who and what inhabit them. For example, some possible worlds, distinct from our world, are inhabited by talking donkeys and some by disembodied minds. The concept of a talking donkey is not incoherent, and neither is that of a disembodied mind. I can imagine talking donkeys as well as disembodied minds. But I certainly think that talking donkeys and disembodied minds

¹ Lewis 1986: 2.

would be queer. How could there be such entities; how could there be worlds of a kind with the world of ours in which there are such entities?

Of course, proponents of a view like Lewis' need not deny that talking donkeys and disembodied minds are queer, as long as they hold that the philosophical pay-offs of modal realism are significant enough to render tolerable the implication that there are possible worlds inhabited by such entities. This point is analogous to one that I want to make about the queerness of moral facts, namely that it is meant to establish only a presumption against the existence of moral facts, and not a conclusive refutation. Perhaps there are after all arguments in favour of moral facts that outweigh the consideration that they are queer.

I have already said that moral facts are queer because they are irreducibly normative. I cannot point to a further feature of irreducibly normative entities that make them queer, for in my view there is no such feature: whatever is irreducibly normative is queer in virtue of being irreducibly normative. The best I can do in order to support this claim is to contrast irreducible normativity with adjacent but different notions that are not queer. So consider facts that are in one sense normative, but not *irreducibly* normative: for example, facts about what is legal or illegal, about what is grammatical or ungrammatical, and about what accords with rules of etiquette or chess. There is no metaphysical mystery of how there can be such facts, for facts about the law and grammar, and about rules of etiquette or chess, are all facts about human conventions. It might of course be difficult to say exactly how and why certain conventions originate and evolve, but such difficulties invite no metaphysical mysteries (Mackie 1977: 25-27; Joyce 2001: 34-37; Olson 118-26). Irreducibly normative facts, by contrast, do not reduce to—and are not wholly constituted by—facts about human conventions or about agents' motivational states or desires. In the apt words of the eighteenth century moral rationalist Richard Price, irreducibly normative facts “have a real obligatory power antecedently to all positive laws, and independently of all will” (Price 1948: 105). I can

imagine such facts, just as I can imagine talking donkeys and disembodied minds, but I find it puzzling how there can be such facts.

As Evers and Toppinen both point out, however, realists may be unfazed by queerness worries of this kind; they may not find it puzzling how there can be irreducibly normative facts. Evers argues that the queerness argument concerning irreducible normativity is in no better shape than the argument against moral facts that Bertrand Russell once offered. As I say in *MET*, Russell argued at one point that moral facts and properties are superfluous for the purpose of explaining phenomena such as moral judgement, moral disagreement, and moral motivation, and that Occam's razor therefore demands that we do not postulate moral facts and properties. I say in *MET* that such parsimony considerations are not very forceful in the absence of some argument to the effect that moral facts are in some sense problematic, e.g., in the sense that they are metaphysically queer (*MET*, 62-4). Later in the book, I concede, as I have already done here, that moral realists can simply reject the error theorist's queerness argument. I suggest that the error theorist can at that point respond by offering debunking explanations of moral judgements, and by appealing to ontological parsimony. But then, Evers objects, my argument is in no better shape than Russell's, and queerness considerations turn out polemically toothless.

The dialectic here is delicate. Note first that arguments based on debunking explanations of the kind Russell proposed are arguments to the effect that we can explain everything we want to explain about moral judgement, moral disagreement, and moral motivation without appeal to moral facts. That is at best an argument for the absence of evidence of moral facts; it is not evidence for the absence of moral facts. The latter must be provided by a different kind of argument, for example, an argument to the effect that moral facts are queer. As noted, moral realists may of course remain unfazed by arguments of that kind. Does that make them polemically toothless? It does, if an argument has polemical bite only to the extent that it

manages to persuade or sway proponents of rival views. But that would imply that very many philosophical arguments are polemically toothless. Surely, it cannot be an adequacy condition of an argument that it suffices to persuade or sway opponents. The opponents may simply be intellectually insensitive to the relevant considerations.

In order to assess the adequacy of an argument we should instead ask how forceful it seems, or would seem, to someone who has not (yet) made up her mind about the issue. I surmise that queerness considerations, in conjunction with debunking arguments and appeals to parsimony and explanatory power, have dialectical force for someone who is undecided about metaethics. (They had for me; I used to oscillate between realism and nihilism and to some extent I still do.) It deserves to be emphasized that the dialectical role of debunking explanations of moral judgement in the argument for moral error theory, is not to provide evidence that there are no moral facts, but to undermine evidence that there are moral facts. One of the strongest arguments in favour of moral facts is premised on our great confidence that some actions are morally wrong and others right. This is what I call the “Moorean argument” (*MET*, ch. 7). That argument is undermined if error theorists can explain why most people confidently believe that some actions are morally wrong and others right, in ways that do not presuppose or require that such beliefs are sometimes true.

At the end of the day, then, I still maintain that the evidence for moral error theory is the following: (i) moral facts are irreducibly normative and irreducible normativity is queer; (ii) moral judgements can be debunked (via evolutionary and projectivist explanations); (iii) moral error theory is all things considered a more ontologically parsimonious and explanatory powerful theory than its realist contenders.

2. Moral Error Theory, Moral Contextualism, and the Conceptual Claim

As I noted in the précis, moral error theorists typically agree with many moral realists about the nature of moral facts. (The disagreement concerns whether there are, or can be, moral facts.) In particular, they agree that moral facts conceptually imply irreducibly normative reasons. For example, according to the ordinary concept of moral facts, it is necessary that if it is a fact that eating meat is morally wrong, then there is an irreducibly normative reason not to eat meat. Correspondingly, the judgement that it is morally wrong to eat meat conceptually implies the judgement that there is an irreducibly normative reason not to eat meat. This is what has been called “the conceptual claim” (*MET*, ch. 6).

Not all moral realists accept the conceptual claim, however. In *MET*, I defend the conceptual claim by arguing against a recent and sophisticated view that rejects it, namely Stephen Finlay’s version of moral contextualism (see, e.g., Finlay 2009 and 2014). (In *MET*, I used the label “relativism” for Finlay’s view, but that term has caught on a new meaning and my usage of it was out-dated already in *MET*.) Evers challenges my arguments on this score. His outline of the controversy is very clear and I agree with much of it, so I don’t have much to add by way of summary.² Suffice it to say that according to moral contextualism, moral claims are implicitly relativized to contextually relevant standards, so that the content of a claim like “X is wrong/right/obligatory” is something like “X is forbidden/permitted/required by S,” where “X” signifies an action type or token, and “S” a standard.

Evers first raises an interesting and tricky question. False beliefs about the nature of some kind of thing do not always affect the semantics of claims about that kind of thing. For example, we would not say that people in the pre-scientific era who believed that water is a non-composite substance made uniformly false claims about water. And as I say in *MET*, we do not want to say that people prior to Einstein, who believed that motion is absolute rather

² A quibble: I did not mean to suggest that feminists and conservatives, socialists and neo-liberals, and ethical vegetarians and speciesists share too few values for mutual engagement to be fruitful (Evers, 8). People in these camps may well share a number of values, including fundamental ones. But they disagree fundamentally on some moral issues, and my point was only that fundamental moral disagreement is rather more prevalent than Finlay suggests (see *MET*, 127-8).

than relative, made uniformly false claims about motion. On the other hand, we do want to say that claims to the effect that there are witches or phlogiston are all false or untrue. So why do we accept an error theory about witches and phlogiston, but not about pre-scientific judgements about water and motion? Presumably because according to modern scientific theories of water and motion, water and motion are *closely enough related* to what people in the pre-scientific era meant to pick out when they used the concepts *water* and *motion* (cf. Boghossian 2006). By contrast, there are no modern theories of witches and phlogiston that are closely enough related to what people in the old days meant to pick out when they used these concepts and that render claims to the effect that there are witches and phlogiston true.

Our question now is whether the contextualist account of the content of moral judgements is closely enough related to what ordinary speakers think and talk about when they use moral concepts, to provide a plausible account of ordinary moral thought and discourse. I claim that it is not, and that this becomes clear when we focus on *fundamental moral claims*, like “Maximizing happiness is morally required” (as uttered by a utilitarian), or claims to the effect that some standard is the correct fundamental moral standard. According to moral contextualism, all moral claims are implicitly relativized to standards, and as Evers explains, this commits moral contextualists to the view that fundamental moral claims are all tautologies, and hence that they are all trivially true (Evers, 9-14; cf. Finlay 2009: 334).

In chapter 6 of *MET*, I argued that this view has a number of problematic consequences, nicely summarized by Evers (10, 14).³ This is what Evers calls “the problem of triviality” for contextualism (10; see also Evers 2014). His presentation of it is admirably clear and I have no major objections to it.⁴

³ Page references to Evers’, Streumer’s, and Toppinen’s articles are to manuscript versions.

⁴ A minor objection is that Evers intimates that I take the problem to concern only claims that are explicitly about fundamental moral standards, and he consequently presents his account of the problem as an extension of my argument (9). But I certainly meant the argument to apply to fundamental moral claims generally, e.g., the claim that happiness ought to be maximized, as uttered by a utilitarian, and not just to claims that are explicitly about fundamental moral standards (see, e.g., *MET*, 126, 132).

Evers' response to the problem of triviality is in essence that what I identify as seriously problematic consequences are in the end not very problematic since it is "not obvious to [ordinary speakers] that fundamental moral claims have trivial truth conditions even though they do" (14). I find this unpersuasive. The interpretation of fundamental moral claims as tautologies seems simply not closely enough related to what we take such claims to mean in ordinary moral discourse. Compare: When we learn that the chemical composition of water is H_2O we are likely to think that pre-scientific judgements about water can be reinterpreted as judgements about H_2O . Similarly, imagine that a speaker who was previously unaware that motion is relative comes to realize that it is. Such a speaker is likely to accept—on reflection—that her and others' claims about motion can be interpreted as containing implicit relativisations to frames of reference. But I strongly suspect that were ordinary speakers to be presented with the contextualist theory, they would not come to accept that fundamental moral claims are (implicit) tautologies. Still less would they accept that when a utilitarian claims that happiness ought always to be maximized and a deontologist claims that people ought never to be treated as mere means, they are both saying something that is trivially true and are not in genuine disagreement with each other.

To give an example that is more mundane in that it does not involve endorsement of comprehensive normative theories, we can imagine a conversation between an ethical vegetarian, who holds that it is a fundamental moral truth that human and non-human suffering matter equally, and a speciesist, who holds that it is a fundamental moral truth that human suffering matters more than non-human suffering. I predict that even if the two interlocutors were presented with the contextualist theory, and even if they were to understand it, they would not accept that their own claim, expressing what they take to be a fundamental moral truth relevant to the topic of their conversation, is trivially true. Still less would they

accept that the opponent's claim is trivially true and that they consequently are not involved in a genuine disagreement.

More generally, ordinary speakers' reaction to the theory that all fundamental moral claims are trivially true would probably be that it is an implausible account of the meaning of such claims. That is also my view. The theory seems no more plausible if we are told that it is *unobvious* that fundamental moral claims are trivially true; the objection is that it is implausible that fundamental moral claims *are* trivially true. Contextualism might be a promising ersatz theory about moral judgements, but due to its failure to give a plausible account of fundamental moral claims, it is not a plausible theory of actual moral discourse.

3. Explaining Supervenience

Mackie and many others have thought that non-naturalist realists face great trouble in explaining moral supervenience. I believe that this debate has involved a lot of confusion and in *MET* I argue that the worry about supervenience boils down to a worry about irreducible normativity: there is no special problem about explaining supervenience, in addition to problems having to do with irreducible normativity (*MET*, 88-100). Toppinen objects that this gets things the wrong way around. So rather than criticising error theory, he argues that the queerness argument concerning supervenience has *more* force than I grant it. (As mentioned in section 1 above, Toppinen also holds that the queerness argument concerning irreducible normativity has *less* force than I grant it.)

The debate about moral supervenience has branched out in several directions. One worry has been that if non-naturalistic realism is true, and if supervenience holds, then certain moral properties and certain non-moral properties are necessarily coextensive, yet distinct. (For example, if non-naturalism and hedonistic utilitarianism are both true, the property of being right and the property of being happiness-maximizing are necessarily coextensive, yet

distinct). But according to an instance of what has become known as *Hume's Dictum*, necessarily coextensive properties are *identical*.⁵ But Hume's Dictum is highly controversial and I do not rest my case for moral error theory on it. In *MET*, I consider some purported counterexamples (*MET*, 92-5). I point out that Hume's Dictum implies that *being Hume's Dictum* and *being the correct dictum about whether necessarily coextensive properties may be distinct* are in fact the same property. This seems rather counterintuitive, for Hume's Dictum has the first property trivially, but not so with the other property. But as I note in *MET*, defenders of Hume's Dictum will probably not be convinced and will try to get around the objection. Toppinen thinks this is a "neat argument" against Hume's Dictum, but he worries that it overgeneralizes (12). For example, he says that *being H₂O* is an interesting property of water, whereas *being water* is not; yet *being H₂O* and *being water* are the same property.

Since I do not have a well-worked out theory of the metaphysics of properties, I shall make only two comments about this. First, it is not obvious to me that *being H₂O* is the same property as *being water*. Might they not be two distinct properties that necessarily belong to the same kind of substance? Secondly, could it not be that some necessarily coextensive properties are identical, while others are not? In cases in which necessarily coextensive properties are identical there would be something that explains the identity. If *being water* and *being H₂O* are identical, for example, the explanation could be that water has an *essence*, namely having the chemical composition H₂O, so that the property of being water and that of being H₂O are the same. It is far from clear that moral properties have essences that could in this way explain their identity. In any case, Toppinen's main objection to my critique of the supervenience argument does not rest on the viability of Hume's Dictum.

In the debate about moral supervenience, it is in my view often not clear *what exactly* the non-naturalist is urged to explain. One question is why the moral supervenes on the non-

⁵ This is part of Streumer's master argument for error theory; see Streumer, *forthcoming*.

moral. Metaethicists of various stripes can respond that this is *conceptual* truth, and this response has nothing in particular to do with a metaphysical view like non-naturalistic realism (MET, 89-91). Another question is why a particular kind of moral property (e.g., rightness) supervenes on a particular kind of non-moral property (e.g. being happiness-maximizing). But this question seems to be partly a substantively moral question, to which non-naturalists can respond in part by appealing to first-order moral principles, like the utilitarian principle. It may be objected that the principle merely *states* that an action is right iff it maximizes happiness; it does not *explain why* rightness supervenes on happiness-maximization. The non-naturalist can respond that the principle, appropriately stated, says more than that. It says that being happiness-maximizing is the only property that *makes* actions right. And she can go on to say that the property of being a right-making property is an irreducibly normative property that the property of being happiness-maximizing has necessarily (MET, 91, 96-100).

Toppinen demurs. He thinks that “it still seems a legitimate question to ask why this is so” (p. 14). But here I am not sure what is being asked. The non-naturalist realist we are currently imagining (who is also a hedonistic utilitarian) thinks that it is a necessary and fundamental moral truth that the only property that is right-making is the property of being happiness-maximizing. What further explanation can be demanded? Toppinen holds that a reductive naturalist view according to which it is a fundamental moral truth that the property of moral rightness is identical with the property of being happiness-maximizing does *not* invite a corresponding demand for a further explanation of *why* these properties are identical (14). What, then, is supposed to justify the demand that the non-naturalist hedonistic utilitarian provide a further explanation of what she takes to be a fundamental moral truth, namely that it is a necessary and fundamental moral truth that the only property that is right-making is the property of being happiness-maximizing?

Such a demand for explanation may well stem from a worry that the irreducibly normative property of being right-making is so far unexplained and perhaps ultimately inexplicable. That would confirm my insistence that the supervenience objection boils down to a worry about irreducible normativity, and in particular to a worry that the notion is inexplicable. However, Toppinen states that he does not find irreducible normativity mysterious (6). But if there is nothing mysterious about an irreducibly normative right-making relation, or about irreducibly normative favouring-relations, then what is mysterious about supervenience? On the other hand, if there is something mysterious about irreducible normativity, as I believe, I do not see what is added by considerations of supervenience.⁶

4. Can I Believe the Error Theory?

In chapter 8 of *MET*, I consider and reject Bart Streumer's intriguing argument to the effect that we cannot believe an error theory of the kind I defend (Streumer 2013). Streumer defends an error theory of roughly of the same kind, albeit on grounds different from mine (Streumer, *forthcoming*). According to him, our inability to believe the error theory makes it immune to a number of challenges that have been raised against it (Streumer 2013: 203-10). Streumer therefore offers his response to my critique of his argument as a friendly amendment to my view.

While running the risk of sounding all too ungrateful, I shall try to explain why I still think that I (and you and all of us) can believe the error theory. (For the record, I might not actually qualify as fully believing the error theory, in Streumer's sense of "full belief." While I find error theory more plausible than any other metaethical theory of which I am aware, I am not *convinced* that the error theory is true. But the important point at issue is whether we *can* (fully) believe the error theory.)

⁶ For reasons of space, I set aside what Toppinen says about expressivism. Expressivism is not a major theme in *MET*, but I have criticised that view elsewhere; see in addition to Olson 2010, Bykvist and Olson 2009 and 2012.

Streumer argues that I should hold that “all reasons for belief are irreducibly normative” (p. 6). I am not prepared to accept that they are. I agree that there is one sense of “reason” in which reasons (for belief) are irreducibly normative, but as I have already mentioned and as I argue at length in *MET*, the term “reason” is multiply ambiguous and not all reasons are irreducibly normative. For example, sometimes when we claim that some person has a reason to act in a certain way, we mean only that the person has some desire that would (likely) be satisfied, were the person to act in that way. A criminal investigator might say that the suspected nephew had a reason to kill the uncle, and mean by this only that the nephew had a certain desire, e.g., to inherit the uncle, and that were the uncle to die, the nephew’s desire would be satisfied. The criminal investigator would normally not mean to say that the nephew had an irreducibly normative reason to kill the uncle.

Analogous claims can be made about belief. For example, I can say that a student has a reason to believe the error theory, and mean by this only that the student has some desire (e.g., to believe the metaethical theory most likely to be true) that would (likely) be satisfied, were the student to believe the error theory. (As I have already mentioned, this is not to say that all claims about hypothetical reasons reduce to empirical claims about agents’ desires and ways of fulfilling these desires; only that some such claims are reducible in that way. See *MET*, 153-4.) Perhaps we should accept that *epistemic* reasons are all irreducibly normative, but that is not to say that we should accept that all reasons for belief are irreducibly normative, for not all reasons for belief are epistemic reasons (*MET*, 156, 158-9).

However, my main response to Streumer’s reformulated argument for why we cannot believe the error theory does not trade on the ambiguity of “reason”. It rests instead on the idea that evidence, or the evidential relation, is not irreducibly normative, and that we can base our beliefs on what we take to be evidence. Streumer himself must agree that evidence, or the evidential relation, is not irreducibly normative, for he clearly holds that there are

(sound) arguments for the error theory. Presumably, these arguments are evidence that the error theory is true. If Streumer were to deny that there is any sound argument, or any evidence, that the error theory is true, it would be difficult to see how he could maintain that the error theory is true.⁷ The claim that we can base our beliefs on what we take to be evidence also seems very difficult to deny.

Now, according to Streumer:

(B4) A person believes that *p* only if this person does not believe that there is no reason to believe that *p* (p. 12).

For example, suppose Kate says “I believe that Socrates was a man, but I believe that there is no reason to believe this”. Streumer holds that in saying so, Kate is either being insincere, or does not believe fully that Socrates was a man, or is seriously confused (p. 13). But suppose Kate is someone who reject all normative reasons and take epistemic reasons to be one kind of normative reasons. Suppose also that she takes evidence to be not normative. She could then say, “I believe that Socrates was a man. I believe that there is no reason to believe this, but I believe that there is evidence that Socrates was a man.” This does not seem confused at all. Neither does it suggest that Kate is insincere or that she does not believe fully that Socrates was a man.

In my earlier response to Streumer’s argument, I argued that one can base one’s belief that *p* on some consideration, *e*, without judging that *e* is a reason for believing that *p*, in the sense of favouring the attitude of believing that *p*. One can base one’s belief that *p* simply on one’s taking *e* to be (deductive, inductive, or abductive) evidence that *p*. Streumer now accepts that

⁷ Streumer has previously noted that “premises can be evidence that a conclusion is true without being reasons to believe this conclusion in the sense of counting in favour of believing it” (Streumer 2013: 205, n. 23).

one can base a belief on some consideration without taking that consideration to be a reason for the belief, but he maintains that the following is false:

- (6) We can base a belief on a consideration while believing that this consideration is no reason for this belief.

In my view, (6) is true. We can base a belief that p , on a consideration, e , if we take e to be evidence that p , or a sound argument that p , while believing that e is not a reason to believe that p . So I can judge that some argument is evidence that the error theory is true, and base my belief on this consideration, while believing that this consideration is not a reason to believe that the error theory is true. In other words, I can believe the error theory, and so can you and each and every one of us.⁸

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⁸ An early version of this response was presented at a symposium on *Moral Error Theory: History, Critique, Defence* at Stockholm University in January 2015. I would like to repeat my gratitude to Daan Evers, Bart Streumer, and Teemu Toppinen for their contributions, and to express my gratitude to the audience for very helpful discussions. Finally, I am deeply grateful to Frans Svensson for organizing the symposium and for numerous discussions about metaethics over a good number of years.

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