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Contribution to symposium on *Taking Morality Seriously*, by David Enoch (OUP, 2011)

Taking Morality Seriously is an engaging and ambitious piece of metaethics, and I congratulate David Enoch in particular for his honest and forthright presentation. I wish that all philosophy books would end with a section where the author provides bullet points on the aspects of the argument for which he or she feels least confident.

Enoch's aim is to establish metaethical non-naturalistic realism (which he calls "Robust Realism"). Throughout the book, his favored theory is constantly jostled by competing metaethical theories—expressivism, forms of subjectivism, naturalistic realism, and the error theory—and on numerous occasions Enoch seeks to demonstrate that his metaethical non-naturalistic realism does better than these alternatives when it comes to explaining some phenomenon or satisfying some intuition. Thus in large part the success of the project depends on whether these competitors fare as poorly in comparison as Enoch indicates that they do.

I have my doubts. A champion of naturalistic realism, for example, would, I suspect, find little to lose sleep over. But it is not my intention to make good on this claim; the effort would be halfhearted, since I judge naturalistic realism to be itself defective in various ways. I find the dispute between the naturalistic realist and the non-naturalistic realist difficult to get terribly excited about, since (not to beat about the bush, and with all due respect to various colleagues) they're both wrong. By comparison, a metaethical theory for which I have much sympathy is the error theoretic view, and as a card-carrying proponent of the theory I inevitably read Enoch's book through a biased lens: watchful for anything new or unexpected that should give me pause. My task in this symposium contribution is to provide a report of my conclusions. How does the error theorist fare (in comparison in particular to the non-naturalistic realist) in *Taking Morality Seriously*?

Enoch endorses two important positive arguments in the second and third chapters of his book. Chapter 2 presents the *argument from the moral implications of metaethical objectivity*, and Chapter 3 advocates the *argument from the deliberative indispensability of irreducibly normative truths*. Let me consider them briefly in turn—again with an eye solely on whether the error theorist need be concerned—and then turn to Enoch's case directly against the error theoretic position, which occurs principally in Chapter 5.

The argument from the moral implications of metaethical objectivity starts with a premise Enoch calls IMPARTIALITY: that in cases of conflict of interpersonal preferences (e.g., you want us to play tennis and I want us to go to a movie) it is wrong to stand one's ground; rather, some kind of egalitarian compromise ought to be sought. He goes on to argue that moral disagreements are not guided by any such norm, and therefore moral judgments cannot merely reflect personal preferences. On this basis, he aims to reject a number of metaethical theories—most prominently: subjectivism, response-dependent views of morality, and expressivism.

What does an error theorist say about IMPARTIALITY? He or she can certainly agree that it is probably *imprudent* to stand your ground in cases of interpersonal conflict—since your fellows are likely to get annoyed with you, avoid engaging in cooperative ventures with you in the future, and so forth. But Enoch makes clear that the appearances of "wrong" and "ought" in IMPARTIALITY are to be taken not prudentially but *morally*. Taking this on board, an error theorist might still agree that it is a commitment of morality that it is wrong to stand one's ground in cases of disagreement over preferences. Of course, this isn't to accept that it *is* wrong to stand one's ground in such cases. (Analogously, I might agree that it is a commitment of a certain form of theistic ethics that it is wrong to work on a Sunday, but this agreement doesn't imply that I accept that it *is* wrong.) But, again, Enoch makes clear that the role of the IMPARTIALITY premise is not that of something to which morality is conceptually committed, but is that of a substantive *truth* (see pages 116-17). And since the error theorist doesn't accept that anything is morally wrong, he or she will simply reject the premise and thus the argument.

The argument from the deliberative indispensability of irreducibly normative truths focuses not on morality but on normativity more generally. Enoch argues that we cannot opt out of deliberative practices, and that engaging in these practices involves a commitment to normative truths. But I don't think that many metaethical theories deny the existence of normative truths. Not even the typical error theorist denies them. Certainly it is possible to be an error theorist about normativity across the board, but I don't know of anyone who endorses the view. The error theorists who are Enoch's relevant opponents—people like John Mackie (1977) and myself (2001)—think that *moral* normativity is a defective concept, but happily allow that other normative frameworks are trouble-free. Enoch affirms (p. 88) that there is no analog of his argument that would target *moral* normativity (i.e., there is no *argument from the deliberative indispensability of irreducibly <u>moral</u> truths*). Thus, as with the argument of Chapter 2, the moral error theorist seems to walk away scot free from Enoch's efforts in Chapter 3.

Enoch is quite candid about this toward the close of Chapter 3 (p. 81). Not only does he acknowledge that an argument demonstrating that deliberation presupposes normative facts does not imply that deliberation presupposes *moral* facts; he also recognizes that such an argument does not imply that deliberation presupposes *irreducibly (i.e., non-naturalistic)* normative facts. Hence not only is the error theorist unbothered by the argument from Chapter 3, but so is the naturalistic realist (of which there are many kinds). Thus Enoch sees the need to end the chapter with swift criticisms of both the error theoretic view and reductive naturalism. But these critiques are really just promissory notes to be settled up in later chapters. (Nevertheless, I would say that until he makes good on the latter promise, he doesn't really have any business calling it "the argument from the deliberative indispensability of *irreducibly* normative truths.")

Even if the error theorist emerges from Chapters 2 and 3 unscathed, perhaps the arguments of the two chapters can be combined in some unobvious manner to undermine the error theoretic position. This is more or less what Chapter 4 sets out to establish: to combine considerations from the two previous chapters in order to confirm robust metaethical realism (over naturalistic realism, expressivism, constructivism, and the error theoretic view).

Enoch's key strategy is to ask why one would persist in resisting robust metaethical realism if one has been convinced (by the argument of Chapter 3) of the truth of robust metanormative realism. The error theorist might try to answer this by pointing out some special feature of morality (not shared by all other forms of normativity) that is irredeemably flawed. But rather than attempt to press any such argument, here I'd prefer to draw attention to the fact that Enoch (by this point in Chapter 4) has yet to earn the right to this key strategy, since the argument of Chapter 3 at best establishes the existence of normative facts—not robustly realistic normative facts. The heading of section 4.2 is "If you're already a Robust Meta*normative* Realist, why not also go for Robust Meta*ethical* Realism?"—to which the error theorist will likely reply "But I'm *not* already a Robust Metanormative Realist." Until Enoch makes good on his promissory notes, although one might be convinced (by the argument from deliberative indispensability) that there exist normative truths, one might take them to be a species of naturalistic realistic facts, or a species of non-realistic facts that are somehow constructed by human minds. The latter is likely to be the error theorist's position. Mackie, for example, has no problem with the existence of values; the target of his skepticism is the existence of *objective* values (1977: p. 15). Mackie's acceptance of normative facts does not commit him to a realistic construal of those facts—let alone a non-naturalistic (i.e., "Robust") realism.

Enoch might protest that the kind of normative facts presupposed by deliberative activity cannot be facts that are "constructed" by human minds, for when you deliberate (he says), which decision you make "is something you are trying to discover, not create" (p. 73). But it seems to me that the kind of "creation of normative facts" that Enoch is rightly rejecting here is a crass kind according to which a person's whimsical preferences may determine the normative facts (for that person). Certainly the phenomenology of ordinary decision-making speaks against this kind of naive individualistic constructivism (a.k.a. subjectivism). Yet there are any number of more sophisticated versions of metanormative constructivism according to which the imagery of *discovery* is more apt than that of *invention*. If, say, the normative facts are determined by what would be agreed upon by a group of fully-informed and fully-reflective agents (under such-and-such conditions), then the normative facts may be difficult for an individual to ascertain.

Thus one might be some kind of sophisticated constructivist (i.e., non-realist) about certain normative facts while being an error theorist about moral facts. Such a person might well agree that if you're going to be a robust metanormative realist you might as well be a robust metaethical realist; but such a person treats this matter as largely of academic interest, since he or she sees no grounds for endorsing either view. Enoch does recognize this possible viewpoint (p. 97), but he rejects it on the basis of the argument he presented earlier in Chapter 3. But notice that he does so only by interpreting that argument (the argument from the deliberative indispensability) as having achieved a strong conclusion—that *Robustly Real* normative facts exist—a strong conclusion that, I pointed out earlier, is not in fact warranted by any consideration contained in that chapter.

Chapter 5 is where Enoch purports to redeem some of his promissory notes, including his claim to have an argument that will trouble the error theorist. First he takes on some other foes: the reductive naturalist and the hermeneutic fictionalist. I shall resist the temptation to critique these arguments here, and just point out to any readers who may be expecting me to

go to bat for fictionalism that the kind that Enoch attacks is not a kind that I would advocate. Let us jump ahead to his direct argument against the error theorist.

Enoch knows that there is something fishy about using moral premises in an argument designed to defeat (inter alios) the moral error theorist. His strategy is to identify a kind of acceptable question-begging, which he calls "bootstrapping." The basis of this bootstrapping is Moorean epistemological methodology, according to which if an argument with philosophical premises has a sufficiently counter-intuitive conclusion, the argument and its conclusion can be rejected, since one's confidence in the truth of the premises (in particular any that are derived from philosophical considerations) is sure to be lower than one's confidence in the falsity of the conclusion. Similarly, an argument against skepticism may appear to beg the question, but if the dogmatic premise is one in which we have much greater confidence than the skeptical thesis denied in the conclusion, then the argument can go through. A simple Moorean argument that Enoch likes is the following:

1. Inflicting horrible pain on random victims is morally wrong.
2. If the moral error theory is true, then it is not morally wrong to inflict horrible pain on random victims.
3. Therefore, the moral error theory is false.

In which do you have more confidence, Enoch asks: the truth of 1 or the falsity of 3? "If, like me," he says, "you are more confident in the former, it seems like you are entitled to conclude to the denial of error theory" (p. 119).

There are many things the error theorist can say in response to this: (i) Moorean epistemological method may be rejected; (ii) the application of the method to moral facts can be denied; (iii) the force of the argument within the dialectic of Enoch's book may be questioned. Let me discuss these in turn.

A Moorean fact, says David Lewis, "is one of those things that we know better than we know the premises of any philosophical argument to the contrary" (1999: 418). Kit Fine writes:

> It may perhaps be conceded that the arguments of the skeptic appear to be utterly compelling; but the Mooreans among us will hold that the very plausibility of our ordinary beliefs is reason enough for supposing that there *must* be something wrong in the skeptic's arguments, even if we are unable to say what it is. (2001: 2)

Many like this conservative way of thinking, but many do not. Since I am an error theorist—someone who ex hypothesi is willing to ascribe massive epistemic failure to common sense—it will come as no surprise that I side with the latter. Indeed, if permitted to speak with an unabashed ad hominem air, I would go so far as to say that Moorean epistemology is an affront to the admirably anti-dogmatic tradition of post-Cartesian Western philosophy; better to embrace radical skepticism than endorse such a shamefully missing-the-point methodology.[1] On this occasion, however, I shall supply no arguments to back up this slur;

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[1] I quote Laurence BonJour: "The main objection is that such an approach has the effect of ruling out even relatively weak versions of skepticism absolutely and conclusively from the very beginning of one's

there is plenty of literature on the topic (see Unger 1975; Stroud 1984; BonJour 1985; White 2006; Silins 2008). Rather, I shall allow for the sake of argument that we may need to countenance the existence of Moorean facts, but question whether this in any way weakens the moral error theorist's position.

Enoch's discussion of the matter (pp. 120-121) seems to me unpersuasive. He asks us to assume that some epistemological bootstrapping is legitimate (okay, let's do so for the sake of argument), and then declares that this shows that a particular instance of bootstrapping— using moral premises in an argument against the error theory—is therefore plausible. But from the fact that bootstrapping is *sometimes* legitimate we cannot just choose our favorite philosophical thesis, provide a bootstrapping argument, and declare "QED." Begging the question remains a serious fallacy to be avoided, even by Mooreans. Want to show that witches exist? No problem; here's a valid argument to that conclusion:

Wilma is a witch.
If Wilma is a witch, then witches exist.
Therefore, witches exist.

Note how this satisfies the conditions that Enoch identifies for an acceptable instance of bootstrapping: First, it gives rise "to a strong feeling that some objectionable question-begging is going on" (p. 120). Second, "this is probably because if you're not already inclined to accept the argument's conclusion before considering the argument, you are not likely to accept at least one of the premises of the argument" (ibid.). What Enoch lacks is any criterion for distinguishing acceptable bootstrapping from objectionable question-begging. (Those of us skeptical of Moorean epistemology will have no trouble diagnosing why no such criterion is forthcoming: because none exists.)

It is one thing to allow the existence of Moorean facts; it is quite another to know which facts count as Moorean. The obvious danger in this epistemological method is in taking something that one finds intuitively attractive and then rejecting all arguments to the contrary in advance of examining their merits. An opponent of abortion, for example, might take it to be a Moorean fact that terminating the life of a fetus is morally wrong. A theist might take it to be a Moorean fact that God exists. A certain kind of philosopher might take methodological naturalism to be a Moorean fact—thus concluding in advance of reading *Taking Morality Seriously* that Enoch's arguments must somewhere fail. How do we know which facts are Moorean? That a fact seems intuitively compelling seems insufficient, since (a) in the past things that have been intuitively compelling have proven to be false, and (b) disagreements occur for which both parties find their respective viewpoints intuitively compelling but regarding which at most one can be correct.

If one person finds a belief so compelling as to declare that it represents a Moorean fact, while another person *disbelieves* the proposition in question, then how might we proceed? In

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epistemological inquiry in a way that is both question-begging and dogmatic. It may be reasonable to hold on commonsense grounds that there is some *presumption*, perhaps even a relatively strong one, against skepticism and in favor of the thesis that the scope of our knowledge is pretty much what we think it is. But to turn this presumption into an absolute bar against skepticism seems in any case entirely too extreme" (1985: 12-13).

other words, how do we know when to read an argument as *modus ponens* (to the conclusion that the error theory is false, say) and when to read it as *modus tollens* (to the conclusion that it is not the case that causing pain to innocents is wrong, say)?

One way out of the impasse would be if a plausible explanation could be provided of why one party finds their viewpoint so utterly compelling when it is in fact mistaken. If I judge the belief that *p* to be false, then the fact that this constitutes a counter-intuitive view cannot be used as a point against my position if my view about the falsehood of the belief also predicts that the belief that *p* would seem intuitively compelling. Let us consider an example of this.

When Mackie presents his arguments for the error theory he acknowledges that his view "goes against assumptions ingrained in our thought and built into some of the ways in which language is used, [and] since it conflicts with what is sometimes called common sense, it needs very solid support" (1977, p. 35). A while later he adds that "it is in the end less paradoxical to reject than to retain the common-sense belief in the objectivity of moral values, *provided that we can explain how this belief, if it is false, has become established and is so resistant to criticisms*" (1977, p. 42). Mackie doesn't just present arguments for the error theoretic view, he also seeks to explain why his opponent's view seems so commonsensically correct. His explanation comes in the form of the thesis of objectification: the idea expressed by Hume as the human mind's "great propensity to spread itself on external objects" (Hume [1740] 1978, p. 167). The perception of someone inflicting pain on an innocent prompts disapproval, but the perceiver doesn't experience the disapproval simply as an internal attitude; rather, "some sort of image" of the disapproval is read into the action: the disapproval prompts the viewer to experience the action as instantiating the property of *wrongness*.[2] Because the wrongness is experienced as a quality in the world, we are loath to admit it as a mere projection of our sentiments; intuitively, it seems real.

I don't propose to evaluate Mackie's objectification thesis here (see Joyce 2009, 2010); I use it simply as an illustration of a strategy. If the moral error theorist supplements his error theoretic argument(s) with an explanation of why common sense came so ubiquitously to embrace an error—and I don't mean a far-fetched skeptical hypothesis, but a plausible and possibly empirically supported explanation—then the fact that common sense speaks against any moral error theory is dialectically nullified. It is just what the error theorist predicts. Or, in other words, the well-rounded error theory predicts its own counter-intuitiveness.[3]

These considerations mirror an argument that can be used effectively against moral intuitionism—the view that some moral beliefs may be justified non-inferentially—which is not surprising, since Enoch's appeal to Moorean epistemology essentially amounts to a kind of methodological intuitionism. One may agree with the intuitionist that, all else being equal, things that seem intuitively compelling should be accorded some kind of epistemic privilege. But then the question is: When are all things equal? If there is evidence that people would have this intuition even if it were false—if, that is, there is evidence that the intuition derives from an unreliable source—then things are not equal. Similarly, if there is evidence that the

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[2] The phrase "some sort of image" in this context comes from Mackie 1980, p. 71. Mackie discusses his objectification thesis in more detail in his 1980 book than in his 1977 book. See my 2010 for analysis.

[3] Others who oppose a Moorean attack on a moral error theory, by debunking moral intuitions on the basis of their deriving from dubious sources, include McPherson 2009 and Olson 2010.

intuition derives from personal bias or emotional obfuscation, or that others in equally good epistemic conditions have opposing intuitions, or that the intuition is formed in circumstances conducive to illusion, and so on, then things are not equal and the intuition loses (or is never accorded) its epistemic privilege. Walter Sinnott-Armstrong (2006) persuasively argues that *moral* intuitions—such as those favoring that it is wrong to inflict pain on random victims— are subject to all the aforementioned distortions. This is not to say that moral intuitions are false, merely that they should not be accorded the benefit of the doubt; they require some independent confirmation.

Another way of privileging a *modus ponens* reading of an argument over a *modus tollens* reading is if it can be shown that proponents of the latter are confused about their own intuitions. Consider the premise from the earlier argument:

1. Inflicting horrible pain on random victims is morally wrong.

It would take little effort to establish that most people are extremely reluctant to deny 1. But what do most people take such a denial to involve? Most people presuppose that denying 1 indicates some sort of tolerance toward inflicting horrible pain on random victims; they presuppose that anyone who denies 1 must judge that inflicting pain on random victims is morally permissible. In most conversational contexts, these presuppositions are reasonable. In ordinary conversation, someone who says "There's nothing wrong with doing X" will naturally be taken to be expressing some level of acceptance toward doing X.

However, when we are engaged in metaethics we are not in an everyday context—which is to say that the domain of possibilities is widened to rule in additional hypotheses and thus exclude ordinary presuppositions. The error theorist may well hold that there is nothing morally wrong with inflicting pain on innocents, but he or she also holds that there is nothing morally good or morally acceptable about it either. The error theorist can be utterly opposed to any acts that inflict horrible pain on innocents—he or she is just not *morally* opposed. Thus, in the context of engaging with moral skepticism, denying premise 1 may seem less appalling, and the intuitions seemingly stacked against doing so may seem less indubitable, than in ordinary contexts.

As a final point, I will question the strength of Enoch's appeal to Moorean epistemology within the dialectical project of his book.

I noted earlier that one of the dangers of Mooreanism lies in a person taking what seems to her intuitively compelling, declaring it to be a Moorean fact, and then withdrawing from further intellectual discussion on the matter. The danger is compounded when it is recognized that others may take the contradictory proposition to be a Moorean fact. For example, while an opponent of abortion might take it to be beyond doubt that terminating a fetus' life is morally wrong, a pro-choice advocate might be equally adamant that it is a Moorean fact that denying a pregnant woman the autonomy to choose is morally wrong.

"It is hardly my fault," the Moorean could object, "if people abuse my method." But a potentially more serious complaint is that these clashes don't result from abuse, but reveal the troubling relativism inherent in Moorean epistemology. Whether one cashes out this epistemology in terms of what is more plausible, or more certain, or more confident, or more

reasonable,[4] these qualities could vary from individual to individual. Too much of the philosophical literature on this topic talks breezily about what "we" find intuitive (/plausible/certain/etc.), failing to acknowledge that intuitiveness (/etc.) is a thoroughly subjective quality.

Enoch, to his credit, seems to recognize this, for his declaration that those readers who share his intuitions are entitled to deny the error theory (p. 119) seems to acknowledge that a reader may or may not do so. Among those readers who probably don't share his intuitions are those who have, with some level of confidence, embraced the error theoretic position. It seems to me that Enoch has presented no argument that should weaken their confidence. In other words, his argument, even if entirely successful, at best provides permission not to be an error theorist. This, however, falls well short of showing that the error theorist is mistaken, for the error theorist may have at his disposal an equally strong argument demonstrating that it is permissible not to be a moral realist (and all the other non-error-theoretic positions). Demonstrating that a theory does not demand assent does not imply that there exists any reason at all to give up the theory.

Enoch ends his argument against the error theorist by saying that if the reader finds this all less than satisfactory, then this just goes to show that the error theorist is "the robust realist's most respectable opponent" (p. 121). Such chumminess is appreciated (honestly), yet it doesn't address the fact that Enoch lacks an argument to move those readers who don't share his intuitions, among whose ranks will stand everyone who finds the error theory sufficiently plausible. Note, however, that the natural reading of Enoch's argumentative strategy is that he takes himself to have *defeated* the error theorist. Much of the book consists of seeking to establish non-naturalism via excluding opposing alternatives. But, if I am correct, the error theorist is not excluded. It is not just that Enoch's arguments have weaknesses, indeterminacies, or dubious patches; the problem in his attempt to establish metaethical non-naturalism is that even if the Moorean argument were entirely successful, the confident error theorist could look upon it with an unruffled temperament.

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[4] See Kelly 2005 for discussion and comparison of these options.

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