A SOCIAL REQUIREMENT THEORY OF MORAL OBLIGATION

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Abstract

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Social Requirement Theory is the view that moral obligations are reasons for action constituted by the actual demands of an agent’s culture. These demands constitute practical reasons in virtue of being backed by threats of censure or ostracism for noncompliance, and they obligate only agents whose desires or interests are served by avoiding such consequences. This stance is best construed as a version of realism about moral obligation since the reasons in question are as real as any practical reasons could possibly be; but the mind-independence versions of realism that most interest philosophers are of little practical relevance. Mark Kalderon’s recent arguments for moral noncognitivism are flawed. And contra Richard Joyce’s recent argument for moral error theory, moral obligations need not be strictly metaphysically necessary to satisfy our prephilosophical intuitions about morality’s inescapability. Social Requirement Theory is form of agent relativism and compares favorably to other contemporary moral relativisms, such as those of Gilbert Harman, David Wong, and James Dreier. As an actual-demand theory, it is similar to Robert Adams’s divine command theory but enjoys several advantages over the latter while still allowing a substantial role for God in the moral life.
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CHAPTER ONE

INTRODUCING SOCIAL REQUIREMENT THEORY

This is a dissertation about moral obligation. Although obligations do not compose the whole, or even the bulk, of our moral lives, by their nature they demand our attention. They are the insistent, resistant, pushy part of morality. They are often unwelcome, asserting their claims against our wants and inclinations.

Obligations fascinate me. What are they, where do they come from, and how do we know about them? All the answers I have considered to these questions, including the answers I shall propose in this dissertation, feel unsatisfactory. Like many people, I initially sympathized with a divine command picture of obligation; to some extent, I still do. But confronting the power of Hume’s account of the artificial virtues piqued my interest in the prospects for a naturalistic, nontheistic account of obligation. At the same time, I have always thought of myself as a moral realist, and I loathed the thought of any sort of debunking explanation of morality. Thankfully, the work of John Searle and Lynn Rudder Baker enlivened me to the possibility that artificial or socially constructed need not mean phony or unreal. That is the possibility about obligation that I want to explore here. The view that emerges—Social Requirement Theory--claims that moral obligation is a socially generated phenomenon but that it is real, nonillusory—some ascriptions of moral obligations are true, and they are made true by the facts.
What I hope to do is to present a Hume-flavored story of obligation that sounds plausible and accounts for prominent features of the phenomena (Chapter One). I then want to adduce some simple, unsystematic considerations in favor of construing the outcome of my story realistically (Chapter Two). The character of its realist credentials will become clearer as I explore its relationship to other contemporary views that interest me: the non-cognitivism of Mark Eli Kalderon (Chapter Three), the error theory of Richard Joyce (Chapter Four), and the moral relativisms of Gilbert Harman, David Wong, and James Dreier (Chapter Five). Finally, and with special reference to the work of Robert Adams, I will broach the question of how, if at all, God and his commands might fit into my otherwise naturalistic framework. The answer will be, surprisingly well (Chapter Six). In the end, I hope to have presented Social Requirement Theory as a viable candidate for understanding the nature of moral obligation. I won’t have vindicated it against all the metaethical alternatives, much less have established it. I will be satisfied if I can make the view appear worthy of further consideration.

This chapter aims to sketch the positive view of the nature of moral obligation I wish to propose. First I identify several marks of the concept of moral obligation that we would expect any adequate account of its nature to accommodate. I then explore the structure of legal obligation as a model with which to understand the structure of moral obligation. I attempt to show in some detail how moral obligations generated by social demands could exhibit that same structure. I then elaborate on the relationship between moral obligations, motivation, and reasons for action. Next I explain how the emerging picture of moral obligation, Social Requirement Theory, exhibits the previously identified
conceptual marks of moral obligation. Finally, I respond to several likely objections to Social Requirement Theory.

1.1. Marks of Moral Obligation

Before considering any theory about the nature of moral obligation, let’s get the target concept more clearly in view. This way of proceeding has sometimes been thought impossible, as falling prey to some version of the so-called paradox of analysis. How could we isolate a concept we wanted to understand unless we already understood it? But a now-familiar distinction dispels the air of paradox. We can distinguish between the meaning of a term—which specifies, as it were, the role a concept plays in our thinking—and the nature of the referent, if any, of the term—which specifies what it is that fills the semantic role indicated by the term’s meaning. So, in Putnam’s famous example, we can distinguish the meaning of the term water (as the clear, flavorless, odorless, refreshing liquid found in lakes, rivers, and Evian bottles)—our concept of water—from the nature of water as H₂O. One may understand the former without suspecting or even comprehending the latter. Likewise, one may have a good working grasp of the meaning of moral obligation and of the concept of moral obligation without understanding the underlying nature of moral obligation. What I am proposing, then, is that we first identify some salient features of the concept of moral obligation—specifying at least partially a conceptual role to be filled—and then examine a theory (Social Requirement Theory) that proposes a candidate to fill that role.

All of us are intimately familiar with obligations—we incur them, discharge them, honor them, resent them, avoid them, reflect on them, balance them, and sometimes lose sleep over them. They are part of the warp and woof of human life. This constant,
intimate engagement can make it hard to step back and reflect on their defining characteristics. Probably the product of any such attempt will be incomplete. And if I am right about the elasticity of moral concepts, no informative analysis of moral obligation is going to yield a list of necessary and sufficient conditions for something’s being an obligation. Moral obligation is what Wittgenstein would have called a family resemblance concept. We can identify characteristic marks of obligations, but actual instances of obligation may lack various marks and still satisfy our concept.

Before noting some of these marks, we should distinguish two different senses of obligation. *Obligation* may refer to what it is that one is obligated to do—to the content of an obligation—or it may refer to the state of being obligated. The former sense of obligation is normally expressed with an infinitive, e.g., “Mike’s obligation in this case is to tell Susan how he really feels.” The latter sense of obligation has no special idiom; in fact, it is rarely discussed at all, except by philosophers, e.g., “Moral obligation is a mysterious phenomenon.” These two senses of obligation are obviously related. States of obligation are composed, in part, of the contents expressed with infinitives. If no one were obligated to do (or to refrain from doing) anything, no state of being obligated would obtain. My interest is primarily in obligation as a state of being obligated, a state that always involves the content of an obligation, but that involves more than that as well (most notably, a person who has the obligation and the appropriate relationship between the person and the content of the obligation). However, given the close connection between these two senses of obligation, I will move freely between them, trusting that context will make clear which sense I am intending.

Here, then, are some marks of moral obligations:
1. *Moral obligation involves a relation of requiredness or prohibitedness between a person and a possible action.* A normal way of registering the existence of an obligation is this schema: $S$ is morally obligated to/not to $V$. Both the agent and the action slots in this schema may be filled in more or less specific ways. For example, both of the following are intelligible obligation ascriptions: doctors are morally obligated to respect their patients’ privacy; Sarah is morally obligated to repay John the $5$ she borrowed. The nature of the requiredness or prohibitedness involved is obscure; clarifying it is a major goal of this dissertation.

2. *It is possible for one to act contrary to one’s moral obligations.* A person can do what he is morally obligated not to do, and he may fail to do what he is morally obligated to do. This possible divergence between obligation and action is what makes obligation a normative concept—it involves a standard for behavior that a person may or may not satisfy. This feature can also make obligation’s prohibiting or requiring force all the more mysterious. In what sense can obligation require an action while leaving the person free not to perform it?

3. *People have voluntary control over whether they discharge moral obligations.* Obligations concern our intentional actions—what we decide to do. We do not normally ascribe obligations to people to do what is beyond their volitional control—for instance, a person cannot be morally obligated not to have a stroke. Sometimes this feature of obligations is expressed with the Kant-flavored slogan that “ought implies can.”

4. *Moral obligation is distinct from legal obligation.* A person’s moral and legal obligations often coincide, as in his obligation not to sexually assault another person. But the obligations are nonetheless different. Legal obligation is specified by the law, and a
change in the law would change the obligation. Moral obligation is independent of the law: the person would remain morally obligated not to sexually assault another even if (horribile dictu) he were not legally obligated not to do so. Many ordinarily recognized moral obligations (such as the obligation to tell the truth in ordinary contexts) are not legal obligations, and some legal obligations (such as the obligation to return runaway slaves) have been held to be contrary to, or at least not seconded by, moral obligations. Interestingly, the existence and content of legal obligations often seem much less controversial than the existence and content of moral obligations. Despite their differences, I will suggest below that thinking about the nature of legal obligations can help us better understand the nature of moral obligations.

5. Moral obligations are person-implicating. That is, the contents of an obligation involve a person or are owed to a person; alternately, some person takes an interest in the fulfillment of the obligation. Sometimes the person involved may be a collective, such as a family or a business corporation, and sometimes the person may not be immediately present, such as God or a dead friend. Arguably, the person in question could be the obligatee himself—if, e.g., Kant is correct that we have self-regarding duties. Perhaps the “person” implicated could even be subhuman, such as a beagle. But it is hard to imagine a moral obligation that had no reference to the interests or demands of anyone at all. Think, to adapt Foot’s example, of a moral obligation to clasp and unclasp one’s hands three times in an hour (VV 118-20). Supposing this practice had no connection to anyone else, as, for instance, the fulfillment of a promise or the completion of a solemn social ritual, it would be hard to regard it seriously as an obligation.
6. Moral obligations protect values and interests we regard as especially important. Obligations concern the minimum we expect from each other, conditions such as honesty and nonaggression that we normally take to be essential for acceptable social relationships. When we invoke the language of obligation, it is often as an attempt to introduce an overriding, even a nonnegotiable, consideration.

7. Most people care, at least to some extent, about honoring their moral obligations. Obligations matter to us. We feel them binding our wills, even when we do not ultimately yield to them. Stronger versions of this point constitute views known as motivational internalism. An example of such a view would be the following: Necessarily, if S believes himself morally obligated to V, then S has some motivation to V. Without endorsing a principle this strong, we can acknowledge the widespread motivational force of obligations that has made it appear plausible to some.

8. Acting contrary to one’s acknowledged moral obligations elicits blame from others and feelings of guilt from oneself. These aspects of obligation, which have been helpfully explored by Robert Adams (FIG 235-41), show that moral obligation is related to distinctively moral patterns of emotion and response. Obligations do not, as it were, float free from the rest of our lives. There are typically negative consequences of some kind for failing to comply with one’s moral obligations, but the consequences are themselves moralized; for example, blame of the sort directed at moral failure differs from the bare ascription of causal responsibility for an outcome. Interestingly, complying with one’s obligations does not normally result in any special positive consequences.\footnote{Possible exceptions would include cases where a person faces extraordinary pressure to default from her obligation, such that many people would be reluctant to blame her for defaulting. Consider, for example, a judge who renders a proper verdict despite credible threats against her family. In such a case, many people might be inclined to praise the judge for doing what is normally taken to be a judge’s}
is only violations that elicit reactions; this fact may be related to obligation’s focus on the minimums we expect from ourselves and other people, noted above. We do not normally see people as obligated to pursue the ideals and display the virtues we are inclined to praise.

9. *A person’s moral obligations are in some sense independent of his will and desires.* At a minimum, a person cannot directly will his obligations out of existence, nor is his obligation to V cancelled by the presence of a desire not to V. This feature of obligation is evident both in the phenomenology of obligation and in our public practices of ascribing obligations to others. We feel ourselves to be obligated even (perhaps especially) when we wish we were not, and we don’t treat a person’s avowal of contrary desires or intentions as a reason not to ascribe obligations to him. Kantians isolate this aspect of obligation by distinguishing the categorical force of moral demands from the merely hypothetical force of, for instance, counsels of prudence. (I will say more about this problematic distinction at 1.5 below.)

10. *Moral obligations are socially inculcated and reinforced.* This observation, also due to Adams (FIG 236), suggests that people typically learn what their obligations are from other people. The point is connected, in ways that should become clearer below, to the points that obligations implicate others and that they concern, *inter alia,* socially important values.

11. *Moral obligations depend, at least in part, on impersonal rules or standards.* This is a point about the nature of morality, not about the nature of obligations. Perhaps other forms of obligation can be highly singular and personal; think, for example, of the obligation. But the discussion below may put in doubt whether the judge would really be morally obligated to render the proper verdict in a given case if others would not blame here for not doing so.
obligation a person might feel to visit his parent’s grave in a far away land. The person might claim that he felt bound to do so without believing that similarly circumstanced people (such as, perhaps, his own siblings) had comparable obligations. If we acknowledged the possibility of such ultimately singular obligations, I suspect we would decline to call them moral. Hume (EPM 74-75) is only one of many philosophers who have noted that moral concepts like obligation reflect public standards of evaluation that apply to (and that can be applied by) any of many people. Hume and others have gone even farther in claiming that moral standards are by their nature universal, but we can settle for the more modest claim at this point.

12. Only certain kinds of beings—persons, or entities composed of persons—can have moral obligations. Here, person is being used in a special, narrower sense that that used in mark 4 above. Without defining this sense precisely, we can say that persons are rational, linguistically sophisticated, and self-aware. Persons have the sort of stratified reflexive consciousness that Harry Frankfurt has influentially explored (Importance 16 and passim) and exercise some form of voluntary control over their actions. Because they are not persons in this narrower sense, neither inanimate objects, nor plants or lower animals, nor certain human beings such as very young children or those suffering from severe mental disabilities can have moral obligations. Understanding why this is so is difficult but may shed light on our target, the nature of obligation itself. As a first stab, we may say that moral obligations apply only to persons because only persons can understand moral concepts such as right and wrong, and only persons are susceptible to being motivated by obligations and are able to regulate their actions accordingly.
1.2. The Nature of Legal Obligation

Moral obligation differs from legal obligation, but as I suggested earlier, reflecting on the latter may shed light on the former. What is it to be legally obligated? I shall not attempt to provide an exhaustive analysis, simply to note some of the main elements for which we might seek analogs in the moral case. First, and most obviously, legal obligation requires a law. The law need not be written, but it must be a fixed standard of behavior knowable in advance by those to whom it applies. It specifies the content of the obligation—what it is that the obligated party is obligated to do. The law (for purposes of understanding obligation) may be completely general, such as a speed limit applying to all drivers, or very individualized, such as a judge’s order to a reckless driver to attend safe driving classes. Must the law really be fixed and promulgated? Consider a dictator’s *ex post facto* decision to punish a dissident. We might conclude on the basis of the tyrant’s action that the dissident was in fact subject to legal *punishment*, but I think we would be reluctant to say that the dissident was legally *obligated* not to have done what he did. If so, it might be thought that this requirement follows from the nature of law, not the nature of obligation as such. I don’t want to deny that the very notion of law may require a fixed, promulgated standard. But I believe the notion of obligation does, too, for this reason: obligations are supposed to guide a person’s actions, and they cannot do that if they are imposed only after his actions take place. Legal obligations may be arbitrary and unfair in many ways, but to be obligations, they must derive from a law known to (or at least knowable by) an agent before he acts.

Second, and more controversially, legal obligation requires some regime of penalties that are normally imposed on those believed to have violated their obligation,
i.e., to have broken the law. Of course, lawbreakers often manage to avoid penalties. But it is hard to make sense of a legal obligation that does not involve at least the live threat of some penalty for noncompliance. Imagine a statute that was never enforced, the breaking of which had no legal ramifications of any kind. This is the fate of many quirky laws from earlier generations that remain on the books, for example, Lee County, Alabama’s law that peanuts may not be sold after sundown on Wednesdays. As long as the law remains, one might say that it is illegal or against the law to sell peanuts after sundown on Wednesdays. But it does not sound right to say that one is legally obligated not to do so. The literal meaning of obligation may shed some light on this feature. The word derives from the Latin verb obligare, meaning to bind to. So an obligation is literally a binding to or a state of being bound to. It is the possibility of penalty that binds a person; without any threat of penalty, a person may be asked or even told by a legal authority to act a certain way, but it seems unnatural to describe him as legally obligated to act in that way. It is the threat of punishment that transforms a request into a requirement, that accounts for the “must-ness” of a true legal obligation.

Third, legal obligation requires a personal authority to make and enforce the law. To be legally obligated is, in part, to be responsible to someone, namely, to the legal authority. The authority must be personal in the extended sense of being composed of one or more human persons, so a government or the relevant part of one counts as personal. One might think that this feature of legal obligation follows from the nature of positive laws—the laws are what we make them; they come into and go out of existence as a result of contingent human actions. This thought might leave room for hope that other forms of obligation might be underwritten by standards or requirements of
impersonal origin—perhaps, for example, an eternal moral code that is woven into the fabric of the universe, independent of anyone’s (including any god’s) imposition. I believe this hope is misplaced. It seems to me (and to many others) essential to the concept of a law or a normative rule that there be a personal law- or rule-maker, someone who demands compliance with the norm. But to lean too heavily on that intuition now might seem to beg the question.

However, I believe that reflection on the penalty-feature of legal obligation underwrites the same conclusion. We might imagine a possible world in which humans came on the scene to discover a list of sentences in the imperative mood which, we can stipulate, did not originate from any personal agency. And suppose the world were so configured that every time a person failed to follow one of these apparent imperatives, an unwelcome consequence followed, again not as the result of any personal agency. In fact, to make the case more parallel to our actual positive laws, suppose the unwelcome consequences followed frequently but not invariably. For example, suppose one of the imperatives were, “Don’t have sex with more than one other person.” And suppose the common but not uniform unwelcome consequence of not following it were the development of a painful rash. Would we now have in place at least the first two elements of legal obligation noted above, allowing us to wonder whether we might have a system of legal obligations full stop, despite the absence of any personal authority behind the system? I think not. Even if the rash regularly followed the putatively illicit behavior, it would not really be a penalty. If the world were just wired that way, and the rash were not intentionally imposed by a personal agent, we would describe it as a natural consequence of the behavior, not as a punishment. Punishments must by nature be
deliberately imposed; there is no punishment without a punisher. In fact (as the example is intended to suggest), we already have many of the same kind of regularities operative in our world. Despite the negative consequences they involve, we don’t regard them as generating obligations; they are simply truths about how the world works, and while they may underwrite counsels of prudence (“Wash your hands if you don’t want to catch cold!”), we are merely foolish or unfortunate if we ignore such counsels; we are not guilty of violating any obligation.\(^2\) Obligations must, it seems, threaten us with intentionally imposed penalties, negative consequences beyond those that follow from the course of impersonal nature.

This reflection on the nature of the penalties for noncompliance involved in legal obligation allows us to return to the issue of whether the rules or standards ingredient in legal obligation must have a personal origin. Notice that in the possible world described above, where there were only putative rules and negative consequences for noncompliance, there was really nothing to identify the list the humans discovered as a list of instructions or rules. After all, being a sentence in the imperative mood does not a rule make. Imagine, for instance, a computer program that generated random well-formed English sentences, some of which were imperatives. If you read through the program’s output aware of its origin, you would surely not regard the imperatives on the list as commands, instructions, or rules. Likewise, if you came upon a list of imperative sentences, you would have no reason to regard them as instructions or rules directed at

\(^2\) Does this claim beg the question against natural law accounts on which prudential reasoning about the natural consequences of actions does reveal one’s obligations? I don’t think so: On the most plausible such accounts, it is not that impersonal laws of nature involving undesirable consequences themselves generate obligations, but rather that the natural consequences of our actions reveal to us the will of a divine legislator. Since there is no divine legislator in the scenario discussed in the text, such natural law theories are not in play.
you, or, without some assumption about their origin, as instructions or rules at all. In the world I described, there were also unpleasant consequences regularly associated with acting in ways proscribed by the putative instructions. But in the absence of some personal agent deliberately imposing these consequences, we saw that we would not regard them as genuine punishments. They would simply be the natural consequences of the actions in question. Likewise, I suggest, we would not regard the putative rules as genuine rules, except perhaps in the loose sense that we speak, for example, of a summary of the actions one must perform to avoid tooth decay as the rules of dental health—a sense that is not relevant to obligation. The rules relevant to obligation are intentional demands or instructions—imperatives not in the merely grammatical sense but in the speech-act sense. They must be intentionally imposed on a person in order to obligate him. Otherwise, the rule and consequence together might compose what we could call a law of nature, a merely descriptive regularity of the if-X-occurs-then-Y-is-likely-to-follow variety. Such a principle may indeed be relevant to an agent’s practical reasoning, but not by way of obligating him. Without a demand that the agent perform or refrain from some action, there is no obligation in the offing. And demands can only come from other persons.

Putting together what we have observed about legal obligation so far, we can say that if S is legally obligated to V, then S is ordered to V by some legal rule or edict, S is potentially subject to some penalty if he does not V, and the demand that S V and the associated threat of penalty originate from some personal legal authority. A fully adequate analysis might require more refinements, but it seems that the gist of legal
obligation is subjection to a demand from a legal authority attended by the threat of punishment for noncompliance.

1.3. The Nature of Moral Obligation

Does this understanding of legal obligation help us understand the nature of moral obligation? One common response is to suppose that it does, but only if there is a God who makes the moral rules and backs them up with threats of punishment. This view is expressed most famously by Dostoevsky through the character of Ivan Karamazov, who concludes that “Without God, everything is permitted.” Elaborating on this thought, we might say that if God does not prohibit S from Ving, then S is not morally prohibited from Ving; that if S is not morally prohibited from Ving, then S is not morally obligated not to V; and that if S is not morally obligated not to V, then S is morally permitted to V. From these propositions plus the truism that if God does not exist, he prohibits nothing, it follows that if God does not exist, every action is morally permitted. Richard Taylor seems to hold essentially this view. In keeping with our observations about legal obligation, Taylor claims that “one can have no obligation just as such; it must, again, be an obligation to some person or persons, for the idea of being bound or tied, yet bound to no one or no thing, is without meaning” (75). Since, as we have also observed, the notion of moral obligation is distinct from that of legal obligation, Taylor believes that it requires a distinct source of authority that can come only from God: “just as the ancient concept of virtue is unintelligible apart from the idea of function, so is the concept of moral obligation unintelligible apart from the idea of God” (84). Dostoevsky and Taylor differ about whether there are any moral obligations, because they differ over whether there is the sort of commanding God they believe would have to underwrite them. But
they agree that the fate of moral obligation hangs on the fate of God; there are, in their view, no prospects for a naturalistic understanding of moral obligation. And their view has some initial plausibility, at least for anyone who accepts the picture of legal obligation sketched above and who then seeks to understand moral obligation along similar lines. For insofar as (a) obligation requires a personal authority to issue rules or commands and impose penalties for noncompliance, (b) human authority fills this role in the case of legal obligation, and (c) moral obligation is distinct from legal obligation, it might seem that moral obligation requires some superhuman personal authority.

Despite its intuitive appeal, this line of thought moves too quickly. I believe we can identify plausible natural candidates to fill the roles for moral rules, penalties, and personal authorities suggested by our examination of legal obligation. Begin with the rules. There is no serious problem here; the moral rules are more or less what we think they are: Don’t murder, don’t rape, don’t steal, don’t break promises, don’t lie, and so forth. What we conclude about the penalties and personal authorities behind the moral rules will influence what we conclude about their content, and there may always be marginal cases and challenges in application. But in general, we all have a rough and ready grasp of what we’re morally obligated to do. The point for present purposes is not that there is no controversy about any of the rules, but simply that we are not at a loss to identify some plausible, indeed I would say uncontroversial, candidates. Of course, if my discussion of legal obligation is correct, whether we can regard these putative moral rules as rules in the sense that could generate obligations depends on whether we can identify a personal source for them.
The real challenge, then, is to identify the moral analogs of the penalties and personal authority required for legal obligation. Let’s begin with the personal authority. We are, recall, supposing for now that neither God nor any other supernatural candidate is available to fill this role. Pretty clearly, the next, if not the only, place to look is humanity. It is human beings, I suggest, who make the rules and impose the penalties that morally obligate us. Legal requirements are one way that human beings obligate each other, but they need not be the only way. Apart from the formalities of law, we humans constantly make demands on each other. Some of these demands are personal, presupposing some special relationship. Examples would be a parent’s demand that her child be quiet or a doctor’s order that a patient exercise. But some of the demands we make on each other we make without reference to any special relationship. We make them on other persons simply as persons. Of course, not just any such demand generates a moral obligation. If I go around demanding money indiscriminately from everyone I encounter, I do not thereby put any of them under an obligation, moral or otherwise, to give it to me.

There are at least three sorts of generality characteristic of the demands that generate moral obligations. (To be clear, this is intended as a bit of conceptual elucidation, not as prescriptive normative theorizing.) First, they are demands we make against everyone. We demand that everyone, not just our special relations, honor agreements and refrain from murder. Second, they are demands we make on behalf of everyone (so to speak). It is not simply that I demand that you not steal from me; I

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3 The “everyone” here may be circumscribed by the moral code itself to include only (say) members of a community or favored caste. It is this second type of generality that Peter Strawson takes to be definitive of moral attitudes in Section V of “Freedom and Resentment.” I can remain uncommitted on whether this sort of generality alone is sufficient to make a reactive attitude a moral attitude, since I am
demand that you not steal from anyone. Of course, the lengths to which I am willing to
go to pressure you to comply with this demand or to punish you for stealing may vary
with the various sorts of distance (causal, psychological, social, geographic) between us.
But if my demand is of the sort to generate a moral obligation not to steal, it is one that I
am disposed to join others in making against you, even when it is not my property that’s
at risk. (Note that this claim is compatible with stories on which such unselfish concerns
evolve from more selfish origins.) Third, demands that generate moral obligations are
general in that they are made by a lot of people. Demands that are general in the first two
ways will not generate moral obligations if they are made only by me or by a small circle
of my friends. Demands must reach a kind of critical social mass if they are to obligate
morally. This is due, at least in part, to the kind of psychological traction that we expect
moral obligations to have. Much more could be said about the connections between
obligation, reasons for action, and the psychology of agents, and I will try to say a bit of
it below. But for now we can simply say that a demand that was not widespread
throughout a culture would be too easy to evade. As noted above, people generally care
about their moral obligations, and they cannot change obligations—their own or others---
by simple acts of will. Idiosyncratic demands do not support either of these features of
moral obligation.

The claim that a demand must be made “by a lot of people” to generate a moral
obligation invites many questions, among them, what counts as a lot of people? What is
the extent of the relevant community, and how much of a given community must make or

examining the types of generality characteristic of demands that generate moral obligations. It is possible
that some attitudes exhibit a trait that qualifies them as moral but lack some other trait that would be needed
for them to obligate other people—such moral attitudes would be in a sense impotent. This point is
important since it allows me to claim that moral obligations depend on moral attitudes without implausibly
withholding the label “moral” from any attitude that fails to obligate.
endorse a demand for it to be a plausible candidate for generating a moral obligation? Probably there are no precise answers to these questions; at any rate, I do not have them. But we can say this: On the one hand, the demand has to be widespread enough to be, for all practical purposes, inescapable in the course of the obligatee’s ordinary life. He shouldn’t be able to escape it simply by switching jobs or dropping a couple of friends; it must be widespread enough to permeate his social environment. On the other hand, the surrounding culture need not be strictly unanimous in making a demand. A sprinkling of youthful nihilists or amoral business executives in a society need not undermine the force of the demands that envelope its members. Of course, there is a smooth continuum of the extent of a demand in this sense, and there may be many demands that neither clearly have the force of a moral obligation nor clearly do not. (Changing sexual norms provide examples of such gray areas in our own society.) But there are also enough examples of paradigmatically moral demands that are clearly widespread in this way to save the claim from vacuity.

A decisionistic understanding of moral demands will distort their nature. A drill sergeant may decide quite arbitrarily to demand 61 push-ups from a soldier. The demands that generate moral obligations are not like that. It is not as if most of the members of a culture decide individually to make some demands on all the others and their demands just happen to coincide. Individuals don’t generally originate the demands underlying moral obligations. They are born into a world where the moral rules are more or less firmly in place, and they are raised to care about those rules, to follow them, and to demand that others do the same. The demands they make on others have more the form of the endorsement of existing rules than of the creation of new rules. Such
endorsement is not punctual or arbitrary; it involves growing into a way of life in which one comes to identify the moral demands of one’s culture as one’s own. It is practically impossible for most human beings not to be acculturated in some such way, and given the other concerns they have (many of them also socially inculcated), most people have excellent reasons for endorsing their culture’s moral norms.

There may be an air of paradox in the suggestion that moral rules are constituted by a subclass of the demands people make on each other but that people typically endorse rules they find rather than make. The former consideration treats moral rules (and the associated obligations) as a human creation, while the latter seems to treat them as there independently of people, waiting to be heeded or ignored. Reflecting on other social phenomena may help to relieve the appearance of tension here. Consider first the rules of English grammar. There are such rules, but they are clearly a human creation. If we English-speakers collectively ceased to treat a grammatical rule as a rule, it would cease to be a rule. We can observe this happening today with the slow death of the subjunctive mood (due to ignorance) and with the faster death of pronoun-antecedent agreement (due to feminism). The usage and expectations of each one of us contribute to the rules’ existence and force. But none of us decides unilaterally what the rules of English grammar are. None of us has the ability to make an ungrammatical piece of writing, our own or another’s, grammatical simply by act of will or personal decree. The rules at a given time are what they are whether we like them or not. We are born into a world with rules of English grammar, and we learn to observe them and measure others by them. To the extent that we hold each other to such rules, it is almost exclusively by way of endorsing the rules we find rather than by stipulating new ones. And, as with moral
rules, our endorsement is not punctual or arbitrary; it involves growing into a social, linguistic way of life. We can’t avoid growing into some such way of life, and most of us have good reasons to observe the rules of the language we find around us.

Consider as a second example the value of currency. The value of some unit of currency at a given time is a function of what you can exchange for it. Currency does typically have monetary value, but its value is a human creation. If we collectively refused to accept pennies in exchange for anything else, they would cease to be valuable. But none of us decides what the value of currency is. Personal decrees cannot devalue a currency. A penny at a given time is worth whatever it is worth whether we individually like it or not. We are born into a social world with a currency, and we learn how to exchange it and appraise the exchanges of others against it. Our individual adoption of the currency is gradual and virtually inevitable, not punctual or arbitrary. It’s hard for socially advanced animals like us to avoid valuing something as a currency, and most of us have good reasons to participate in the economies in which we find ourselves.

Obviously, the rules of grammar and the value of money differ in many ways from each other and from moral rules and obligations. The salient point is simply that we can make good sense of facts that are human creations and yet not the products of any discrete individual act of will. Any appearance to the contrary may be due in part to a failure to distinguish distributive from collective uses of terms like “people,” “human beings,” and “we.” We collectively determine what the rules of English grammar are, but we individually have no such power. It is also worth pointing out that such socially

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4 More precisely, they cannot do so directly, without the cooperation of enough users of the currency. A decree by an official with the proper legal authority might legally devalue a currency, but it is ultimately the users of the currency who collectively determine its real value.
generated facts are really facts, robust truthmakers that match or fail to match the judgments we make about them. To say that they are human creations does not imply that they are fictional or illusory; studying their social pedigree gives us a better understanding of their nature and origin but does not undermine them. We shall return to this point in connection with moral obligations in Chapters Two and Four.

Having proposed candidates for the roles of rules and personal demanders in the generation of moral obligation, we can now consider candidates for the role of sanction. At first glance, this seems the hardest of the roles to fill. It is a notorious truth, to the sorrow of some and the relief of others, that nothing bad seems to happen to people who break moral rules. There are no fines, no prisons, and no gallows for moral outlaws. For people who are inclined to treat legal obligation as a model for understanding the structure of moral obligation, this apparent absence of sanctions in the here and now has seemed to be one of the strongest reasons to think that morality must depend on divine commands, and specifically on divine commands backed by a regime of rewards and punishments in an afterlife.

This position moves too quickly in equating a lack of quantifiable physical punishment with a lack of punishment. It trades on the same error as the playground slogan, “Sticks and stones may break my bones, but words will never hurt me!” Probably no child who ever needed this kind of slogan was much comforted by it, and for good reason: words do hurt. They hurt profoundly. For social creatures like human beings, words can hurt as much or more than almost any physical punishment. And words here are simply a proxy for the judgments and reactions, verbal and nonverbal, of people.
toward each other. Hume is the philosopher best known for emphasizing the importance of this fact for moral psychology. Here is Hume in the *Treatise*:

We can form no wish, which has not a reference to society. A perfect solitude is, perhaps, the greatest punishment we can suffer. Every pleasure languishes when enjoy’d a-part from company, and every pain becomes more cruel and intolerable. Whatever other passions we may be actuated by; pride, ambition, avarice, curiosity, revenge or lust; the soul or animating principle of them all is sympathy; nor wou’d they have any force, were we to abstract entirely from the thoughts and sentiments of others. Let all the powers and elements of nature conspire to serve and obey one man:… He will still be miserable, till you give him some one person at least, with whom he may share his happiness, and whose esteem and friendship he may enjoy. (363)

And in the second *Enquiry*:

Would you have your company covet’d, admired, followed; rather than hated, despised, avoided? Can any one seriously deliberate in the case? As no enjoyment is sincere, without some reference to company and society; so no society can be agreeable, or even tolerable, where a man feels his presence unwelcome, and discovers all around him symptoms of disgust and abhorrence. (80)

We humans care deeply about what other people think of us. We crave their affection, but often we are even more jealous of their recognition and respect. We want them to treat us as one of them, as a fellow member of the social world. And we are especially eager to avoid their censure and condemnation, even when these do not immediately threaten our physical or financial welfare. Most painful of all would be a thorough-going ignorance, a refusal by others even to recognize us. Here is William James’s vivid way of making the point:

No more fiendish punishment could be devised, were such a thing physically possible, than that one should be turned loose in society and remain absolutely unnoticed by all the members thereof. If no one turned round when we entered, answered when we spoke, or minded what we did, but if every person we met ‘cut us dead’, and acted as if we were non-existing things, a kind of rage and impotent despair would ere long well up in us, from which the cruelest bodily torture would be a relief; for these would make us feel that, however bad might be our plight, we had not sunk to such a depth as to be unworthy of attention at all. (*Psychology* 46)
And of course it does not take a philosopher’s or psychologist’s say-so to make us recognize how much we care about the reactions of other people. Honest introspection will usually suffice, as will attention to the characters of almost any good fiction.\(^5\)

And now a natural candidate for moral sanctions comes into focus: the reactive attitudes (as we might call them, following Strawson) of other people. Blame is the central negative moral reaction and has been helpfully explored by John Skorupski, who makes all of the following points (146-53): Blame is typically accompanied by (perhaps realized in) a distinctive feeling (Skorupski calls it the “blame-feeling”) in the neighborhood of anger or resentment, but not always—one may blame another without any ripples in one’s mental calm. Blame is always directed at someone—it is not an objectless episode like depression or elation—and it must have a ground. One cannot blame someone without having a putative reason. The ground for blame is always in what someone has done or failed to do, and specifically when he has acted against an established rule or expectation. Blame can be directed only at what one takes to be a responsible agent—someone with voluntary control over what he did, and who could have been expected to know that he was expected not to do it. Blame, in other words, presupposes a self-regulating agent, one with the sort of bifurcated, reflexive consciousness that Harry Frankfurt has influentially explored.

What is the punitive significance of blame? Clearly it’s a negative reaction, one that no one welcomes. But can we say more? Blame signifies an imposed threat or injury to the recognition of its object as a self-regulating member of the community. Expressions of blame are a warning that the blamer cannot live as a fellow with one who

\(^5\) Flannery O’Connor’s “Revelation” is but one striking, darkly comic example.
acts as the object of the blame has acted. The person who incurs enough blame risks becoming a pariah. Skorupski describes the penal aspect of blame:

The blame-feeling….disposes towards ostracism, the cutting off of solidarity, the reduction of respect…. Blame is a penalty in itself, an internal penalty, inasmuch as it gives rise to a sense of threatened recognition, of casting out into the liminal region between the village and the bush, between the social order and the outer, hermeneutically unintelligible, world. (151-52)

Blame, then, as practiced on a wide scale, is an informal mechanism of communal self-defense.⁶

Crucially, the suggestion that blame fills the role of sanction for moral obligations is not a claim about moral motivation. It does not imply that when people act in accord with what they believe to be their moral obligations, they are motivated exclusively, or even partially, by a desire to avoid blame or any other kind of punishment. That sort of position would tend toward a crude psychological egoism, and such accounts have rightly been criticized for ignoring the nature of the motivations we expect morally admirable people to have. In fact, moral motivation is often characterized explicitly in contrast to self-interested motivation. There are at least two things to be said here. First, we need to keep clear on the sense of moral motivation at issue. One might speak of moral motivation either as motivation that satisfied some moral standard (e.g., motivation that was morally praiseworthy) or as whatever motivation accounted for morally required action. In the former sense, moral motivation may be distinct from self-interested motivation, but not necessarily in the latter. Even so rigorous a critic of motivations as Kant recognized that one could do one’s duty from self-interested motives. The claim

⁶ In this light, we can see one reason why someone like Jesus Christ, who socialized freely with corrupt tax collectors and prostitutes, would be viewed as a subversive. I believe addressing the apparent tension between, on the one hand, charity and forgiveness and, on the other hand, the forms of intolerance required for any livable human society is a serious challenge for Christian ethics. I do not believe that the challenge is insuperable, but that it requires careful attention.
that someone is morally obligated to do something or that he has done what he was morally obligated to do does not imply anything about the purity of his motives.

The second point is that the availability of a self-interested source of motivation for an action (such as a sanction) does not preclude the operation of un-self-interested motives for that same action.\(^7\) This is clear enough in the case of legal obligations, where the availability of sanctions is beyond dispute. A person may follow a law to avoid punishment, but he may also follow it in response to the expectations he feels from those around him, from a sense of fair play, from an admiration of the ideals he believes the law expresses, or as an expression of solidarity with his community and its political culture. Most commonly of all, he may do his legal duty simply from force of habit. None of these motivations is most naturally described as self-interested. But any of them may have evolved from a conformity to law initially inspired by self interest.

People likewise have a variety of motives for discharging their moral obligations. They may sometimes do the right thing out of fear of incurring blame or a bad reputation. But more commonly, well-socialized adults do what they ought to do because they have an immediate concern for moral rules as such, or because they care about those whom their actions affect, or because they wish to express solidarity with their community or with humanity, or because they will suffer pangs of conscience or at least fall in their own estimation if they default, or because they have a habit of doing the sort of things that morality requires. None of these other motives, possibly excepting the threat of a

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\(^7\) For some sense of action, obviously, such that the identity conditions of an action do not depend on its motivation; since motivation is at least formally distinct from intention, the relevant sense of action need not be characterized purely in terms of external behaviors.
bad conscience,\textsuperscript{8} is self-interested, but all may have evolved from self-interested origins. The upshot is that acknowledging the availability of blame (or any other plausible candidate) as a punishment for noncompliance with moral rules does not narrow the range of motives, including unselfish motives, available to explain agents’ compliance with the rules.

1.4. Sanctions, Motives, and Reasons for Action

One interesting question suggested by our consideration of the role of available penalties for noncompliance in generating obligations is whether a reaction to noncompliance must be regarded by its object as unwelcome in order to count as a penalty (in whatever sense of penalty is implicated in obligations). The sense of unwelcomeness in question should be one that is motivationally salient: if S regards X as unwelcome, then S has some motivation to avoid X.\textsuperscript{9} The worry is that some reactions intended as punishments fail to find their mark due to their object’s psychological makeup. Consider the predicament of Brer Fox, who has trapped his nemesis Brer Rabbit and is trying to decide whether to barbeque him, hang him, drown him, or skin him.\textsuperscript{10}

Brer Rabbit pleads with Brer Fox to do any of those things, so long as Brer Fox does not

\textsuperscript{8} Conscientious motives as such need not be selfish. One may respond directly to the pressure of conscience or yield to it more deliberately as a proper authority without being moved by the thought of the pain it may cause if it is disobeyed.

\textsuperscript{9} “Some motivation” to allow that the motivation may be defeated by stronger contrary motivations; it need not issue in action (or inaction). Discussions in metaethics and the theory of action typically treat motivation in functional (rather than phenomenal) terms, and they typically treat motives as defeasible in the way I am treating them here. When hedged with the usual ceteris paribus clauses, it is often hard to see what the resulting claims about motivation amount to. Specifically, it hard to know what, if anything, would disprove the presence of a defeasible disposition, so claims and definitions in which such alleged dispositions figure can appear vacuous. Comparable problems infect philosophical discussions of desire, as G.F. Schueler has discussed at length. I note the problem here only to ignore it above.

\textsuperscript{10} The story is from Old South folklorist Joel Chandler Harris. The situation is really more one of malice or revenge than of punishment, but it illustrates the point well enough.
throw him into the nearby briar patch. Brer Fox decides he will toss Brer Rabbit into the briar patch, and he does so. Brer Rabbit scampers away unscathed, but not before shouting to the hapless fox, “Bred and born in a briar patch, Brer Fox, bred and born in a briar patch!” Less whimsical examples would be the child who is punished by being sent to her room, where she prefers to be anyway, or the business tycoon for whom a $25 parking fine is a matter of complete indifference, or the masochist who thrills with pleasure at each lash of the whip. In the moral case, we may be challenged to consider antisocial (or merely asocial) people who do not care what others think of them—people who do not feel blame as a threat or contemplate ostracism with aversion.

Here we must tread carefully, since one who boasts publicly that he doesn’t care what other people think of his actions might conclude privately on reflection that he does care, and even one who concluded privately on reflection that he didn’t care might be surprised to find from bitter experience that he cared very much. It seems clear that dishonest or unreflective public pronouncements are not the proper measure of unwelcomeness, but it is less clear how to think about the second difference, between prospective and retrospective reactions. We can at least say that a reaction to a rules violation must be intended to be unwelcome in order to count as a punishment. Considerations of obligation aside, it seems that ordinary language permits some leeway in the extent to which a reaction intended to be unwelcome must actually be unwelcome to be a punishment. We can make sense of statements like, “She didn’t mind her punishment a bit,” but also of such statements as, “Getting sent to her room turned out not to be a punishment after all.” Since it is broadly part of the concept of a punishment that it be an intentionally imposed unwelcome consequence, and since human beings are
generally adept at creating unwelcome experiences for one another, it is understandable that the ordinary concept of punishment might not take clear sides on the exceptional cases where an imposed consequence intended to be unwelcome turns out not to be. The concept can do its ordinary work without a sharp boundary in this region.

But when our eye is on obligation, the issue may seem more pressing. In the case of the tycoon unmoved by the threat of a paltry fine, I think most of us would say he is still legally obligated not to park on the yellow curb. But this may be because, although the legal authority’s attempted punishment fails to wound the tycoon in this instance, we still consider the tycoon to be generally under that authority. And our tendency to view the tycoon as generally under legal authority may, in turn, depend partly on his general susceptibility to legal punishments. *This* fine may not sting the tycoon, but other fines would, as would imprisonment or caning or execution. The tycoon is not a being of a sort who is consistently immune from the ill effects of government power, and we may view his obligation in particular questionable cases as secured by a more stable background of subjection. Would we still be inclined to say he was obligated not to park on the yellow curb if he were indifferent not only to the actual fine for that offense, but to any fine at all, as well as to anything else a government might do to punish him? It seems much less clear that we would. Would it matter what the source of his indifference was? He might be unmoved by any threat of legal coercion because he knew he was powerful enough to repel it—perhaps by using his own private army. Or he might instead be physically subject to the state’s power, but inwardly indifferent, due to severe depression or the cultivation of extreme Stoic apathy (here his status as a tycoon no longer matters). I am more inclined to say that the man would be legally obligated in the latter case than
in the former, but my intuitions here are not that clear, and I would not want to put too much weight on them. Indeed, I suspect this is another region in which the concept of obligation is itself indeterminate. At any rate, I am inclined to think that the kind of punishment needed to underwrite a moral obligation is in place as long as the community is disposed to blame or ostracize someone for breaking its rules, even if in exceptional moments she does not care about being blamed or ostracized, in the sense that the threat of being blamed or ostracized does not register motivationally with the person (or in an extreme case, even if the threat registers positively, providing some motivation for the person to break the rule).

But then at some point a person’s indifference to blame and the withdrawal of social recognition might become so thoroughgoing that we would cease to make moral demands of him, cease to think of him as the kind of being who was a player in the moral game. The person would strike us as either a beast or a god, and while we might still need mechanisms to contain him, moral rules would no longer obligate him. For the sake of argument, let’s assume what I take to be the worst case for my position: that someone who is utterly, pervasively indifferent to the threat of blame or ostracism cannot be morally obligated. I am supposing this is the worst outcome for my position since (we might think) it debars us from accurately saying about such a person what some people would like to say: namely, that he is morally obligated not to (e.g.) assault other people whether he cares about other people’s reactions or not. Many people will take this to be the central objection to the understanding of moral obligation that I am sketching. It will seem to them that my position implies that a person can get off the moral hook by being sufficiently wicked and callous—and that is not at all what most of us would want to say.
I want to respond to this worry in two stages: first, by fleshing out the above assumption, and second, by explaining why I do not think it threatens the plausibility of my position.

What, then, are the implications of the assumption that someone who is pervasively, perpetually indifferent to blame, ostracism, and other informal means of social pressure cannot be morally obligated? Start with some things the assumption does not imply. It does not imply that if a person has no desire to satisfy a moral demand, he has no obligation to do so. It does not imply that if a person has a strong desire not to satisfy a moral demand, he has no obligation to do so. It does not imply that if a person doesn’t care about morality for its own sake, he is not obligated to follow its dictates. It does not imply that a person can pick and choose his moral obligations or suspend them at will. It does not imply that if a person breaks a moral rule he was not obligated to follow it. It does not imply that if a person repeatedly breaks a lot of important moral rules, he was not obligated to follow them. It implies only what it says: that if a person is utterly, perpetually indifferent to the moral pressures exerted by others, he cannot be morally obligated. Contemplating the actual claim in contrast to all of its non-implications noted above helps to bring out what an extreme possibility it envisions. The kind of stable, thoroughgoing social apathy at issue is incompatible with anything recognizable as a normal human life. It would surely be diagnosed as a serious mental disorder. There probably are humans who exhibit it, but I have never met one. These people’s problems might include a dangerous kind of amoralism, but their disability would go much deeper. They would be incapable of participating in a range of normal human relationships. They might be able, as a result of their own self-interested calculation or of Skinner-box-style training, to produce standard behavioral outputs in
response to many common social inputs. But their inner lives would be devoid of love, respect, guilt, embarrassment, loneliness, and other emotions that presuppose or involve a vulnerability to the reactions of others toward oneself. People exempt from moral obligations on grounds of such social apathy would be seriously defective.

Is it, then, a problem with my view if it implies that such people really are beyond the reach of moral obligation? I think not. I hope the preceding discussion has suggested that thoroughgoing social apathy is the kind of disability that most of us would already (prephilosophically) be inclined to treat as placing its victim outside the moral community. We already recognize that certain normal human capacities are essential for moral agency—that their absence exempts a person from normal expectations and judgments. These incapacities include extremely low levels of intelligence, pathological impulsivity or lack of self-control, and certain compulsions and addictions. But they also include extreme forms of social-emotional disengagement that seem not so different from the kind of apathy we are considering—various sociopathologies, or severe autism, for example. It does not seem too much of a simplification to say that the reason we exempt these people from the normal levels of moral responsibility is that we recognize that there is no way for our moral demands to get a motivational footing in them. They are simply beyond caring what we expect from them; when they do the things we regard as beyond the moral pale, there is no sense in which we expect better of them. We may continue to care about them as objects for our pity and protection, and we certainly attempt to control them so as to limit the damage they inflict on the rest of us. But they don’t participate in our moral economy of praise and blame. I am inclined to say the same sort of thing about the kind of radical social apathetics who, we are supposing, are exempt from moral
obligations on my story. I don’t believe their exemption requires any serious revision of our pretheoretical beliefs.

Another way to come at the problem is to ask what exactly is supposed to be lost by giving up the claim that such people can be morally obligated. I can imagine four putative costs of such a position. First, it might be thought that the position deprives the people in question of an important basis of human dignity or full personality. I agree that the people in question may lack something of the dignity or personality that we ascribe to normal, mature human beings. But whatever deficit exists in these areas is not explained by their being exempt from the normal range of moral obligations. Rather, both their diminished dignity and their exemption from normal moral demands are due to their abnormal social apathy. Their full dignity and personality would not be restored simply by insisting in the face of their immunity to normal social pressures that they were nonetheless fully responsible moral agents.

A second alleged cost of the position might be that it would debar us from protecting ourselves from the predations of socially apathetic people. The thought might be: It’s right to punish a person only if he’s done something he ought not to have done. So if socially apathetic people had no moral obligations, it would never be right to punish them. And that’s a scary conclusion. But if the worry is one about societal self-defense, a little reflection dispels it. We routinely defend ourselves from creatures that threaten us.

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11 Or, depending on the details, they may not. Some social apathy may seem like a crippling defect, but some may seem like a kind of transcendence or empowerment. Aristotle allows that the man who can live without society is either a beast or a god (Politics 1253a29). And perhaps one can imagine cases where the cultivation of apathy to the judgments of others would even be a virtue—if, say, one’s surrounding culture were wicked through and through. But it is unclear whether a mass of people so corrupt that one would do best to ignore them could long survive as a culture, and also unclear whether a person so situated could retain his apathy toward his actual surroundings without imagining the reactions of other, better people.
without punishing them in a way that presupposes their moral accountability. There is no
moral ban on coercing animals, human or nonhuman, that threaten the safety of society,
even if those animals are not subject to moral obligations. Just as we can shoot a rabid
dog, restrain a violent child, or incarcerate a madman, so we can use whatever force is
needed to protect ourselves from the threat posed by humans who, for whatever reason,
including indifference to our moral demands, endanger us. We might in a philosophical
mood be reluctant to call the objects of the threats in question persons or their destructive
actions wrongdoing or our responses to them punishments (especially if our “responses”
are really prior restraints), but such linguistic scruples do not leave us defenseless against
their predations.

A third alleged cost of exempting socially apathetic people from moral
obligations might be the inability to appraise them and their actions morally in ways that
seem fitting. Consider the case of Hannibal Lecter, the brilliant, cannibalistic psychiatrist
from Thomas Harris’s novels who seems serenely indifferent to other people’s opinions
and feelings. In The Silence of the Lambs, Lecter escapes from a cage where he is being
held for the FBI. Not content simply to gain his own freedom, he gruesomely kills two
innocent guards in the process. One he splays open and hangs from the ceiling with his
entrails strung out like banners; the other he partially skins and dumps in an elevator
shaft. It is hard to read or watch this scene at all, and impossible (I hope) to read or
watch it without a sharply negative moral reaction to Lecter and his foul deeds. Yet it
might seem that if Lecter is socially apathetic in the way we have been contemplating
(and it seems from the novel that he is), and if the position I am exploring exempts
socially apathetic people from moral obligations (the assumption we are making for the
sake of argument), then that position makes it impossible for us to criticize Lecter or his actions morally. This would be the correct conclusion to draw if the only kind of negative moral response were, “You violated your moral obligation!” But obligation is not all there is to the moral life. Obligation deals only with the deontological side of moral life—with requirements, prohibitions, and permissions. But we have a much broader and richer repertoire of evaluative moral notions beyond deontology’s thin conceptual gruel. Even if Lecter’s warped psychology places him beyond the grip of a moral obligation not to disembowel people, we can still appraise him and his action as vicious, cruel, depraved, inhuman, and evil. He lacks the kind of motivational source (a sensitivity to social pressure) that we are now assuming would be needed to make him obligated, but he has plenty of other motivations that we have no trouble judging harshly by moral standards other than those appropriate for obligations.¹² So I conclude that exempting socially apathetic people from moral obligations need not compromise our ability to appraise them morally.

The fourth alleged cost of exempting socially apathetic people from moral obligations is harder to characterize succinctly. Yet I think it is at least akin to the worry behind a lot of the traditional philosophical discussions of the amoralist. The amoralist doesn’t care what morality requires of him. He is what we might call morally apathetic. He does whatever he can get away with to satisfy his morally untamed desires. If he is lucky or smart enough to elude detection (cf. Plato’s Gyges and Hume’s sensible knave,

¹² Consequentialists could also make impersonal judgments about the values of the states of affairs resulting from Lecter’s actions, such as that world W in which the guards are murdered by Lecter is not as valuable as world W’ in which the guards go home intact at the end of their shift. These kind of ordinal value rankings are compatible with the assumption that socially apathetic people like Lecter cannot be morally obligated, but I don’t think they’re the kind of moral appraisal that normal people would be most jealous to preserve.
respectively), he may live out a happy life of self-gratification at the cost of great harm to
other people. Acknowledging this as a possibility is regarded by some people as
unacceptable, and there is an almost irressible philosophical impulse to provide an
argument that will make it impossible (in what way is often obscure) to be such a person.
This worry may not be unrelated to Kant’s preoccupation with establishing an a priori
basis for moral demands in pure practical reason, a basis not subject to the contingencies
of individual psychology or even of human nature. There may be a comparable anxiety
about exempting the socially apathetic from moral obligations. If we acknowledge that
such people cannot be obligated, we seem to be concluding that they are beyond the reach
of even our best arguments, that philosophy is impotent to tame them.

I know of no way to dispel this worry other than to recite some facts that are by
now familiar from the foregoing discussion or from real life. First, the position that the
socially apathetic cannot be morally obligated does not imply that anyone who doubts or
even resists his alleged moral obligations has no reasons to discharge them. When a
person is tempted by a strong passion to do the wrong thing, he may need to be reminded
of, or encouraged to focus on, the kind of reasons he can acknowledge for keeping his
moral commitment. He may be temporarily overlooking the importance he places on
“the unbought satisfaction of conversation, society, study, even health and the common
beauties of nature, but above all on the peaceful reflection on one’s own conduct” (Hume,
EPM 82). The reasons supported by these standing concerns may, on reflection,
strengthen him to resist the temptation. There are all sorts of reasons for doing the right
thing that can be appealed to with the normal run of people, and sometimes these appeals
succeed. Socially apathetic people of the sort now being discussed are an exceedingly
rare breed, and nothing we conclude about them renders moral argument and suasion a useless enterprise on the whole.

Second, as noted above, the impotence of argument to restrain someone does not render us vulnerable to his predations. There are more tangible kinds of force, and we rely on them all the time to control dangerous animals, non-human and human alike.

Third, as our regrettably ongoing need for such force suggests, the history of philosophy gives us no reason to think that there is any kind of argument that will persuade everyone all of the time to comply with morality’s demands. Selfishness, malice, and impulsiveness are persistent features of the human condition. They can sometimes be curbed and resisted, but it seems the height of philosophical naivete to suppose they could be permanently defeated if only everyone came to understand the arguments of Plato or Kant or Mill. The thought that philosophical argument could do that is so absurd that it is hard to believe this was part of the original anxiety over the amoralist (or the socially apathetic). Yet it remains obscure what the source of the worry is. ¹³ Maybe the anxiety stems in part from the prestige of reason among philosophically minded people. They could acknowledge that people will often fail to do the rational thing but insist on the right to call their deviation from moral requirements a rational failing. In the present case, the thought may be that a person could be socially apathetic in the way described but with his rationality still fully intact—so that if moral demands come with an a priori rational authority, they may bind even those numb to the social pressures that normally accompany such demands. And if such people flout the demands

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¹³ Perhaps for many people there simply is no worry in this neighborhood, and so it appears that I am batting at a straw man. My discussion here should be read not as predicated on the claim that there is such an established worry that I am trying to dispel, but simply as an attempt to dispel whatever such worry there might be.
anyway, we can at least convict them of a kind of practical irrationality. Here, obviously, we approach the vexed dispute over the nature of practical rationality and its dependence, if any, on our contingent desires, sentiments, goals, and concerns. ¹⁴ I have nothing new to add to this dispute. I will simply register my pessimism that there is any sense of be made of rationality generating substantive practical requirements independent of an agent’s desires, sentiments, goals, and concerns.

The reasons for my pessimism are familiar. Most prominent among them is the striking functional analogy between theoretical and practical reason that a broadly Humean approach to practical reason preserves. Theoretical reason does not tell us what to believe *simpliciter*. It tells us only what we must believe *given what we already believe*. It proscribes certain combinations of belief, but it does not tell us which of the inconsistent potential belief contents to believe and which to discard. If we represent theoretical reason as issuing injunctions, all of its injunctions could be represented hypothetically. ¹⁵ This is why paranoid and delusional people may govern their wildly inaccurate beliefs with impeccable rationality; garbage in, garbage out, as they say. Since the structure of theoretical reason is relatively clear and uncontroversial compared to that of practical reason, it seems desirable to preserve structural parallels to the former in our account of the latter unless there is a compelling reason not to. Humean accounts of practical reason mirror the hypothetical character of theoretical reason in the practical

¹⁴ Contingent in the philosopher’s narrow metaphysical sense; I will challenge the practical relevance of this sort of contingency in connection with Richard Joyce’s characterization of morality’s demands in Chapter Four.

¹⁵ This claim may need to be refined, but not, I think, in any way that compromises my point here. One might think, for instance, that theoretical reason issued the nonhypothetical injunction, *do not believe inconsistent propositions*. I tend to think this is a second-order injunction to follow the first-order if-then injunctions of practical reason, and not itself an injunction of reason. Still, if theoretical reason enjoins *if you believe p, then you should believe q*, its injunction could be represented as *do not believe p and not-q*. But I take it that this is not a categorical imperative of theoretical reason in any interesting sense.
domain. On Humean theories, practical reason regulates combinations of practical inputs and outputs (desires, decisions, injunctions, whatever) but does not tell us what inputs to start with or whether (in case of tension) to modify the would-be input or instead the would-be output. Like theoretical reason, practical reason regulates the coherence of internal states (or their contents), not the correspondence of those states with anything external (mundane states of affairs, the Form of the Good). Just as there is nothing one rationally must believe independent of one’s other beliefs, so there is nothing one rationally must desire or decide independent of one’s other desires and decisions. False beliefs need not reflect any error in theoretical reasoning, and untoward desires need not reflect any error in practical reasoning. Humean practical reason, like theoretical reason, traffics only in hypothetical imperatives. By themselves, such theories do not imply that there are no categorical practical requirements (however categoricity is spelled out), but they do imply that there are no categorical requirements of practical reason.

A second consideration supporting Humean theories of practical reason is the obscurity of the alternative. It is not hard to see instrumental or calculative forms of practical reasoning as part of the familiar human world. On instrumental theories, reasons are constituted by facts about the world that have their status as reasons in virtue of their relationship to existing practical states of agents (e.g., desires or goals). In this sense at least, practical reasons are agent-relative. The alternative is to recognize as reasons facts about the world that have their status as reasons independent of anyone’s practical states. If practical reasons were practical reasons independent of their relation to any practical reasoner, it would be possible for practical reasoners to be systematically, collectively wrong about the practical reasons that exist. Yet it seems utterly mysterious
that there be practical reasons out there that would never engage any agent’s motivations, no matter how otherwise epistemically idealized and instrumentally rational an agent were. It is not clear what it would mean to call such facts reasons. This is not just a worry about the underlying metaphysical structure of objective reasonhood, though that is unclear enough (cf. Mackie’s queerness argument against the objectivity of value [38-41]). It is also and mainly a worry about how to make sense of the claim that a fact is a reason for action independent of any agent’s desires, goals, decisions, and the like. What would be the conceptual marks of such reasonhood? What would distinguish a fact that was reason to V from one that was not, if neither fact had any connection to any agent’s desiderative profile? (It might be suggested that an agent’s interests could provide an objective and perhaps species-invariant anchor for reason-giving facts in agents independent of any connection to agents’ desiderative states. But then the same obscurity recurs at the level of interests. What sense is there in calling something an agent’s interest if it has no positive connection to any of his desiderative states? I find it hard to hear any such talk of interests as other than a projection of the speaker’s desiderative states about the agent.) The notion of reason-giving states of the universe independent of the desiderative or goal-directed states of agents seems ill at ease in a naturalistic world. This isn’t strictly an argument, much less a conclusive argument, for a broadly Humean theory of practical reason, simply an expression of deep puzzlement that any successful alternative would have to dispel.

A third consideration supporting Humean theories of practical reason is the seeming conceivability (sometimes, the seeming reality) of cases of impeccably rational
wickedness. It is not hard to imagine characters who carefully weigh, plan, and execute morally odious actions in the light of accurate information and full self-awareness and with no errors in calculation. They are highly intelligent and calm, reflective, and self-controlled. The world being what it is, they do not always succeed in their designs, but nor, of course, do ideally intelligent and informed virtuous agents. Consider, for instance, a suitably idealized version of Harman’s imagined employee of Murder, Inc., who has no scruples about killing anyone outside his organized crime family to advance the family’s interests. We can stipulate that the employee is as intelligent, knowledgeable, and circumspect as you please; let us add that he never suffers from akrasia (or its amoral analog)—having formed a resolution about the instrumentally best, most reasonable course of action in a situation, he invariably carries it out. We might have plenty of ways of criticizing such a person, but to criticize him as irrational seems to miss the mark. His defect is not a defect of cognitive ability or performance; it is a defect of concern for other people.

To a non-Humean moral rationalist, this third consideration will seem like blatant question-begging, and not any point distinct from the Humean family of theories that could weigh in favor of it. The claim that the mobster has full information and reasons impeccably from it assumes that there is no desire-independent moral fact of the matter about what he should do, and that there is no substantive desire-independent requirement of practical rationality that he not kill innocent people. But the latter of these claims is the nub of the dispute between Humean and many non-Humean theories of practical reason, and so cannot properly be advanced as a datum with which to settle the dispute.

16 This is on the assumption that any substantive, noninstrumental dictates of practical reason would, if they existed, line up with morality’s demands.
Yet I believe reflection on such cases does provide some intuitive support for the Humean view. The idea is that if ordinary people reflect on the cases, they will be inclined to classify them as instances of rationality put into the service of vice, and not of irrationality per se. The Humean reading of the cases tallies better with the prephilosophical notion of rationality, so that it is not enough for the non-Humean theorist simply to assert “not proven” in response to the Humean. Without a compelling positive reason to think that there are substantive desire-independent moral requirements of practical reason, the non-Humean’s insistence that there could be sounds idle, more like special pleading for a pet theory than like a plausible account of the prephilosophical data.

At any rate, I do not see that practical reason’s prestige is compromised by concluding that its domain is limited to people who have the kind of concerns it can engage. Socially apathetic people may still have reasons for action, and they may still act irrationally. But their reasons are different from those of people with a normal range of social concern. And whatever the socially apathetic may lack in their repertoire of reasons, the rest of us have good reasons to try to expand their repertoires and to keep them from behaving in destructive ways in the mean time. The cost of exempting socially apathetic people from moral obligations does not seem to me very high, even if it includes exempting them from rational criticism for failing to do what the rest of us understand ourselves to be obligated to do.

Here, then, is the picture of moral obligation that is emerging: Moral obligation is a state of requiredness that results from a community’s demand that a person perform (or refrain from) some action, where the demand is backed by the threat of blame or
ostracism for noncompliance. The person obligated must be part of the community making the demand at least in the minimal sense that he takes an interest in what they think of him and would feel their blame or ostracism as a loss. Our reflection on the role of sanctions in obligations suggests an intimate connection between obligations and reasons for action. I propose that we think of moral obligations as a kind of reasons for action—namely, those reasons we have to do what our communities demand of us in virtue of those demands. And if reasons are simply facts that, given our interests, goals, and desires, count in favor or against particular actions, then the fact of the demands themselves may constitute the reasons that are obligations. Moral obligations are reasons for action constituted by the actual demands of our culture in light of its implied sanctions and our interest in avoiding them. Call this the Social Requirement Theory of moral obligation, or SRT.

1.5. How Social Requirement Theory Meets the Marks of Moral Obligation

Let us consider how well this understanding of moral obligation satisfies the twelve marks of obligation identified at the beginning of this discussion. I reproduce each of the twelve initial statements below, followed by a comment on its relation to Social Requirement Theory:

1. *Moral obligation involves a relation of requiredness or prohibitedness between a person and a possible action.* This feature is certainly preserved by the Social Requirement view, and in a fairly literal way: moral obligations involve demands that people make on each other. The Social Requirement view has no need for metaphorical talk of an impersonal eternal moral order that “requires” or “prohibits” certain actions of agents.
2. **It is possible for one to act contrary to one’s moral obligations.** This truism remains true on Social Requirement Theory. The kind of requiredness in question is of the familiar personal variety involving demands that can be flouted. It does not involve any mysterious sort of superhuman necessity that can nonetheless be thwarted by the human will.

3. **People have voluntary control over whether they discharge moral obligations.** Social Requirement Theory readily accounts for this datum. People make demands of each other to do only what they believe is within voluntary control, since to demand otherwise would be futile.

4. **Moral obligation is distinct from legal obligation.** Social Requirement Theory preserves this mark of moral obligation. The contents of moral and legal rules may coincide, but they may also diverge. The rules come from different authorities (the state vs. the community) and are backed by different sanctions (a formal regime of tangible legal punishments vs. an informal regime of blame and ostracism). We often take moral requirements to be somehow more basic or fundamental than legal requirements, and SRT accounts for this sense by making moral requirements depend on less formal social systems than do legal requirements. It is easy to imagine practical consensus on negative reactive attitudes emerging among a group of humans before anything like a modern legal order emerged, but not vice-versa. Moreover, although the interactions between moral and legal obligations are complex (e.g., one may be morally obligated to obey the law just as such), it is natural to view a community’s moral attitudes as shaping its legal system, and moral obligations persist even after systems of legal obligation emerge.
Sometimes, notoriously, moral and legal obligations pull in contrary directions. All of these facts fit comfortably with a Social Requirement view of moral obligation.

5. Moral obligations are person-implicating. Social Requirement Theory easily conforms to this expectation of moral obligations. Obligations are relations between, \textit{inter alia}, the person who is obligated and those whose demands generate the obligation. If SRT is true, we can see at once why it seems senseless to think of a person being obligated to do something, but not obligated to anyone to do it. Social Requirement Theory also makes good sense of the fact that the content of moral obligations typically involves other people—i.e., that moral obligations centrally concern conduct that is believed to affect others. For it is natural that the expectations of a community at large about the actions of its members would focus on actions believed to affect the interests of other members of the community.\footnote{This is not to imply that all a community’s expectations of its members concern conduct that affects other people; history is full of examples of what appear to modern sensibilities as intrusive moralism. While an adequate understanding of the examples in question might reveal some to concern conduct that was believed to be other-regarding, some self-regarding exceptions may remain. Nonetheless, it is hard to imagine a system of moral requirements that did not centrally involve conduct thought to concern other people.}

6. Moral obligations protect values and interests we regard as especially important. Social Requirement Theory accommodates this datum easily. It is no coincidence on this view that moral obligations protect what is important to us, since we are the ones making the demands that generate the obligations, and of course we demand that others respect what we find important. The kinds of universality characteristic of the demands that generate \textit{moral} obligations are further confirmation of the importance to us of the values that such obligations protect. That morally obligating demands are made by
everyone of everyone on behalf of everyone suggests that they really do concern the uncontroversial minimums of social life.

7. Most people care, at least to some extent, about honoring their moral obligations. This fact comes as no surprise on Social Requirement Theory. We are all the products of socialization. We are both hard-wired and culturally programmed to care deeply about the reactions of other people, and if we are socialized successfully, we come to care directly about many of their concerns. We internalize their gaze as a conscience, judging ourselves even when others are absent. We sympathize with those whom our actions affect, and we recoil from the thought of causing the pain or anger that typically accompanies broken obligations. We dread the censure of those who might judge us if we fail to do our duty. Early in life we come to treat righteousness (i.e., conformity with the socially established rules) as its own reason for acting, without calculating its likely effects on our other interests. And when we reflect in a critical mood on the interests served by our otherwise unreflective commitment to our obligations, we are apt to approve of that commitment (cf. Hume T 619). This is not an exhaustive examination of the sources and nature of moral motivation, but it is enough to indicate that such motivation is complex, deeply rooted, and self-reinforcing. None of this ensures that everyone will always care about her moral obligations, much less that her moral concerns will override all others. But since it is pretty clear that not everyone does always care about her moral obligations, this fact is no strike against SRT.

8. Acting contrary to one’s acknowledged moral obligations elicits blame from others and feelings of guilt from oneself. This is exactly what we should expect on Social

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18 The uses of “everyone” in this sentence are loose, but I hope forgivable for the sake of concision.
Requirement Theory. It is, after all, part of the view as I have sketched it that obligations are backed by the threat of sanctions for noncompliance, and that the paradigmatically moral sanction is blame, which signals (or even effects) a weakening of social bonds. To the extent that we internalize the moral gaze of others, we find ourselves subject to feelings of guilt for moral transgressions, the first-person analog of blame. Guilt is a recognition that we have damaged relationships with others, and it also typically signals a fall in our self-estimation. It spurs us to make amends with those we have wronged, or if we cannot make amends, to seek their forgiveness, so that we might restore our relationship with them.

9. A person’s moral obligations are in some sense independent of his will and desires. This mark will seem to many people the most problematic for Social Requirement Theory, and yet I believe the theory can accommodate it adequately. Most obviously, as with legal obligations, a person cannot choose the demands that others make on her, and she may often have desires that run counter to those demands. Although there is a sense in which each person’s endorsement augments or diminishes the force of a demand in a culture, no individual can unilaterally determine the shape of the demands her culture makes on her.

“Not so fast,” says the skeptic. “All the motivations you discuss in connection with Social Requirement Theory for fulfilling one’s moral obligations depend on a person’s contingent concerns—the fear of ostracism, sympathy with one’s fellows, the voice of conscience, habitual respect for moral rules, and the like. So moral demands on SRT all turn out to be hypothetical imperatives, rules like, ‘If you don’t want to incur blame, then don’t steal candy from small children.’ But moral obligations, as we all
know, involve categorical imperatives, demands that make no reference to their addressee’s contingent desires, goals, and interests.”

There are at least two things to be said about this charge. First, it is simply wrong about the implications of Social Requirement Theory. The moral demands a culture makes are not contingent on their addressee’s desires or other contingent concerns. This objection, like much discussion of the distinction between categorical and hypothetical imperatives, elides the distinction between, on the one hand, the illocutionary force of an imperative and, on the other, the addressee’s reasons for complying. That a person’s only reasons for doing what he’s told are mediated by his contingent concerns does not imply that his being told to do it is merely a piece of advice or that it makes any appeal, even implicit, to those contingent concerns. In particular, the fact that an imperative comes with a threatened sanction for noncompliance does not make the imperative hypothetical or imply that its application is contingent on the addressee’s desire to avoid the sanction. This is especially obvious in the case of legal imperatives. If a judge orders you to be silent in his courtroom and threatens you with a fine if you are not, he is not simply offering a piece of prudential advice. His command is not buried in the hypothetical, “If you want to keep your $1,000, then be quiet in my courtroom.” His order is to be quiet, full stop. And if you politely explain that you have no desire to keep your $1,000, he won’t respond, “Then chatter away!” Similarly, the moral rules of a community do not typically make any reference to their subjects’ desires. The community does not say, “If you want us to treat you like a decent person in public, then don’t cheat on your spouse.” It says, “Don’t cheat on your spouse.” Of course, a morally uncommitted friend could offer you the former as a piece of prudential advice, but that would be a different action.
from making a moral demand. The fact that the consideration of a hypothetical imperative might reveal a reason for a person to comply with an unconditional imperative does not mean that the original unconditional imperative was really just hypothetical all along.

The second thing to be said in response to the categorical-imperative objection is that to the extent that Social Requirement Theory implies that a person’s obligations depend on her contingent profile of concerns—that is, that a person’s obligations depend on susceptibility to caring about how other people react to her—it does not follow that her obligations are loose or fragile. The kind of concerns morality engages are not arbitrary or whimsical. For example, the facts that we care about what other people think of us and that we sympathize with the distress of others are not facts that just happen to be the case, nor are they facts about ourselves that we could change by a simple act of will. The concerns that ground our reasons to discharge our obligations are deeply entrenched, widely shared, and socially reinforced. It is no exaggeration to say that for many people they are part of their self-understanding—it would be hard for people to imagine themselves without those concerns, and hence without their consequent vulnerability to paradigmatically moral reasons. The sense in which the concerns are contingent is a metaphysical sense of interest mostly to philosophers; it has little practical relevance for most people.¹⁹

Social Requirement Theory is compatible with at least the following three claims: First, a person cannot cancel his moral obligations at will. Second, a person’s desire not

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¹⁹ More will be said along these lines in Chapter Four below, where I consider the challenge posed by Richard Joyce’s argument for error theory, which relies heavily on the alleged categoricity of moral requirements.
to V does not cancel his moral obligation to V. Third, a person’s desire not to be morally obligated to V does not cancel his moral obligation to V. I believe these three claims secure enough desire- and will-independence for moral obligation to capture our prephilosophical understanding of it. I believe that demands for stronger independence conditions reflect philosophical commitments that are remote from ordinary moral life, but I will defer further consideration of the issue until Chapter Four.

10. **Moral obligations are socially inculcated and reinforced.** Social Requirement Theory readily accommodates this feature of moral obligations. Contentwise, a person’s moral obligations just are those actions a society finds important enough to demand of him. Although I have been talking all along about rules, standards, and the like, a society’s moral demands are not a literal list that might be lost, forgotten, or obscured from public view. They are woven into the fabric of everyday life, the focus of a much of a child’s earliest education, shaping virtually every peaceful human relationship, and informing virtually every social interaction.

More generally, we can note that Social Requirement Theory makes for a satisfyingly tight and transparent fit between the ontology of moral obligation and its epistemology. It is a notorious problem for many non-naturalist accounts of obligation that they make it obscure just how it is that people come to know what their obligations are. Positing a moral sixth sense to detect obligations or other moral properties smacks of ad hocery. Social Requirement Theory faces no such problem. Social demands are, by their nature, something made known. There is no mystery about how people come to know what is expected of them by others, and unlike with some contemporary realisms that identify values with natural properties, there is no mystery about how they come to
know that it is expected—the content and its status as morally requirement are learned simultaneously.

11. **Moral obligations depend, at least in part, on impersonal rules or standards.** This point, recall, is more about the nature of morality than about the nature of obligation. Morality involves standards that apply to everyone. Moral standards may specify relevant roles (e.g., parent, employee, confidant), but they do not pick out individuals by name. Likewise, moral judgments are made from a putatively impersonal standpoint that purports to transcend considerations of self-interest and personal taste that others cannot be expected to share. Social Requirement Theory accommodates these familiar points simply by writing them into the theory as a conceptual constraint on morality. While it is not a distinguishing virtue of the theory that it does so (since many other theories of moral obligation do the same), it is nonetheless easy to see why demands that were widespread enough to be social in the relevant way would also be impersonal in the relevant ways. The indisputable human need for social coordination makes a shareable, impersonal standpoint for appraisal and deliberation useful, even indispensable; Hume saw this clearly (cf. T 581-83, 591, 603).

12. **Only certain kinds of beings—persons, or entities composed of persons—can have moral obligations.** That is, lower animals, very young children, and certain kinds of mentally defective human beings cannot have moral obligations. Social Requirement Theory respects this fact, since society does not make demands of sub-personal beings. And this is not just a brute fact about the scope of society’s demands. The point of

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20 This is not to imply that personhood in this narrower sense is an all-or-nothing property. Obviously, it is something we grow into or (sometimes) dwindle out of, and the same is true of moral responsibility. I speak only of persons and non-persons in the text for brevity’s sake.
making the demands is to get their subjects to regulate themselves accordingly, and only persons in the relevant sense can realistically be expected to do so. Non-persons can sometimes be trained to display behaviors that mimic those we expect of moral agents, but they lack the cognitive sophistication to grasp and apply the abstract, variously realizable concepts ingredient in paradigmatically moral rules (e.g., innocence, property, honesty). They don’t understand the point of the restrictions on their behavior, and they aren’t full participants in the social economy that makes and enforces the restrictions.

In light of these twelve conceptual marks of moral obligation, Social Requirement Theory looks like a strong candidate for explaining the nature of moral obligation. No attempt has been made to show that it is a better candidate than its actual, much less its possible, competitors. But I hope that it at least appears to be a contender, one worth taking seriously in metaethical discussions.

1.6. Objections and Replies

To further bolster its credentials, I want to conclude this chapter by examining some likely objections to Social Requirement Theory. If the theory can be successfully (or at least plausibly) defended from important objections, its claim to our attention will be all the stronger. At the least, considering objections may help to make the implications of the theory clearer.

Objection 1: Social Requirement Theory does not make good sense of moral deliberation from either the first-person or third-person perspective. We often wonder whether we or others are morally obligated to perform (or refrain from) some possible action. But when we pose this question, we are not wondering whether enough other people would blame us if we did not perform (or refrain from) it. It is not a question that
can be settled by an empirical study of public attitudes or dispositions, whereas SRT suggests that the question could be settled in this way.

Reply 1: I want to deny that Social Requirement Theory has this implication, but first I want to distinguish this issue from one with which it might easily be confused: the issue of what is going on when we decide what we or others should do. Most often when morality engenders a sense of practical uncertainty, it is not because we do not know what morality requires. It is, rather, because we know all too well what morality requires, and we feel the pull of other strong reasons (or desires) in contrary directions. We are trying to decide what we have most reason to do, all things considered (or, less ambitiously, we are trying to decide what we will do in light of all the considerations, moral and nonmoral, of which we are aware). Pretty clearly, when we deliberate about what we or others should do, all things considered, we are not asking what other people would blame us for not doing. But equally clearly, SRT is not a theory about practical reason or reasons or reasoning as such; it is a theory only about the nature of moral obligation. It does not license conclusions about what anyone should do or not do, all things considered. The objection as stated does not succumb to this confusion; it focuses only on deliberation about the content of one’s moral obligations—fair game for assessing SRT. But I emphasize the distinction between the two kinds of deliberation here because I think the general “What-should-I-do?” style of practical deliberation is more common than the “What-am-I-morally-obligated-to-do?” style, and I don’t want the objection to gain traction in anyone’s mind due to a confusion of the two styles of deliberation, only the latter of which is properly at issue.
What, then, if anything, can Social Requirement Theory say about the content of deliberation about moral obligation? I grant the objection’s point that it would be a strike against the theory if it implied that deliberation about one’s moral obligations (hereafter, *moral deliberation*\(^{21}\)) is deliberation about the prevalence of dispositions to blame among the members of one’s culture. But I deny that the theory implies this. To make this denial plausible, I need to sketch alternative contents for moral deliberation compatible with SRT. I suggest that one common form of moral deliberation involves attempting to apply acknowledged abstract moral requirements to particular situations. It is sometimes unclear in practice what is required to (say) respect one’s parents or help the needy. So one acknowledges that one has a certain general sort of moral obligation but puzzles about how to satisfy it in the circumstances; this sort of puzzlement typically arises over what philosophers have dubbed one’s *imperfect obligations*, which are also (as it happens) typically one’s positive obligations—obligations to perform rather than to refrain from an action. This type of deliberation is compatible with SRT’s claim that the general rules that one is attempting to apply morally obligate one in virtue of their being demanded by one’s culture.

A second type of moral deliberation involves attempting to resolve apparent conflicts among one’s moral obligations. These conflicts also arise because moral rules are often quite general, and when their practical implications are worked out for a specific situation, they may seem to pull against each other. For example, one may

\(^{21}\) It is important to note my stipulative limitation of this phrase to deliberation about moral *obligation*, since there are many other sorts of deliberation that we would ordinarily think of as moral. For example, one might deliberate about what it would be morally optimal for one to do, or what would best conform to one’s moral ideals, or what a person with certain virtues would do; in none of these cases need one feel that one’s conclusion identifies what one is strictly *obligated* to do. Yet it is only deliberation concerning one’s obligations that is at issue for Social Requirement Theory.
believe that one is obligated both to refrain from lying and to refrain from hurting someone’s feelings. Yet one may find oneself in a situation in which one is pressed for an opinion, and giving one’s honest opinion is sure to hurt someone’s feelings. Whether we describe the task here as determining one’s true obligation or determining one’s strongest obligation, it is compatible with the claim that both of the *prima facie* obligations in apparent conflict owe their status as moral obligations to the demands of one’s culture.

These two types of deliberation do not exhaust the varieties of possible deliberation about one’s moral obligations, but they suffice to show that Social Requirement Theory does not restrict such deliberation to empirical questions about the attitudes or dispositions of one’s surrounding culture.

It may be worth pointing out a general feature of the Social Requirement view on which my reply thus far depends—namely, that there is a distinction between the dispositions to blame that constitute the sanction for an obligating rule and the rule supported by such sanctions. The rules wouldn’t be rules if they weren’t backed by sanctions, but once they are, they are an independent focus for moral deliberation. That this maneuver is not *ad hoc* is suggested by the parallel we find, once again, with legal obligations. The law would not be what it is without the regime of sanctions supporting it, but once it is established, both first-person and third-person deliberation about a person’s legal obligations can occur, indeed normally *does* occur, with a focus on the law itself, and not on the sanctions backing it.\(^\text{22}\)

\(^{22}\) By contrast, when the content of legal obligations is clear but the question is of what to do all-things-considered, the sanctions attached to legal demands may loom much larger in the deliberative landscape.
But what of cases where it is moral principles themselves that are the subject of deliberation? Might we not sometimes deliberate about what the correct moral principles are? Surely in such cases we do not advert to surveying public opinion. Actually, it is not clear to me how often we really are in doubt about the most fundamental moral principles, as opposed to how to specify, apply, and rank them. But suppose that sometimes we are; still, Social Requirement Theory does not imply that proper deliberation would consist in public opinion research. We are, each of us, members of the relevant public, and if we are acculturated and moralized thoroughly enough to worry about the correct moral principles in the first place, we are also practiced in deliberating from an intersubjective perspective. Whether through some variant of the golden rule or Hume’s common point of view (T 591) or Smith’s impartial man within the breast (III.i), most of us are reasonably adept at discerning how other people will respond to our actions by thinking about how we ourselves would respond to them from some suitably disengaged perspective. The paradigms of moral reflection that we already accept point us to principles to which other people are likely to hold us. Perhaps the right kind of social science could shed some light on the moral obligations that bound members of a given community. But we have reasonably accurate and far more feasible methods of moral deliberation that reveal much the same thing.23

Objection 2: Social Requirement Theory does not make good sense of moral conflict. It is a notorious fact about modern liberal cultures that people often disagree vehemently about what morality requires. Yet if a culture’s moral rules were those that virtually everyone in the culture endorsed, we would not expect there to be such

23 Thanks to Michael DePaul for pressing this form of the objection and suggesting this style of response.
widespread controversy. And what is at issue in such controversy is, again, not the empirical question of what rules most of the members of a culture actually endorse.

Reply 2: Moral conflict comes in many flavors, so I do not propose a single explanation of what it involves. Once again, my task is simply to provide some possible explanations that are both plausible in themselves and compatible with Social Requirement Theory. First, obviously, some of what I have said in response to the first objection applies to moral conflict just as much as to moral deliberation. Sometimes the parties to a moral dispute agree about the relevant general moral principle but disagree about how the principle applies to a more specific situation (or type of situation). Likewise, the disputants may disagree about the proper priority rankings of conflicting principles that are all endorsed by the society.

Second, not every moral or political controversy is properly characterized as a dispute about the content of moral obligations. Often what is at issue is not what anyone is obligated to do, but rather what someone should do, either in an all-things-considered way, or to be true to certain values that some of the disputants hold dear. We may oppose a person’s actions as inimical to our interests or our values without supposing her to have violated any of her obligations.

Third, even when moral controversies involve the threat of blame characteristic of obligating demands, there may not be any settled moral obligation at stake. The controversy itself, if it is widespread enough, may undermine the universality of the demands that I have said are ingredient in moral obligations. The demands that cultures make vary, not only synchronically between cultures but diachronically within cultures. Social demands come into and go out of existence, but they do so gradually, gaining and
losing momentum over stretches of time in which it may be unclear what a person’s obligations are. Fifty years ago American culture more or less agreed that sex outside of heterosexual marriage was wrong; today many Americans continue to endorse that norm as a moral demand, but many do not. Sexual expectations are changing, and Social Requirement Theory implies that the moral obligations of Americans are changing with them.24 One way to understand what is occurring in some moral disputes is that the disputants are arguing over what the shape of moral obligations will be rather than over the correct description of the current shape of moral obligations. This understanding may be at odds with the self-understanding of some of the disputants. But the disputants may simply be wrong about what is really at stake in a conflict. Moreover, many actual moral and political controversies are not, like the sanitized arguments of the philosophy seminar, about the correct description of some action or policy. They are practical disputes about what will be done. They may involve making demands or reasoning with others from acknowledged obligations, but they are not primarily about what a person is now obligated to do.

In connection with this third point about the evolution of moral obligations over time, if Social Requirement Theory is right that obligations are the products of the interactions of certain social mechanisms with human psychology, it is worth asking whether some cultural conditions are more fertile soil for moral obligations than others. I suspect the answer is yes. Specifically, I suspect that cultures (anti-cultures?)

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24 This is on the questionable simplifying assumption that America defines the relevant culture for Americans. Some Americans’ lives may be culturally defined by smaller, more homogenous cultures within America in which sexual expectations (and hence, for the purposes of members of those cultures, moral obligations regarding sex) have not changed materially in the last 50 years. Likewise, some Americans may identify with international or transnational cultures such that even a consensus on sexual ethics within this country would not generate the force of an obligation for them; I say more below about the effect of mobility and cultural permeability on moral obligation.
characterized by social and geographic mobility, by voluntaristic, impermanent relationships, and by liberal ideals of privacy, tolerance, and diversity will make fewer and weaker demands on their members than will cultures that are more rooted, socially stable, and intrusive. Call these two types of culture, which are obviously points on a smooth continuum, “progressive” and “traditional,” respectively. Social Requirement Theory might predict that members of progressive cultures will generally have fewer and weaker moral obligations than members of traditional cultures. A culture that is changing from traditional to progressive will include members who remain loyal to the older culture’s more restrictive moral rules. To such people, the evolution will appear as a cultural decline: fewer and fewer people will obey or care about what the traditionalists still regard as the culture’s moral rules. According to SRT, it would be more accurate to regard the change as a recession of morality: as the culture’s mores change, so do its moral rules, colonizing a smaller area of life than they once did. It is a further question whether such a recession of morality might weaken a culture. The question is complicated by the facts that the identity conditions of a culture are hard to track (surely the moral rules themselves play a nontrivial role), that any deleterious effects of moral recession may emerge only gradually over a long span of time, and that technologies of surveillance and physical control make it increasingly possible to replace informal moral restraints with formal legal ones. And there are other important questions in this neighborhood. I simply note here that SRT gives such issues an urgency they might not seem to have to philosophers who regard the sociology of moral belief and practice as irrelevant to the content of moral obligations.
One final point about the second objection: It is a curious feature of public moral and political controversies that the contending factions often adduce public opinion as evidence for their claims. Philosophers typically dismiss such appeals as a regrettable confusion between what is the case (public opinion) and what ought to be the case (the content of moral obligations); a bit of this spirit may be lurking behind the objection. But if Social Requirement Theory is right, perhaps it is the philosophers, not the vulgar moralizers, who have misunderstood the nature of moral obligations.

**Objection 3:** Social Requirement Theory does not make good sense of moral criticism of one’s own culture. Individuals sometimes reject the moral standards of their cultures as morally benighted—either for what they permit (e.g., slavery), what they prohibit (e.g., homosexual conduct), or what they require (e.g., suttee). Bracket the issue of whether whole cultures really are sometimes wrong about morality (to be considered below). If SRT is correct, it doesn’t even make sense to pose the question; moral criticism of one’s culture should be impossible. Yet it obviously is possible. So SRT can’t be the correct way to understand morality.

**Reply 3:** Social Requirement Theory is a theory about the nature of moral obligation. It is not a theory about the meaning of moral-obligation language or the intensional content of the concept of moral obligation. It is compatible with the theory that a person could become fluent in the use of the concept of moral obligation and yet hold mistaken beliefs about the nature of its extension—hold, e.g., that the members of her culture were beholden to moral demands from a source outside of it when in fact they were not. So SRT can allow that individuals might make moral-obligation claims against their cultures.
Social Requirement Theory also accommodates several forms of moral criticism of their culture even by those who accept the theory’s claims about the nature of moral obligation. First, individuals may criticize one aspect of their culture’s moral demands as inconsistent with another aspect of that same culture’s moral system. Indeed, to the extent that the critics aspire to be moral reformers, they will inevitably appeal to moral demands or ideals that the members of their culture already accept—their criticism will be piecemeal, not wholesale. Second, since a culture’s more general moral demands become elaborated into more specific demands through interaction with nonmoral beliefs, individuals may criticize some aspect of their culture’s moral code as based on false nonmoral beliefs. For example, a culture’s ban on interracial marriages may depend on the belief that members of one race are of lower average intelligence than those of another race, or that children from racially mixed marriages will be unhealthy. A critic may urge the members of his culture to change their demands in this area by challenging the truth of the relevant shaping beliefs, not by rejecting the culture’s entire background of moral norms. Third, a critic may challenge his culture’s moral demands directly on moral or nonmoral grounds—but not by claiming that the culture is violating any supercultural obligation. He might claim that some widespread prohibition is cruel, or that it endangers the culture, or that it is a product of class interests. He may try to convince others to quit endorsing the prohibition without convincing them that they are obligated to do so. He may give people straightforward reasons to start or stop blaming a certain sort of conduct without suggesting that they are morally obligated to start or stop blaming it.
And there may be other forms of recognizably moral criticism of a culture by one of its members compatible with Social Requirement Theory as well. It should be clear that the theory does not render such criticism unintelligible. More generally, the kinds of moral criticism countenanced by SRT also allow it to make sense of the possibility of improvements in a culture’s moral code—not as a function of closer approximation to some preexisting transcultural moral code, but rather as a function of greater internal coherence, the removal of the effects of nonmoral errors, or the closer approximation of the code to whatever other human interests or ideals inform the standpoint of appraisal.

Objection 4: Some of a culture’s judgments about moral obligations may be objectively wrong. For example, the members of a Nazi culture are morally obligated not to kill innocent Jews even if they fail to recognize that obligation. Since Social Requirement Theory makes a person’s moral obligations depend on the demands of his culture, it cannot admit such facts.

Reply 4: This will seem to many skeptics to be the most serious indictment of Social Requirement Theory. I want to address it by considering the kind of case the objection presses in more detail. I will try to elaborate a situation akin to that of the Nazis, but idealized so as to present the most pointed challenge to SRT. To anticipate: I will conclude that the theory must bite this bullet, but that doing so need not be fatal to the theory.

Imagine a self-sufficient human community isolated from all others. Perhaps the community’s founders colonized a distant planet generations ago, and we have lost the ability to reach them. We still have the technology to observe them, but we can’t communicate with them or influence them in any way. We observe that a weak minority
of this community have become subjugated to the majority. The majority treat the minority as expendable inferiors. Some they use as slaves in life-shortening labor, some they hold as concubines, and some they bully and torture for their own sadistic amusement. Let the majority’s treatment of the minority be as brutal as you like—combining, perhaps, the worst features of chattel slavery with the horrors of the Nazi death camps. The moral code of this community reflects, naturally, the majority’s understanding of their own interests. It includes a sharp distinction in the way members of the two groups may be treated, and it does not condemn any of the brutalities visited upon the minority by the majority. The code is stable over time and consistent enough that members of the majority feel no pressure, even upon reflection, to alter it. They also feel no compunction about the way members of the minority are treated; they have no desires or interests that would be served by changing or defying the code. Members of the minority hate members of the majority, but they are powerless to change anything; lacking moral or legal recognition, they have no social standing from which to mount a challenge.

Now suppose that a member of the majority has a whim to do something truly horrifying to one of the members of the minority over whom the culture’s code recognizes her to have life-and-death power. Borrowing from the scrapbook of Ivan Karamazov, suppose she wants to release a small minority child to be chased down and devoured by her favorite, hungry hounds. None of her fellow majority culture members would bat an eye at her action, although some might enjoy joining her on the balcony to watch. We, her interplanetary observers, are revolted by her unfolding plan, but of course we are powerless to stop her, or even to make known to her our disgust. She is
not so much as aware of our existence. By hypothesis, we inhabit a naturalistic universe with no supernatural persons or forces to demand that she not sacrifice the child. Given her upbringing, the woman feels no pangs of conscience at the prospect of the child’s death; she regards it as an innocent amusement, much as we might regard watching a soccer match or a fireworks display.

We now confront two questions: (1) According to Social Requirement Theory, is the woman morally obligated not to sacrifice the child? (2) Is the woman morally obligated not to sacrifice the child? Obviously, contradictory answers to these questions would imply that SRT is an inadequate account of moral obligation. Take the first question first. It seems clear that on SRT, the woman is not morally obligated not to sacrifice the child. There is no rule established by a personal authority and backed by threat of sanctions that requires the woman not to sacrifice the child. There is no possible negative consequence, self- or other-imposed, that the woman would face for her action, and we can suppose she is aware of this. Could we, her interplanetary observers, take ourselves to be making demands that obligate her, for purposes of SRT? I think not. According to the theory, only demands that are pervasive enough in a person’s social milieu so as to be practically inescapable for the person are able to morally obligate the person. Far from being inescapable, our putative demands are not even knowable by the woman. In fact, there are subtle reasons, akin to those explored by Philippa Foot about the nature of moral approval and disapproval (VV 189-207), to doubt that we, situated as we are, can even make demands on someone in the woman’s position, much less demands that obligate her. Roughly, the grammar of demanding may be such that demands can be issued only by those who can be expected to have some standing with
those of whom they make demands—demands may not be simply a function of the internal attitudes of the people using the words that constitute the putative demand. If I, a lowly philosophy student, send a letter to the Queen of England saying, “I demand that you sign over the deed to Balmoral to me at once!”, I have not demanded that the Queen give me a castle. I have merely written something crazy. I can no more make a demand of the Queen than I can annul her marriage or prescribe an exercise regimen for her. I lack the social standing needed to do any of those things. At any rate, whether one accepts this point about the grammar of demanding or not, the kind of putative demands we could issue to the woman we are now imagining are not the sort of communally ubiquitous and enforced demands that generate moral obligations according to SRT; separated as we are from her, our demands contribute nothing to her practical reasons. So the objector is right about the implication of the theory at this point.

But now we confront the second question: Is the woman in fact morally obligated not to sacrifice the child to the hounds? It is not obvious that she is. She is cruel and depraved by our standards, and if we could reach her, we would do everything possible to save the child. We might also lash out at the woman in dramatic ways. And if she were part of our culture, subject to our expectations, there would be good sense to be made of the thought that she was obligated—bound—not to sacrifice the child. (Indeed, if she were part of our culture, it is hard to imagine the issue arising, since she wouldn’t be apt even to entertain such a ghastly possibility. Civilized people—that is, successfully socialized people—spend most of their lives within the bounds of their society’s expectations, not noticing them at all, much less feeling them as constraints.) But it is not clear how the woman in the circumstances described is supposed to be bound not to
sacrifice the child. What binds her? No one demands of her that she not sacrifice the child. There is no human or divine law or rule that she is breaking in doing so. There are no possible negative consequences for her action. There is nothing she could recognize as a reason, even upon reflection, that counts against sacrificing the child. It is at best obscure how someone in the woman’s position could be morally obligated not to do what we strongly wish she would not do. Moreover, I, on reflection, do not find myself inclined to say she is morally obligated not to do it. Whether this reflects a common sensibility, the distorting effects of enthusiasm for a pet metaethical theory, or some personal idiosyncrasy, I do not know. In any case, I am not convinced there is even an apparent moral fact here for Social Requirement Theory to need to explain away. It is, I think, in part the blank mysteriousness and pointlessness of insisting that someone in the woman’s position would be violating a moral obligation that makes Social Requirement Theory attractive to me in the first place. To the extent that there are nonetheless people who are prephilosophically but on reflection inclined to make that claim, I refer back to my previous attempt to neutralize the alleged costs of exempting socially apathetic people from moral obligations. Here we are dealing not with a socially apathetic person, but rather with someone who is socially engaged in a wicked society. And what may be most maddening to us is that the person is utterly beyond the reach of our influence. We are impotent to stop her or even to make our outrage known to her. All we can do is watch in horror as her nauseating plan unfolds. But our ascription to her of a moral obligation changes nothing. Nor, I think, are our horror at her action and our wish to be able to stop her reactions to the putative immorality of her action. And if we avert our eyes from the carnage, it is not because we cannot stand to look upon a moral obligation flouted. It is
our sympathy with the child’s terror and pain as well as our culturally elaborated habit of treating human life as precious that account for our disgust with the woman’s character and action. I do not offer this as evidence that there isn’t a moral obligation being violated here; I offer it instead as an alternative self-understanding for people who might initially be inclined to interpret their strongly negative reaction to the spectacle described as a judgment that the woman was violating her moral obligation. For if it turns out that we aren’t on reflection inclined to describe the case as one of a moral obligation being violated, there will no longer be a datum counting against SRT’s verdict that the woman is not morally obligated not to sacrifice the child.

Obviously I have not attempted to prove, much less have I proven, that the woman is not morally obligated not to sacrifice the child. I have instead merely attempted to make it appear unobvious that she is so obligated—and that is enough to keep Social Requirement Theory in the metaethical game. Perhaps there are good first-order moral arguments to show that the woman really is obligated not to sacrifice the child. I will not attempt to canvass such arguments here, noting only that the original objection was presenting that conclusion as a self-evident datum, which I believe it is not. I conclude that it is not self-evidently true that some of a culture’s judgments about moral obligations may be objectively wrong in the sense of contradicting supercultural moral requirements, and hence that the fourth objection is not (yet) fatal to SRT.

This concludes my sketch of the Social Requirement Theory of moral obligation. I have shown that it provides an account of the nature of moral obligation that preserves important parallels with the less controversial nature of legal obligation. I have shown that the resulting picture of moral obligation is reasonably well-suited to fill the
conceptual role marked out by features widely recognized as characteristic of moral
obligation. And I have tried to enhance the plausibility of the view by defending it from
several likely objections. I emphasize again that my goal has not been in any sense to
prove that SRT provides the correct account of the nature of moral obligation. My
tentative working hypothesis is that it does, but all I have aimed to do here is to put it on
the table as a view worthy of further examination alongside more familiar metaethical
alternatives. In the next chapter, I consider whether and in what sense Social
Requirement Theory should be construed as a version of realism about moral obligation.
CHAPTER TWO

SOCIAL REQUIREMENT THEORY AND MORAL REALISM

Obligations are bonds—rational bonds. Specifically, they are the reasons that people have to comply with the demands that others make on them that are generated by those demands. Moral obligations are the reasons people have to comply with the demands of their cultures that are generated by those demands. Mature agents may have many reasons to comply with the demands of their cultures, including reasons grounded in motives that are not straightforwardly self-interested. But central to the character of obligations as externally imposed demands is their connection to our fear of sanction should we flout them—in the moral case, our fear of censure or rejection. This, at any rate, is the view I have presented in Chapter One as Social Requirement Theory. It is a thoroughly naturalistic understanding of moral obligations, requiring nothing more than human beings with their actual concerns and social practices to generate obligations. Students of metaethics may wonder: Is it a form of moral realism? Or some form of anti-realism or irrealism?

Unfortunately, there is little or no consensus among philosophers about what these portentous questions mean. Intuitively, it seems, they are asking whether morality is real. Since Social Requirement Theory is not a theory of morality per se, but only a theory about the nature of moral obligation, perhaps the questions should be restricted to whether SRT is a form of realism or anti-realism about moral obligation. Taken at face
value, the answer to this question seems to be that SRT is a form of realism. It is an account of where obligations come from. It does not show obligations as such to be illusory. To the contrary, if it is correct, the psychological and social materials from which obligations emerge are so uncontroversially real that the reality of obligations seems secure. No one doubts that people make demands of each other, sometimes collectively, and that they often comply with these demands out of a well-founded concern for the consequences, including their social standing. Few people would doubt that those who have such a concern have a real (even if defeasible) reason to comply with the relevant demands.

Would that the realism question were so innocent. The question as posed by philosophers is often freighted with much theoretical baggage. It may be foolish to try to unpack the question at all in the compass of a short chapter, much less to try to answer it. I will not attempt to canvass the truly massive, intricate literature bearing on moral realism and anti-realism. But I believe that considering this issue at least schematically will help to clarify further the nature of Social Requirement Theory and may even provide some heuristic insights into the significance of the realism/anti-realism distinction in philosophy. I proceed in three stages: First, I borrow from the recent work of Christian Miller to sketch what might fairly be called the standard view of moral realism. Second, I attempt to show that SRT has decent realist credentials on this somewhat demanding construal of realism. But third, I argue that even if SRT turns out to be a form of anti-realism, little of human importance hangs on the standard metaphysical distinction; the philosopher’s senses of realism and anti-realism are far removed from the our ordinary working notions of the real and the unreal.
2.1. Metaphysical Moral Realism

The naïve understanding of realism I began with above might explicitly be characterized this way:

(N): Realism about X is true iff and because X exists.

This is what might be called a metaphysical characterization of realism: it construes realism as a doctrine about existence. Given the ordinary prephilosophical understandings of real and unreal, it might seem obvious that realism would be a metaphysical position. But it turns out that there are almost as many different characterizations of realism as there are philosophers writing about it, and many of the most influential contemporary characterizations are not metaphysical. Christian Miller has helpfully identified three other broad styles of formulating realism: semantic, epistemic, and explanatory (see, generally, Section 2 of CR). I will briefly explain each of these non-metaphysical approaches and why a metaphysical approach seems preferable to it before explaining Miller’s own way of characterizing metaphysical moral realism, which is more complex than (N).

Semantic construals treat realism as a doctrine about the properties of sentences or propositions. According to Miller, the “rough thesis” is:

(S): Realism about X is true if and only if, and because, certain claims which putatively refer to X are true (given a certain theory of truth) and/or meaningful (given a certain theory of meaning). (CR 100)

One prominent semantic formulation of realism is Geoffrey Sayre-McCord’s: “Wherever it is found, I’ll argue, realism involves embracing just two theses: (1) the claims in question, when literally construed, are literally true or false (cognitivism), and (2) some are literally true. Nothing more” (5). Restricted to any particular domain, including the
moral, this criterion would need significant elaboration. In particular, we would need a way to identify some relevant subclass of claims, the literal truth of which would justify realism about the domain. After all, there are many claims about morality that a moral anti-realist like J.L. Mackie would affirm as literally true—for example, that one is not morally obligated not to inflict pain on innocents, that one is not morally obligated to tell the truth, and that one is not morally obligated to help the needy. Without spelling out an adequate criterion for relevance in detail, we can see that the claims at issue must be positive in some intuitive sense, implying rather than denying the existence of moral entities, properties, or statuses.

Miller offers several objections to semantic formulations of realism (CR 102-06). I believe his objections are less than decisive, but it is not necessary for my purposes here to evaluate them in detail. As my commentary on Sayre-McCord’s formulation suggests, it appears that a satisfactory semantic formulation of realism about a domain D will not concern itself with just any D-discourse; it will focus on D-discourse bearing on the existential commitments distinctive to D. It will, in other words, focus on the semantics of metaphysically weighty D-sentences. But then the emphasis on semantics seems needlessly indirect. When we raise questions of realism with respect to D, we are asking about the subject matter of D, not about the semantic properties of the D-discourse that putatively refers to that subject matter. As Miller puts it, “a realist should be interested in the nature of reality first, and care only derivatively about how we are able to successfully refer to it” (CR 19). So I share his conclusion that all else equal, metaphysical formulations of realism are preferable to semantic formulations.
**Epistemic** construals of realism focus, as the label suggests, on our epistemic access to a given domain. Miller’s “rough thesis” for epistemic versions of realism is:

\[(EP): \text{Realism about } X \text{ is true if and only if, and because, certain epistemic relations can obtain between human beings and } X. \quad (CR \ 100)\]

Mark Eli Kalderon provides a recent statement of this view in the moral realm. According to Kalderon,

moral realism is an epistemological posture or stance that is articulated, in part, in terms of the commitments embodied in our use of moral language. Specifically, according to a moral realist, he is justified in believing the propositions expressed by at least some of the moral sentences that he in fact accepts. So understood, the varieties of moral irrealism are special forms of moral skepticism. (96; see also 144)

We can note initially that this formulation will need some specification of the content of the relevant moral sentences akin to that needed by Sayre-McCord’s formulation above—for a moral error theorist will believe that he is justified in believing some of the moral sentences that he accepts, including those that deny the existence of various moral properties, entities, and statuses. Already, this suggests that the issue of epistemic justification may be orthogonal to the real question, which is again about the nature of the subject matter of the belief, not the believer’s relationship to it. Moreover, as Miller points out, it seems that one could accept that there is a fact of the matter about a certain domain without supposing that we have yet discovered it, or even that we ever will (perhaps due to contingent limitations of our spatiotemporal location or cognitive abilities) (CR 106-07). Intuitively, it seems that this stance should count as a version of realism about the domain, even though it does not by epistemic criteria. Again, it seems that the central issue with respect to realism is the nature of reality, not our access to it, so that metaphysical formulations are preferable to epistemic formulations.
Finally, *explanatory* characterizations make realism about a domain depend on the explanatory contribution of the domain or its constituents. Miller expresses the “rough thesis” of explanatory formulations as:

(EX): Realism about X is true if and only if, and because, X is ineliminable from our best explanation(s) of certain phenomena in that domain. (CR 101)

Simon Blackburn’s metaethical views are notoriously difficult to pin down, due largely to his determination to make virtually all paradigmatic expressions of moral realism available to the paradigmatically anti-realist stance he variously calls projectivism, expressivism, and non-cognitivism. Nonetheless, Blackburn could be read as working with an explanatory conception of realism when he claims that “[projectivism about ethics] is visibly anti-realist, for the explanations offered make no irreducible or essential appeal to the existence of moral “properties” or “facts”; they demand no “ontology” of morals” (EQR 175). This statement is at least consistent with a construal of moral realism along these lines: Moral realism is true iff and because moral facts or properties are ineliminable from our best explanations of human moral speech and practice. Because Blackburn believes he can best explain our moral speech and practice without reference to moral properties, entities, or statuses (EQR 154-55 and passim), he counts himself a moral anti-realist, albeit an anti-realist who has earned the right to say anything a realist would want to say (EQR 34).

It seems plausible that explanatory usefulness might be a partial criterion for the realist credentials of a domain, at least for those with suitably sophisticated views about the relationship between explanation and ontology. But again, it does not seem that sophisticated views about explanation are *constitutive* of a realist stance (cf. Miller CR 108). For surely one could coherently believe in the full-blooded reality of something
without having any views about its explanatory significance. One might even, in the manner of some fideists, be committed to the existence of something while believing it had no role to play in one’s best explanations of any phenomena, perhaps because of contingent limitations of one’s explanatory abilities. Intuitively, it seems that these should count as realist stances toward the entity or domain in question. Questions of existence—of metaphysics—again move to the foreground.

As Miller points out, there are also various mixed construals of realism combining elements of the metaphysical, semantic, epistemic, and explanatory approaches. But these mixed formulations inherit the same weaknesses as the purer forms of their ingredients. It is the metaphysical conditions, when present, that seem to bear the weight, and the other conditions derive whatever relevance they seem to have from their metaphysical implications.

This survey is obviously too brief and schematic to do justice to the ever expanding array of interpretations of realism, many of them highly nuanced. But hopefully it suffices to motivate Miller’s sense, which I share, that realism is most naturally construed as a doctrine of metaphysics—a doctrine about what exists. Thus construed, realism about moral obligations claims that moral obligations exist. So will the naïve formulation of realism with which I began suffice after all? Possibly, by my lights—more on that in 2.3 below. But for better or worse, the jargon of realism has already been colonized by a more demanding style of view that adds to the existence condition a further mind-independence condition. The alleged problem with the naïve formulation is, in Miller’s words, that “it is far too permissive—it lets far too many anti-realist views count as forms of realism” (CR 109). Miller cites subjectivism, relativism,
constructivism, phenomenalism (about physical objects), and quasi-realism as examples of anti-realist views that could nonetheless affirm the bare existence of items in the disputed domain. To determine what exactly each of these views amounts to with respect to moral obligation and whether it really deserves to be classified as a form of anti-realism would take us unnecessarily far afield for present purposes. Suffice it to say that Miller’s view that realism requires more than mere existence represents a near-consensus among philosophers working on these issues. And the more that is required is typically taken to be some sort of mind-independence. Here, for example, chosen almost at random, is Amie Thomasson: “The minimal core of ontological realism is the position that something exists independently of all mental states” (581). Stating this mind-independence condition precisely is tricky, since it should be possible to be a realist about mental states themselves or about at least some of the causal products of intentional action. Fortunately, Miller has painstakingly formulated metaphysical realism in a way that accommodates the intuitions typical of mind-independence theorists. Rather than trace the steps by which he arrives at his final formulation (CR 109-116), I will simply state it and comment briefly on its significance.

Here, then, is Miller’s preferred understanding of realism:

\[(M+)\]: Realism about X at time t is true iff and because:
(i) X exists at t [and]
(ii) The existence and nature of X do not at t exhibit counterfactual dependence on any intentional attitudes or conceptual schemes had by human beings at t in the actual world which pertain to X so that, in the nearby worlds in which human beings at t have different intentional attitudes or conceptual schemes from those in the actual world which at t pertain to X, it is the case that:
(a) The existence and persistence conditions of X at t do not result to any extent from any conceptual schemes which pertain to X in the actual world at t [and]
Clause (i) requires no explanation; it is the condition we have already encountered in the original naïve formulation of realism above. The nuanced clause (ii) attempts to spell out the relevant sort of mind-independence. Very crudely, its point is that realism about $X$ is true at a time only if $X$ is what it is regardless of what anyone thinks of it at that time. This much is clear from the first half of (ii)’s main clause. But what of the second half, from “so that” on, with its talk of the actual world and nearby worlds? These qualifications are intended to exclude from counting as realist theories that make the existence or nature of things depend on our attitudes, but that privilege our actual attitudes and so deny that the target domain would be different if our attitudes changed. The elaborate “so that” clause with its (a) and (b) subclauses basically says that realism about a target domain is true only if both that target domain would be what and as it is even if people had different attitudes about it and that its so remaining would not be a function of the actual attitudes people have about it.

So the received way of understanding metaphysical realism identifies two individually necessary and jointly sufficient conditions for the truth of realism about a domain: first, the domain must exist, and second, its existence and nature at a given time must not depend on what we think of it at that time. I will accept Miller’s formulation of realism as adequate for present purposes. We get conditions for realism about moral obligations simply by substituting “moral obligations” for “$X$” throughout. Let us call this formula, which I will not spell out here, (MO).
2.2. The Realist Credentials of Social Requirement Theory

We are now in a position to consider whether Social Requirement Theory should be classified as a form of realism about moral obligations. I believe there is a strong but not conclusive case that it should be. According to Social Requirement Theory, moral obligations are reasons that people have to comply with the general demands made on them by their cultures in virtue of those demands. We can check the realist credentials of SRT by considering whether such reasons meet the conditions specified by (MO).

Begin with (i), the existence condition. I shall simply assume without argument that typical human beings have at least some genuine reason to comply with the demands of their cultures in virtue of those demands having been made. No one can seriously deny that most of us have a strong, stable interest—whether interests are understood objectively or subjectively—in remaining in the good graces of our fellows. Insofar as complying with the general demands of our culture is necessary to do so, we therefore have a reason to comply with such demands. This is not to suggest that one always has most reason to do what one’s culture demands; SRT claims only that moral obligations are reasons for action, not that they always trump competing reasons. I have said more in Chapters One and Four about the character and psychological grounding of such reasons. Richard Joyce’s argument for moral error theory may be taken as a challenge to SRT’s ability to meet the existence condition, and my extended treatment of this argument in Chapter Four bears on the matter.

The more pressing question, in my view, is whether obligations as characterized by SRT can satisfy (ii), the mind-independence condition. At first glance, it might seem that they cannot. After all, according to SRT, obligations are generated by actual
demands, such that changes in the demands a culture makes of its members—i.e., changes in the demands the members of a culture collectively make of each other—would bring about changes in the members’ moral obligations. Moreover, it seems the existence of demands does depend on the intentional attitudes people take toward them. That is, one person makes a demand of another only if the first person intends to make the demand. If a person withdraws a demand, the demand vanishes—and this is not merely a causal consequence. The existence and content of the demand are constituted by the intentional activity of making it. So it looks like the existence and nature of moral obligations are as dependent on the intentional attitudes of human beings as anything could possibly be.

However, this appearance may deceive. It is the demands a culture makes on its members that depend on the intentional attitudes people take to the demands. But obligations as characterized by SRT are not identical to demands, even if they may be generated or even constituted by them. Obligations are practical reasons. And it is not necessarily true that the existence or nature of practical reasons depends on the intentional attitudes people have toward them. It is entirely possible that there is a reason R for a person S to V even if neither S nor any other person believes that R is a reason for S to V or has any attitude at all regarding R. That is to say, people may be ignorant or in error about the practical reasons that they themselves as well as other people have. Motivational failures aside, people may be mistaken about facts bearing on their practical reasons, such as the importance of certain projects or attachments to their identities, or the existence or effectiveness of various means to their acknowledged ends.
But could people be ignorant of the practical reasons generated by cultural demands? It seems to me the answer is yes. It is easy enough to imagine a person being ignorant of his own reasons to comply with a cultural demand. He might be ignorant of the content of the demand or of the specific application of a general demand to his present situation. He might be ignorant of his chances of being discovered should he fail to satisfy the demand or of the likely sanctions if he were to be discovered. He might be ignorant of how the likely sanctions would affect him, for example, of how much he cared about the respect of other people or even depended on their goodwill for his physical wellbeing. Such ignorance might not run very deep—it might be remediable by the simplest reflection that, for whatever reason, the agent skipped over. But the point remains that people may be ignorant or wrong about the practical reasons social demands generate for them. The reasons exist or fail to exist independent of the attitudes agents have toward them.

Could the makers of a demand be similarly ignorant of its reason-giving force? They could not be ignorant of the content of the demand or of its associated sanctions. But insofar as its reason-giving force depended on the psychological make-up of its addressee, the makers of a demand could be ignorant of its reason-giving force. Or the makers of the demand might fail to reflect on its reason-giving force at all; they simply make the demand, hoping it will be obeyed but without considering its rational significance. Perhaps this circumstance is rare among mature human beings, but perhaps not. But its objective probability is not to the point. Even if it were vanishingly rare for demanders to be oblivious to or mistaken about the reason-giving force of their demands, it would still be true that that force did not depend on their attitudes toward it. All that is
necessary for a demand to create a reason for action is that it be made with an adequately clear threat of a sanction to someone who would, on informed reflection, wish to avoid the sanction. It is not necessary that the demander also contemplate the rational status of the demand or of compliance to it. It is not even necessary that the demander be thinking in the conceptual idiom of practical reasons at all. So the existence and nature of whatever reason is generated or constituted by the demand does not depend counterfactually on the intentional attitudes or conceptual schemes of the demander regarding practical reasons. A change in the demanders’ attitudes regarding the addressees’ reasons would not change the reasons; only a change in the demands, the sanctions, or the addressee’s psychology would do that. Therefore, it appears that the demand-generated reasons that, according to SRT, constitute moral obligations are mind independent in the sense required by condition (ii) of (MO).

There is at least one possible fly in the ointment of my case for a realist construal of SRT. The locution “which pertain to moral obligations” that occurs several times in clause (ii) of (MO) is ambiguous. Intentional attitudes could be said to pertain to moral obligations if (1) they were attitudes with moral obligations as part of their conceptual (intensional, de dicto) content or (2) they were attitudes directed at (what are in fact, extensionally, de re) moral obligations. My argument above assumes the second of these readings, since I have identified moral obligations with a certain sort of practical reason and then claimed that the existence and nature of those reasons does not depend on the attitudes people take to them. I believe the case for SRT’s compatibility with (ii) is as strong or stronger on the first, intensional reading of the clause in question. There may be culture-wide systems of demands backed by informal social sanctions that generate
practical reasons to comply for the members of a culture even if no one in the culture possesses the concept of a moral obligation—and in such circumstances, SRT would say that moral obligations exist for members of that culture, and these obligations clearly do not depend on the members having any de dicto attitude toward moral obligations.

Whence, then, the potential problem? There is yet another reading of “which pertain to moral obligations” that depends specifically on the nature of the pertaining to relation. An intentional attitude might reasonably be said to pertain to X if it took X as its object, as in the first two readings. But an attitude might also be said to pertain to X if the existence or content of the attitude bore even some looser sort of relationship to X. In this looser sense of “pertaining to,” pertaining to amounts merely to being related to in some specifiable way, and not necessarily being about. For example, my vote in a presidential election might be said to pertain to the value of the national currency, even if the value of the national currency never enters my mind—since my vote may partially determine who the next president will be, and the policies of that person might causally affect the value of the currency. It seems that on SRT, people’s intentional attitudes and conceptual schemes do pertain to moral obligations in this much looser sense by collectively bringing moral obligations into existence. This is because, as noted above, the existence of cultural demands depends on the intentional attitudes of people, and the existence of the reasons that, according to SRT, constitute moral obligations depends at least causally on the existence of cultural demands.

Miller does not to my knowledge explain what he intends by the “pertains to” locution. I am inclined to think it should be read in one of the stricter ways I have noted on which SRT-style moral obligations can satisfy (ii) of (MO). At a minimum, it seems
that the *pertains to* relation must be restricted in some way if (ii) is to retain any plausibility. For in many cases, paradigm instances of mind-dependent phenomena pertain in some loose causal or other explanatory sense to paradigms of mind-independent phenomena. For example, consider Amy the judge and Billy the convict. If Amy sentences Billy to death, realism about the death *sentence* is false on any plausible reading of (ii), since the death sentence is a product of Amy’s intentional speech act, which is itself possible only in relation to a larger background of legal convention. The death sentence would not exist if the relevant attitudes and conceptual schemes changed. However, unfortunately for Billy, the death sentence actualized by Amy may causally contribute to his death. And no one should want to deny realism about Billy’s death, even if the (unreal? unrealistic? unrealistically existing?) death sentence pertains to it in the loose way described. So any fully adequate account of the mind-independence condition needs to specify more narrowly the relation that cannot obtain between intentional attitudes and conceptual schemes on the one hand and realistically construed phenomena on the other. I am not sure how Miller and other orthodox theorists of metaphysical realism would or should draw this line, and I am not sure on which side of it moral obligations as construed by SRT would fall.

In sum, it appears that there is a good case for construing Social Requirement Theory as a form of realism about moral obligations if (MO) is accepted as an adequate account of realism. However, doubts may remain about SRT’s realist credentials pending further clarification of (ii), the mind-independence condition. But as I will try to show in the next section, little of human significance hangs on the whether moral obligations pass even the more narrowly specified mind-independence condition. In brief, this is because
much of the reality that matters most to modern human beings is not mind independent on even the narrow readings of Miller’s (M+).

2.3. *The Irrelevance of Realism*

Newcomers to moral philosophy might naturally suppose that the divide between moral realists and moral anti-realists is between those who believe that morality is real and those who believe it is not—that instead it is illusory or make-believe or otherwise ontologically deficient. And if the contrast is understood in this way, it may also seem that any morally serious person has got to be a moral realist. After all, how could one remain practically committed, often in costly ways, to what one takes to be a kind of make-believe?

Yet as our investigation of the realist credentials of Social Requirement Theory has revealed, this naïve (and arguably sensible) way of understanding the divide between moral realists and anti-realists is incorrect. Or at least it does not accord with contemporary philosophical usage, according to which *realism* designates a position more elaborate than a simple commitment to the existence of some class of entities, properties, or statuses. In Miller’s nuanced statement of the view, realism involves a commitment not only to existence but also to ontological independence from human intentional attitudes and conceptual schemes. In other words, realism as a philosophical doctrine is not a claim of existence per se, but a claim of a particular mind-independent kind of existence. The realist/anti-realist divide does not purport to mark out the real from the unreal. It purports to mark out the mind-independently real from everything else.
I have argued that Social Requirement Theory counts as a form of realism about moral obligations on at least some plausible construals of (MO). But suppose I am wrong, and SRT is actually a form of anti-realism about moral obligations. What would the practical implications be? That would depend in large part on why SRT failed to count as a form of realism—whether it failed due to the existence condition of (MO) or to the mind-independence condition. In Chapter Four, I examine what I take to be the most serious challenge to the existence of moral obligations as SRT construes them—Richard Joyce’s recent revival of moral error theory. For now, let us suppose that moral obligations do exist on SRT and consider the implications of their failing the mind-independence condition of (MO). Presumably this failure would be because although (as per SRT) moral obligations are reasons for action, they exist only in virtue of being socially ascribed. If people’s attitudes regarding them changed, so, too, would the obligations.

If moral obligations had this kind of status, I will argue, that would not render them any less real than much else of what is most important to us. The upshot, I hope, is that the question of moral realism will come to look less momentous than it might initially have seemed. This argument will simply involve pointing out how much of what we consider to be real and important in every practically relevant respect fails the mind-independence condition of (M+). Begin with physical artifacts. Lynn Rudder Baker has proposed the following four conditions as individually necessary and jointly sufficient for any x’s being an artifact:

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25 I am assuming here, as I have throughout, that anti-realism about a domain is simply the denial of realism about the domain. One possibility I do not consider is that SRT is neutral with respect to the realism/anti-realism question regarding moral obligations.
(A1): x has one or more makers, producers, or authors. Designers and executors of design (perhaps the same people) are authors.
(A2): x’s primary kind (its essence, its proper function) is determined in part by the intentions of its authors.
(A3): x’s existence depends on the intentions of its authors and the execution of those intentions.
(A4): x is constituted by an aggregate that the authors have arranged or selected to serve the proper function entailed by the artifact’s primary kind. (MEL 52-53)

Crucially, the kind of dependence at stake in (A3) is not merely causal but, as Baker puts it, ontological (MEL 12): for any artifactual kind K, no tokens of K could exist in the absence of the relevant function-conferring intentions. A physical duplicate of a K that happened to coalesce from the matter of an intention-free universe would not be a K, since having a function is constitutive of being a K, and functions are intentionally imposed by creators and users. Of course, the aggregate that physically constitutes a token K (see [A4]) might exist independently of anyone’s intentions regarding it. But the K that is constituted by the aggregate and that coincides spatially with it exists only in virtue of the intentions of its authors regarding its function as a K.²⁶

Artifacts understood along the lines of (A1)-(A4) trivially fail the mind-independence condition of (M+). For both their existence (given [A3]) and their nature (given [A2]) depend on the intentional attitudes and conceptual schemes of human beings regarding them. They therefore fail to, in Miller’s phrase, “exist realistically” (CR 41).

The important question is whether any interesting class of artifacts in the colloquial sense qualify as artifacts in Baker’s defined sense and therefore do not exist realistically in Miller’s sense. And the answer is that an enormous range of the objects modern human beings encounter every day are artifacts in Baker’s mind-dependent sense. I am writing this paragraph in a makeshift office in a converted bedroom. Casting my eyes about the

²⁶ For more on the constitution relation, see, generally, Chapter 2 of Baker’s MEL.
room, here is a sample of the artifacts I see whose identities are defined, in part, by their intention-conferred functions: floor lamp, laser printer, power cord, mechanical pencil, typing paper, cellular phone, book, office chair, twin bed, nightstand, window blinds, book case, cardboard box, door knob, compact disc, blue jeans, ceiling fan, sandal, jigsaw puzzle, pillow, file crate, picture frame, eye glasses, rubber band, check book, clip board, file folder, carpet, laptop computer, intercom, light switch. Perhaps I am not a fair observer, but I cannot identify a single discreet object in this room that is not an artifact in Baker’s sense. All the ordinary medium-sized visible contents of the room are what they are (and are in the room) due to their humanly designed and imposed functions. If I look through the window before me into the yard and neighborhood street, I see many more functionally determined artifacts, some of which include: driveway, lamp post, automobile, street, storm sewer, yard sign, mail box, stairs, power line, wreath, house, solar collector, garbage dumpster, basketball goal, fire hydrant, traffic sign. Of course, I also see some ordinary objects that are what and as they are regardless of any functional or other attitudes human beings have toward them. Examples include: grass, sun, crow, dogwood tree, pine cone. But the point remains that my physical surroundings are composed largely of objects that fail (M+)’s mind-independence clause; they owe their existence and nature not just causally but ontologically to the intentions of the people who make and use them. It would be churlish to suggest that such artifacts do not exist, but it is philosophically respectable to believe that they do not exist realistically because of their mind-dependence. Indeed, Miller explicitly endorses this implication of his formulation of realism: “[A]rtifacts (as distinct from their physical realizers) exist in virtue of the purposes and functions intentionally ascribed to them by human beings . . . .
This is a large part of why anti-realism has seemed to most writers on the subject to be true of artifacts, and (M+) nicely captures this result” (CR 41-42).

Hopefully this reflection on the pervasive role of human intentions in the identities of physical objects already suggests the importance of mind-dependent phenomena to our ordinary lives. However, obligations are not physical objects, and this difference might seem to detract further from our sense of their reality if they were mind-dependent in the way described above. But as it turns out, there is an enormous class of other nonphysical phenomena that are mind-dependent but uncontroversially real and indispensable to a properly human life. Indeed, although we constantly employ physical artifacts in the course of ordinary life, our interest in them is often subservient to their symbolic or instrumental role in some intention-dependent status, practice, or institution. Examples are myriad. Language is real and meaningful, but it means what it means only because of the attitudes we take toward it. Money can determine the course of a person’s life, but its value is conferred and sustained by nothing beyond our attitudes. In the modern world, most money lacks even a physical signifier such as a paper bill or a metal disc; it is credited and debited as a kind of immaterial power on the basis of a complex system of laws and conventions. Positive laws and the statuses they define get their existence and nature from our attitudes toward them. Marriage is a creation of intentional ceremonies; it fails the intention-independence test decisively, but nothing is more important to many people. Friendship, though less rigidly conventionalized, also depends on the attitudes its participants take toward it. Employment, ownership, and citizenship are all immaterial products of our intentions and attitudes. Churches, nations, governments, schools, corporations, political parties, charities, sports teams, and clubs of
all kinds, as well as the statuses recognized by such institutions, exist only in virtue of our intentions and attitudes toward them. These intention-dependent phenomena are implicated in virtually every distinctively human concern. On a normal day, most of my conscious attention is focused on elements of this mind-dependent, nonphysical world, and I would bet the same is true for most of my readers.

No one outside a philosophy seminar or an asylum would, I think, deny the reality of the physical and nonphysical phenomena I have been discussing. Together, they and their mind-dependent kin account for much, if not most, of what matters in normal human lives. Yet all of these phenomena fail condition (ii) of (M+). This failure, I submit, does not detract from their reality or significance. To the contrary, an exhaustive description of a typical person’s day making mention only of entities, properties, and statuses that satisfied clause (ii) would be unrecognizable as a description of a human life. This is not hyperbole. Such a description either would leave out most of the phenomena that matter to us, the phenomena that we are equipped to detect and that our language and concepts are evolved to track, or it would redescribe such phenomena in a reductive idiom that drained them of their significance. So even if moral obligations as understood by Social Requirement Theory also failed (ii), this would not imply they were unreal or any less important than the other intention-dependent phenomena discussed above. A failure to exist realistically as defined by (M+) need not make any practical difference to human beings. It would simply be a fact about the nature of the existence that moral obligations enjoy, interesting to some philosophers but otherwise unremarkable.

Once the issue of metaphysical realism about some domain is distinguished from the more humdrum questions of its existence and human significance, it may be unclear
why the realism question has loomed so large in philosophical consciousness. No doubt there is a distinction to be drawn between things that satisfy clause (ii) of (M+) and things that do not. The question is why this distinction matters, what hangs on it.

Understandably such a distinction interests metaphysicians, who seek knowledge of the nature of reality for its own sake. However, Baker argues that the mind-independent/dependent distinction is a misguided basis for ontology “because it draws an ontological line in an unilluminating place. It puts insects and galaxies on one side, and afterimages and artifacts on the other” (MEL 64). I do not know if (M+) draws a line in an unilluminating place, and Miller at any rate cannot be faulted for spelling out a standard philosophical distinction with more care than it has often received. Whether a line is illuminating depends on one’s interests. But the accepted philosophical usage of describing the distinction marked by (M+) as that between realism and anti-realism is at best misleading. Its misleadingness is revealed in Miller’s use of the phrase “exists realistically,” a phrase that in ordinary speech could only be regarded as pleonasm. Standard English treats “what is,” “what exists,” and “what is real” as synonymous expressions. What exists is what is real, what does not exist is not real, and vice-versa. That Miller’s use of “exists realistically” is not pleonastic shows that the language of the real has acquired a different sense in philosophy from its ordinary usage. Given the entrenchment of the realist idiom throughout philosophy, it is probably pointless to try to reform philosophical usage in a way that would align it more closely with ordinary language. But when issues about realism arise in philosophy, it is worth pausing before entering the advertised dispute to ask both what explicitly is meant by realism or anti-realism in the domain in question and also what interest or significance the distinction is
supposed to have—what, if anything, is supposed to hang on the answer to realism question. It may turn out, as I have argued is the case with metaphysical moral realism, that the issue is less momentous than it first appears.

Perhaps one attraction of mind-independence versions of realism in the moral domain is a worry that if morality is not suitably independent from our conceptual schemes and intentional attitudes, it will be too easy to alter or escape. Mind independence might seem the proper antidote to, for example, extreme forms of subjectivism according to which whether a person has a particular moral obligation depends on whether the person regards herself as morally obligated in that respect. But our brief survey of mind-dependent phenomena above, including language and law, money and marriage, and citizenship and sports, shows that facts may be mind-dependent without being alterable by the whim of the particular individuals enmeshed in them. The existence of the United States depends on the attitudes people (collectively) take to it, but no change in attitude by one or a few people would threaten the existence of the U.S., and the collective attitudes on which the U.S.’s existence depends cannot be changed at will. According to Social Requirement Theory, facts about moral obligation are mind-dependent only in this less threatening sense. Obligations depend on human attitudes and intentions, but they do not depend on the attitudes and intentions of only one or a few people, including their subjects. And the attitudes and intentions on which they do depend—culture-wide demands—are typically too deeply rooted in our desires, socialization, and self-understanding to be turned off at will. More will be said about the recalcitrance of culturally demanded obligations to individual changes of will at 4.3 and 4.5 below.
Finally, what of the reason Miller gives for preferring (M+) (and by extension [MO]), with its mind-independence condition, to (N), on which existence alone suffices for the truth of realism? That reason, recall, is that (N) awards the status of realism too promiscuously, classifying at least some forms of subjectivism, constructivism, relativism, phenomenalism, and quasi-realism—which Miller regards as paradigms of anti-realist positions—as forms of realism instead (CR 109). My response is two-fold. First, I believe we should not assume without argument that no views of the sorts that Miller mentions are rightly classified as forms of realism. Geoffrey Sayre-McCord (BRR) and Graham Oddie have argued that moral relativism is a form of realism, and Christine Korsgaard regards her form of moral constructivism as a form of realism (108-09, 165-66). So the status of these views with respect to realism and anti-realism is at least contestable, and for that reason, it seems that we should not deliberately formulate conditions of realism with an eye toward excluding them.

But second, as it turns out, (MO) does not exclude all forms of relativism, constructivism, or (arguably) quasi-realism from the ranks of moral realism. I have argued above that Social Requirement Theory counts as a form of realism according to at least some plausible construals of (MO)—and SRT is an unambiguously relativist theory of moral obligation. The most popular contemporary versions of moral constructivism, including Korsgaard’s, also seem able to clear (MO)’s requirements. This is because those views construct moral obligations not out of actual attitudes but rather out of some sort of rationally idealized attitudes or judgments that are taken to be invariant across possible worlds—and (ii) of (MO) rules out only dependence on actual attitudes and conceptual schemes.
Finally and most interestingly, quasi-realists such as Blackburn would insist that their positions, too, satisfy both clauses of (MO). The quasi-realist project is fueled in part by Ramsey’s minimalism about truth. If the quasi-realist can sincerely assert that S has a moral obligation to V, he will also happily assert that it is true that S has a moral obligation to V—and, as Miller’s dissatisfaction with (N) implicitly acknowledges, also that there exists a moral obligation for S to V. But then, as Blackburn notes, “we can add flowers without end” (RP 79), and there is no reason to expect the quasi-realist to be shy about swearing whatever loyalty oaths are required for moral seriousness, including the mind-independence clause of (MO). And this is exactly what Blackburn does. He explicitly denies that (say) cruelty would be OK if only we had different attitudes toward it: “It is because of our responses that we say that cruelty is wrong, but it is not because of them that it is so…. What makes cruelty abhorrent is not that it offends us, but all those hideous things that make it do so” (EQR 172). Although he obviously does not consider clause (ii) of (MO) specifically, according to Blackburn, affirmations of mind independence of that sort make sense only as expressions of moral commitment—and so he has no qualms about making them (EQR 173, RP 311). As he acknowledges, this refusal to countenance “external” morally uncommitted readings of statements like (ii) frustrates many critics of quasi-realism. But (and this is my interpretation), given an expressivist semantics of moral terms, there is nothing for any statement about moral obligations to do but to express a moral commitment. So a morally committed expressivist like Blackburn will gladly affirm (ii). The bottom line is that adding a mind-

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27 Including Miller—see CMR 25. I do not believe Miller’s attempt to show that Blackburn’s quasi-realism fails the mind-independence condition succeeds, for basically the reason I outline in the text.
independence condition to an existence condition will not sort the “real” realists from quasi-realist pretenders.

So not only does (M+) tie our understanding of the real too closely to mind-independence, but it does so in order to exclude from the ranks of realism positions that arguably should count as realist and that (M+) in fact fails to exclude. It would still be hasty to conclude that (M+) draws no helpful lines. But in light of the importance of real mind-dependent phenomena and of the problems with Miller’s justification for the mind-independence condition, I believe we may tentatively conclude that even if moral obligations on SRT failed the mind-independence condition of (MO), this failure should, if anything, diminish the human significance of realism rather than the significance of moral obligations.
CHAPTER THREE

THE CHALLENGE OF NONCOGNITIVISM

Any view such as Social Requirement Theory that purports to be a version of moral realism confronts a challenge from the family of views known as noncognitivism. Noncognitivists have traditionally held that moral sentences, despite their assertoric surface grammar, do not express propositions; rather, such sentences are used by speakers to express noncognitive, typically affective, states. Therefore, moral predicates are non-referring, and moral statements lack truth-values. A.J. Ayer’s expressivism is often regarded as the canonical early version of noncognitivism. Ayer held that putative moral assertions really just evince their speakers’ feelings of approval or disapproval, so that a statement like “Stealing is wrong” means no more than “Boo for stealing!” According to Ayer, “in every case in which one would commonly be said to be making an ethical judgment, the function of the relevant ethical word is purely ‘emotive.’ It is used to express feeling about certain objects, but not to make any assertion about them” (108). Such views have been extensively debated during the last hundred years. The most common criticism, due to Peter Geach and owing inspiration to Frege, is that moral sentences behave like cognitive sentences when embedded in truth-functional contexts, and it is implausible to suppose that they mean something different in embedded contexts from what they mean in unembedded contexts. I have nothing original to add to this nuanced and ongoing debate.
However, I do want to examine in some detail two novel arguments for noncognitivism recently proposed by Mark Eli Kalderon in his book *Moral Fictionalism*. Kalderon does not aim merely to provide arguments for or against familiar metaethical positions. He aims rather to revise our understanding of the metaethical landscape, and in particular, to revise and complicate our understanding of noncognitivism. So before we assess his arguments for noncognitivism, we should get some handle on just what thesis Kalderon means to be defending, and also how noncognitivism in Kalderon’s sense would or would not threaten the realist credentials of Social Requirement Theory.

3.1. Noncognitivism versus Nonfactualism

Kalderon defines the Noncognitive Thesis as follows:

In accepting a moral sentence S, competent speakers who understand S do not believe a moral proposition expressed by S. (98)

Central to Kalderon’s project is distinguishing this understanding of noncognitivism from the stronger thesis that has traditionally gone under the same name:

Moral sentences do not express moral propositions and hence are not representations of putative moral facts. (100)

This second thesis Kalderon labels Nonfactualism. Whereas noncognitivism is, in Kalderon’s hands, a thesis about the nature of the *acceptance* of moral sentences, nonfactualism is a thesis about the nature of the *semantics* of moral sentences. Nonfactualism entails noncognitivism, since if moral sentences do not express propositions, acceptance of such sentences does not involve belief in propositions expressed by them. But the reverse entailment does not hold: acceptance of moral sentences might involve an attitude other than belief even if the sentences do express propositions. I shall generally use *noncognitivism* to refer to Kalderon’s restricted thesis,
though I sometimes refer to the conjunction of that thesis and nonfactualism as

*traditional noncognitivism*.

Kalderon charges traditional noncognitivists with overlooking the distinction between sentence meaning and sentence acceptance, and thus with fallaciously arguing from premises that support only the view that moral acceptance is not belief to the conclusion that moral sentences are nonrepresentational. And it is just the heretofore overlooked combination of factualism about moral sentences with noncognitivism about the acceptance of such sentences that Kalderon wishes to defend, under the title of hermeneutic fictionalism—roughly, the view that although moral sentences do make claims about the distribution of moral properties, our acceptance and use of such sentences is part of a communal fiction about the existence of reasons for action that does not presuppose the truth of the sentences involved. The details of this view are obscure to me, and I wish to set it aside to focus instead on the relatively clear arguments Kalderon makes for the Noncognitive Thesis.

It is clear enough that traditional versions of noncognitivism—i.e. the conjunction of what Kalderon calls noncognitivism and nonfactualism—are opposed to moral realism of any stripe, and therefore to Social Requirement Theory. If moral sentences lack propositional content, they also lack truth values. One might think, as Kalderon seems to (143), that a nonfactualist (nonrepresentational) semantics of the sort associated with traditional noncognitivisms is compatible with the existence of metaphysically robust moral facts; it’s just that the contingent limitations of a language would render that language incapable of representing such facts. I believe this alleged possibility is incoherent. The problem, intuitively, is that nonfactualism is a global theory about moral
semantics; if it’s true, then the failure of any actual bit of moral language to refer is not a contingent misfortune of that bit of language. Rather, moral concepts are not in the business of referring at all, and so no part of the world could be properly described in moral terms. Consider, by analogy, the proposal that even though our hello-discourse is non-representational, there might still be hello-facts about the world that we are barred from stating. The problem with this proposal is that *hello* and related bits of language *can’t*, given their actual meaning, function to describe any part of the world. *Moral* and other moral terms have their meaning established in our first-order language where, according to nonfactualism, they do not function referentially. If they’re nonreferential, they remain so all the way up, so to speak, so that they continue to function nonreferentially in such putative metaethical hypotheses as, “There might really be moral properties, even though our language makes it impossible to refer to them.” Of course, there might be kinds of properties, and truths about the distribution of those properties, that we do not have the conceptual or linguistic wherewithal even to conceive. But if nonfactualism is correct, to call any such properties *moral* is to speak misleadingly or to stipulate an entirely new use for *moral*, unrelated to its nonreferential function in our present language. Debates about moral realism and antirealism, by contrast, are supposed to employ *moral* and related terms in the senses they already have. As a global semantic thesis, moral nonfactualism precludes the possibility of metaphysical moral realism. All of which is to say, our ability to distinguish metaphysical from semantic issues should not lead us to the extreme conclusion that the answers to metaphysical and semantic questions are completely independent of each other.
But a representational semantics combined with a noncognitive theory of acceptance does, as Kalderon notes, leave open the questions of the existence and nature of moral properties and the truth of moral sentences. Kalderon takes no position on the metaphysical questions and so is neutral among a moral error theory and the various realist alternatives. Rather, Kalderon claims, much like the truth or falsehood of putatively historical sentences that might compose a parable or a joke, the truth or falsehood of moral sentences is simply irrelevant to our acceptance and use of such sentences. So the truth of the Noncognitive Thesis does not entail the falsehood of moral realism as a thesis about the existence of moral properties and/or the truth of moral sentences.28

It might, then, seem that Kalderon’s arguments for noncognitivism need not trouble the moral realist. However, I believe moral realists have at least two good reasons to hope that the Noncognitive Thesis turns out false, at least as a claim about the nature of moral acceptance in general. First, the Noncognitive Thesis is common ground between the less threatening hermeneutic fictionalist and the more threatening nonfactualist. So any arguments for the Noncognitive Thesis could be deployed by the nonfactualist in partial support of her views. A moral realist could defeat nonfactualism by proving the Noncognitive Thesis false. I will offer an independent reason to doubt the

28 Actually, Kalderon’s revisionist ambitions extend to characterizing moral realism as an epistemic rather than a metaphysical or semantic position: “according to a moral realist, he is justified in believing the propositions expressed by at least some of the moral sentences that he in fact accepts” (96). This style of moral realism does seem incompatible with Kalderon’s noncognitivism, since according to noncognitivism, moralists never get around to believing or disbelieving the moral sentences they accept, and therefore never get around to being justified in believing such sentences. One strange consequence of Kalderon’s way of characterizing moral realism is that it is compatible with the nonexistence of moral properties or truth-makers. This is because Kalderon-style realism requires only that moral beliefs be justified, and justified beliefs may be false. I believe we should set aside Kalderon’s characterization of moral realism as an eccentricity inessential to his larger program.
thesis below. But absent a knockdown argument against noncognitivism, the moral realist might at least keep the threat of nonfactualism at bay by defusing arguments for noncognitivism.

The second reason moral realists might hope the Noncognitivist Thesis turns out false is that the thesis threatens to vitiate much of the interest of moral realism. Even in the hands of a factualist like Kalderon, noncognitivism implies that moral concepts like obligation matter to us only as counters in a non-cognitive language game, that their representational success or failure is simply beside our point in using them. It would make much metaethical debate, including this dissertation, look as pointless as a labored historical debate over the existence and identity of the good Samaritan in Jesus’ parable. Since moral realists typically think moral metaphysics and the truth or falsehood of moral sentences matter, they have reason to turn a critical eye on even Kalderon’s narrow version of noncognitivism.

3.2. The Argument from Intransigence

And now we are finally in a position to examine Kalderon’s two arguments for the Noncognitive Thesis as the thesis that the acceptance of a moral sentence is not belief in a moral proposition expressed by that sentence. Kalderon dubs his arguments the Argument from Intransigence and the Argument from Aspect Shift.

The Argument from Intransigence aims to show that the acceptance of moral sentences (hereafter, moral acceptance) is governed by different norms than those that govern beliefs. In particular, it aims to show that whereas genuine beliefs are governed by a norm giving us at least a weak epistemic duty to reexamine the grounds of our beliefs in the face of certain kinds of opposition, moral acceptances are governed by no
such norm. We may remain faultlessly intransigent in our moral acceptances even in the face of criticism from those we acknowledge to be as well-placed to discover the truth as we are. If moral acceptances were beliefs, they would be governed by the norms of belief; since they’re not governed by those norms, they’re not beliefs.

The Argument from Intransigence begins with a distinction between two kinds of acceptance of a sentence: acceptance for oneself and acceptance on behalf of others. For simplicity’s sake, Kalderon writes only about full acceptance, though he recognizes that acceptance comes in degrees. He regards two key aspects of acceptance of a sentence as, first, ending inquiry about that sentence and, second, making that sentence available as evidence in further inquiries. Kalderon frames the distinction between acceptance for oneself and acceptance on behalf of others in terms of the acceptor’s aspirations in both of these respects. A competent speaker who accepts a sentence S \textit{for himself} “takes himself to have sufficient reason to end his individual inquiry about S” and “takes himself to rely on his acceptance of S in further theoretical and practical reasoning” (23). By contrast, a speaker who accepts S \textit{on behalf of others} “takes himself to have sufficient reason to end public inquiry about S” and “takes himself to have sufficient reason for others to rely on his acceptance of S in their own theoretical and practical reasoning” (23). It would seem that acceptance on behalf of others implies acceptance for oneself, but not vice-versa.

Kalderon claims that when two equally well-informed and rational speakers disagree about the acceptance of a sentence, their disagreement may sometimes be plausibly construed as disagreement not merely about the sentence itself, but also about what facts and norms constitute reasons for accepting the sentence. After all, if two
equally adept reasoners in full conversation with each other draw incompatible conclusions from the same data, they must disagree about how to draw conclusions from the data, and not merely about what conclusions should be drawn. In such cases, says Kalderon, the speakers disagree about reasons. Kalderon then claims that acceptance on behalf of others is governed by the following norm: When such acceptance is cognitive, then when a speaker finds himself in a disagreement about reasons with someone who is equally rational and informed, he has some reason to reexamine the grounds of his acceptance of the disputed sentence. This is because, according to Kalderon, “if a competent speaker accepts S on behalf of others, then he must coherently suppose, at least implicitly, that others do not accept reasons that would undermine his acceptance of S” (24)—and awareness of an equally rational and informed person who declines to accept S should undercut a speaker’s confidence that no one else is in possession of a reason that would undermine his own acceptance of S. By contraposition, if a disagreement about reasons with an equally rational and informed person does not give a speaker any reason to reexamine the grounds of his acceptance of the disputed sentence, then, if the acceptance is on behalf of others, it is not cognitive.

29 As Michael DePaul has pointed out to me, this construal supposes that the dispute is over some epistemically non-basic belief. Equally rational agents might disagree about basic beliefs without disagreeing about how evidence or propositional reasons should be appraised, since basic beliefs are by definition those that are not accepted on the basis of propositional evidence. So as not to beg the question against noncognitivism, we can reframe the point more broadly in terms of acceptance rather than belief. Presumably Kalderon would grant that something like the basic/non-basic distinction applies to moral acceptances; he clearly believes they can be based on beliefs, and surely there is nothing more mysterious about noncognitive acceptances just coming upon a person in the basic way than there is about them resulting from reasoning. So for the Argument from Intransigence to get any traction, it must be the case that some moral disagreements have this property: they involve a disagreement over a moral sentence in which each disputant accepts or rejects the sentence in a non-basic way and in which both disputants accept all the sentences that function as the basis for the acceptance of the moral sentence for the person who accepts it.
Two further premises round out the Argument from Intransigence: first, that all moral acceptance (i.e., all acceptance of first-order moral sentences) is on behalf of others, and second, that disagreement about reasons with an equally rational and informed person over a moral sentence does not give a speaker reason to reexamine the grounds of his acceptance of that sentence. It follows, then, that moral acceptance is noncognitive.

To support his claim that all moral acceptance is on behalf of others, Kalderon appeals to the “authority” of morality, which he specifies in four ways (26-33). I find his discussion of authority obscure, and I doubt that all moral acceptance is on behalf of others in Kalderon’s strict sense. I see no reason why I cannot sincerely accept a moral sentence without taking myself to have sufficient reason to end public inquiry about the sentence. But I will pass over Kalderon’s claim here, because I want to focus instead on his last premise, that disagreement with an equally rational and informed person over the reasons to accept a moral sentence does not give a speaker reason to reexamine the grounds of his acceptance of the sentence.

Kalderon’s argument for this crucial premise is extremely brief. Because I want to criticize it in detail, I will first quote it exactly as he presents it, so as not to leave anything important out. Here is the original premise, which we may call the Intransigence Thesis:

In normal circumstances, we are under no obligation to re-examine the foundations of moral claims that we accept as unproblematic even if they are disputed by otherwise rational and reasonable, informed, and interested people who coherently accept reasons that, if genuine, would undermine them. (35)

Kalderon’s defense of the premise occurs in the paragraph immediately following:
I am not making an empirical claim about the actual extent of moral intransigence—that would require a sensitive interpretation of a moral sociology that has yet to be written; rather, I am making a conceptual claim about the norms that actually govern moral acceptance: Given the norms that we actually accept, it is intelligible to fail to be motivated to inquire further. If we can conceive of cases where such intransigence is intelligible, then it must be so at least by the norms governing moral acceptance that we actually accept and tacitly appeal to in so conceiving. Not only is it intelligible that one, as a matter of fact, takes no positive steps toward re-examining the grounds of moral acceptance—after all, one might have more compelling immediate concerns; but it is intelligible as well that one should lack the motivation altogether. And if the failure to adopt the end of further inquiry is intelligible, then we are under no rational obligation to adopt this end, at least by the norms of moral acceptance that we actually, if implicitly, accept. (36)

Here is my reconstruction of Kalderon’s argument for the Intransigence Thesis:

1. We can conceive of cases where a person intelligibly lacks any motivation to reexamine the grounds of his acceptance of some moral sentence despite knowing that an equally rational and informed person disagrees about the reasons for accepting the sentence.

2. If (1), then it is intelligible to lack any such motivation by our accepted norms of moral acceptance.

3. If it is intelligible to lack any such motivation by our accepted norms of moral acceptance, then our accepted norms of moral acceptance do not oblige speakers to reexamine the grounds of their acceptance of moral sentences in such circumstances of disagreement.

4. So our accepted norms of moral acceptance do not oblige speakers to reexamine the grounds of their acceptance of moral sentences even when they know that equally rational and informed people disagree with them about the reasons for accepting the sentences. (from [1]-[3])

5. So disagreement with equally rational and informed people about the reasons to accept moral sentences does not rationally oblige speakers to reexamine the grounds of their acceptance of the sentences. (Intransigence Thesis; from [4])

Although I will be criticizing this regimented reconstruction of the argument, I hope it is clear from comparison with the paragraph quoted above that I have not omitted any explanation or defense of the premises that Kalderon provides.
We may note at the outset that the argument is invalid: it proceeds from premises about the norms of reason *we accept* to a conclusion about the norms of reason *simpliciter*. But surely it is possible that we fail to recognize certain requirements of good reasoning; or if this is not possible, the claim that it is not should be defended explicitly. Nonetheless, we can pass over this formal lapse. For recall that the Intransigence Thesis is itself merely a premise in the larger Argument from Intransigence, and we could retool the other premises of that argument so that its conclusion, the Noncognitive Thesis, followed from them and (4), which clearly does follow from (1)-(3). So let us focus instead on the premises of the argument for the Intransigence Thesis.

I find (2) and (3) mystifying. I am not sure what it would mean for a lack of motivation to be intelligible by (according to?) a norm. I do not see any obvious connection between the conceivability of the absence of motivations and the intelligibility of such an absence according to norms (2), nor do I see the connection between the *intelligibility* of a *conceivable* lack of motivation to V according to accepted norms and the nonacceptance of a norm enjoining Ving (3). As stated, the argument does not beg the question, but it does fail the same rhetorical requirement that is more overtly flouted by question-begging arguments: the requirement that the premises of an argument appear initially more plausible than does the argument’s conclusion. Or, more modestly, the argument’s premises do not initially appear *to me* any more plausible than its conclusion. So the argument does not seem to me to furnish a reason to believe the Intransigence Thesis.
Moreover, the Intransigence Thesis appears to me antecedently implausible. It seems to me that disagreement with someone I acknowledged to be my rational and epistemic peer (or superior) over some moral sentence would give me some reason to reexamine the grounds of my acceptance of the sentence. As Kalderon notes, any such reason would not necessarily be overriding or indefeasible. The kind of obligation in question is what Kalderon calls a lax obligation, such that one incurs merit for acting as the obligation demands but does not incur demerit for failing to so act (16-20). But all else equal, reconsidering the reasons for my moral stance would seem to me like the epistemically virtuous thing to do. Moreover, I do not believe this reaction is a personal idiosyncrasy. For consider two persons, A and B, both of whom disagree with a third person, C, about the morality of (say) embryonic stem cell research. Suppose that both disagreements (that of A with C and of B with C) are disagreements about reasons in Kalderon’s sense. And suppose further that both A and B take C to be at least as rational, informed, and careful as each of A and B takes himself to be. Finally, suppose that when A and B learn of their disagreement with C, A has no motivation at all to revisit the grounds for his original stance, whereas B does have some desire to reconsider his position—not necessarily an inclination to change his conclusion, but rather an inclination to consider carefully C’s reasons for her position on stem cell research so as to bolster B’s confidence that he did not overlook or undervalue any important consideration. I think most people would agree that B possesses some intellectual virtue (or some degree of intellectual virtue) that A lacks. If I am right, then most people do accept a norm to the effect that in circumstances of disagreement with one’s acknowledged epistemic peer over the reasons to accept or reject a moral sentence, one
has some (lax) obligation to reexamine the grounds of one’s original acceptance or rejection of the sentence.

I conclude that the Intransigence Thesis, in either its stronger or weaker forms (regarding, respectively, norms simpliciter, as in [5], or norms we accept, as in [4]) is probably false, and therefore that the Argument from Intransigence in its original form is probably unsound.

I want to propose a revision of the Argument from Intransigence on Kalderon’s behalf, a revision that attempts to make sense of the weight he puts on motivation in discovering our epistemic norms. Perhaps we should see the argument as appealing to a kind of motivational internalism. But whereas standard arguments for noncognitivism appeal to an internal connection between sincere moral judgments and motivation to act in accord with those judgments, the Argument from Intransigence relies on an internal connection between sincere cognitive judgments on behalf of others and motivation to reexamine the grounds of such judgments in the face of disagreement with one’s cognitive peers. Since, allegedly, there is no such motivational connection in the case of moral judgments, such a cognitive motivational internalism would imply that moral judgments must not be cognitive.

Perhaps the idea is that necessarily if one accepts a norm that one has some reason to V in circumstances C, then if one apprehends that one is in circumstances C, one will have some motivation to V. Applied to the case of moral acceptance, such an internalist principle would imply that necessarily if one accepts a norm requiring one to reexamine one’s moral acceptances in circumstances of disagreement over moral reasons with a cognitive peer, then one will have some motivation to reexamine one’s moral acceptances
in such circumstances. If one lacks any such motivation, one does not accept such a norm.

If the Argument from Intransigence is supposed to rely on motivational internalism in this way, then talk about reasons to reexamine sentence acceptances can be bypassed throughout in favor of talk about motivations to reexamine acceptances:

6. In all acts of cognitive acceptance of a sentence, if the acceptance is on behalf of others, then if a person becomes aware of a disagreement with his cognitive peers about the grounds of his acceptance, he has some motivation to reexamine the grounds of his acceptance.

7. In all acts of acceptance of moral sentences, the acceptance is on behalf of others.

8. In some acts of acceptance of moral sentences, if a person becomes aware of a disagreement with his cognitive peers about the grounds of his acceptance, he has no motivation to reexamine those grounds.

9. So some acts of acceptance of moral sentences are not cognitive.

On this reformulation, the argument remains valid, but at the cost of losing its point. For the Argument from Intransigence is supposed to prove that moral acceptance per se is noncognitive, not merely that some instances of moral acceptance are noncognitive.

Obviously, to license the original conclusion, the argument’s third premise would need to be modified from a claim about some acts of moral acceptance to:

8’. In all acts of acceptance of moral sentences, if a person becomes aware of a disagreement with his cognitive peers about the grounds of his acceptance, he has no motivation to reexamine those grounds.

But Kalderon does not claim that people are never motivated to revisit the reasons for their moral judgments in the face of informed opposition. And it’s a good thing he doesn’t claim this, since clearly people do revisit the reasons for their moral judgments in many circumstances, including those in which someone they regard as their cognitive
equal disagrees with them. I have certainly been motivated to reconsider my grounds for accepting various moral sentences by the realization that people I regard as at least my cognitive equals disagree with me. So (8’) is false, and the reformulated Argument from Intransigence does not support global noncognitivism about the acceptance of moral sentences.

(Lest anyone suspect that I am shortchanging the Argument from Intransigence by eliminating Kalderon’s original talk of reasons in favor of talk about motivations, let me point out that my objection would reemerge if we added premises about reasons back into the argument. The same motivational premises in conjunction with premises linking motivations to reasons would show only that some people accepted non-cognitive norms for moral sentences, not that all people did.)

We could save the argument by adding a further premise to the effect that:

10. Either all acts of moral acceptance are cognitive or none are.

This premise, in conjunction with the original (6)-(9), would yield:

11. So no acts of acceptance of moral sentences are cognitive.

Apart from independent evidence for nonfactualism (which, as I argued above, entails that no acts of moral acceptance are cognitive, and so also entails [10]), how plausible is (10)? In my judgment, not very. Start with the fact that different people may take different stances of acceptance toward non-moral sentences. Consider the sentence, “Santa Claus will leave presents under the tree for you.” One person may accept the sentence by believing it quite literally. A second person may accept the sentence by taking it figuratively and believing that her parents will leave presents under the tree for her. A third person may accept the sentence as having no predictive value about what
he’ll find under the tree but rather as the right sort of thing to say about a mythical figure, much as one might accept the sentence, “Merlin built Camelot” as the right sort of thing to say about the mythical wizard, without believing that anyone named Merlin built anything called Camelot, and without believing that the sentence is the figurative expression of any other literally true sentence. And the same thing goes, mutatis mutandis, for many declarative sentences: different people accept them in different ways, some in more or less cognitive ways, others in more or less noncognitive ways. But I see nothing about moral sentences to distinguish them from other sentences in this respect, so that all people who accept them accept them in the same cognitive or noncognitive way.

It may be telling in this connection that Kalderon attributes the inspiration for his fictionalist position to Alasdair MacIntyre’s suggestion in Chapter 2 of After Virtue that members of the Bloomsbury group used truth-apt moral sentences not to express their beliefs but rather to express their feelings and to manipulate each other (viii-ix, 115-16). This historical observation sensitized Kalderon to the distinction between, on the one hand, the content of moral sentences and, on the other, the nature of the mental acts involved in their acceptance or the speech acts involved in their use. Even if traditional noncognitivists were correct about the latter, they were not thereby entitled to draw nonfactualist conclusions about the content of moral sentences. Yet in its original context, MacIntyre’s example suggests a further lesson—namely, that moral sentences are used in different ways by different people. Part of MacIntyre’s point is that early emotivists made the mistake of inferring from the Bloomsbury group’s nonassertoric use of moral sentences that moral sentences were never used assertorically. That some people use moral sentences in a nonassertoric way does not imply that no one uses them
assertorically. And the same goes, I believe, for moral acceptance: that some people accept moral sentences noncognitively (if indeed they do) does not imply that no one accepts them cognitively.

So I conclude that (10) is probably false, and therefore that the Argument from Intransigence, even reformulated in terms of motivation, fails to establish global noncognitivism.

3.3. The Argument(s) from Aspect Shift

Let us now turn to Kalderon’s second argument for noncognitivism, the Argument from Aspect Shift (AAS). Although Kalderon treats this as a single argument, I believe he actually makes two distinct arguments under this heading, which I will refer to as AAS-1 and AAS-2. AAS-1 is inductive, whereas AAS-2 is deductive. Both arguments are inspired by Kalderon’s reflections on the phenomenology of internal moral conflict, such as that experienced by a person torn between a rights-based argument for abortion and a universalizability argument against abortion. Kalderon claims that such a person, as she goes back and forth between the arguments, undergoes a kind of normative gestalt switch that is most naturally interpreted noncognitively.

Here is my reconstruction of AAS-1, the inductive version of the argument:

12. “Adopting a normative perspective involves a tendency for certain features of the circumstance to become salient in perception, thought, and imagination, and a tendency for these features to present a certain complex normative appearance.” (44-45)

13. A desire in the “directed attention sense” (à la Scanlon) such as erotic attraction involves tendencies of the same sort. (45-46)

14. A desire in the directed attention sense is a noncognitive state. (assumption)

15. So adopting (or holding) a normative perspective is a noncognitive state.
This is clearly an argument from analogy: Because normative perspectives are like a subclass of desires in involving certain tendencies, we should suppose normative perspectives are also like that subclass of desires in being noncognitive. As an argument from analogy, AAS-1 is successful only if the point of comparison identified in the premises between normative perspectives and a subclass of desires is not equally shared by some uncontroversially cognitive state. For if normative perspectives resemble certain cognitive states in exactly the same way that AAS-1 asserts they resemble certain putatively noncognitive states, that point of resemblance provides no reason to suppose that normative perspectives are noncognitive (or that they are cognitive).

And yet it seems clear that normative perspectives do resemble certain uncontroversially cognitive states in just the way that AAS-1 claims the former resemble some desires. The cognitive states I have in mind (and of course there may be others) are acceptances of scientific theories. It is a near truism in post-Kuhnian philosophy of science that the acceptance of a scientific theory structures one’s perceptions of the world and also gives certain observations an apparent reason-giving (i.e., normative) relevance that they would not otherwise have for one. To adapt Kalderon, we might say:

16. Accepting a scientific theory involves a tendency for certain features of the circumstance to become salient in perception, thought, and imagination, and a tendency for these features to present a certain complex normative appearance.

I believe this statement is every bit as plausible as AAS-1’s (12) and (13). And consider this further claim:

17. Accepting a scientific theory is a cognitive state.
I believe this claim is at least as plausible as AAS-1’s (14). So (12), (16), and (17) give us the materials for an argument from analogy parallel to AAS-1, the conclusion of which is:

18. So adopting (or holding) a normative perspective is a cognitive state.

And that means that AAS-1 fails.

One might object here that accepting a scientific theory is not itself a cognitive act. The thought might be that accepting a theory enables many further cognitive acts—namely, particular scientific judgments made possible by the theory. But the act of theory acceptance itself involves taking up some sort of noncognitive, dispositional stance preliminary to belief formation. I find this suggestion dubious, but even if it is correct, it does not bolster Kalderon’s case for moral noncognitivism. For even if adopting a moral perspective is itself a noncognitive state, the particular moral judgments made possible by the moral perspective may be cognitive acts, just as the particular scientific judgments made possible by a scientific theory are surely cognitive acts.

This problem for AAS-1 about the possibly cognitive upshot of adopting a normative perspective becomes even more acute if we focus on the second tendency that Kalderon claims normative perspectives (and desires) to involve: the tendency for the newly salient features “to present a certain complex normative appearance.” Features of the world presenting a certain appearance to a person sounds like the epitome of a cognitive state: the person perceives the world to be a certain way. And in the absence of apparent defeaters, one’s perceptions of the world generate (perhaps even imply) beliefs—beliefs that the world is as it appears to one. Kalderon’s most complete
characterization of the content of this second tendency lends credence to the charge. He writes:

Specifically, certain features of the circumstance become salient and appear to be reasons for acting, while other features potentially cease to be salient and can appear to be outweighed or even ruled out as reasons for doing otherwise, even if, in normal circumstances, they would count as such reasons. The salient features appear to be reasons that are not contingent upon our acceptance of them. Moreover, potentially distinct features of the circumstance become salient and appear to be reasons for accepting the moral sentence, and these reasons directly or indirectly involve grounding reasons, reasons that ground the deontic status of the relevant practical alternatives. These grounding reasons appear to be reasons not only for the speaker, but for everyone else as well. They appear to be sufficient reason for accepting that sentence on behalf of others. (51)

I don’t want to squabble here over the phenomenological accuracy of this description. I simply want to call attention to its relentlessly cognitive texture. On Kalderon’s own description, adopting a normative perspective involves a tendency to see the world as being a certain way—a way that bears on the rationality of one’s actions and beliefs (or, more neutrally, one’s sentence acceptances). It is hard to understand why such a tendency would lead Kalderon to classify moral acceptance as noncognitive. And if, as per (13), desires in the directed attention sense really do involve the same tendency, maybe we should conclude that such desires also involve cognitive states or at least the tendency to produce cognitive states. It is worth noticing that Scanlon, from whom Kalderon borrows the notion of desires in the directed attention sense, introduces the notion precisely to argue against more familiar pictures of desires as noncognitive urges immune from rational assessment (39-41).

The inductive version of the Argument from Aspect Shift fails because it is based on a resemblance that moral acceptance bears to uncontrovertially cognitive states just as
clearly as it does to an allegedly noncognitive state. And analogies aside, the argument’s characterization of moral acceptance seems to tell directly against its conclusion.

We can now turn to the second, deductive version of the Argument from Aspect Shift. In the course of musing about why adopting a normative perspective reliably involves the tendencies he associates with it, Kalderon notes the possibility of a minimalist interpretation on which the acceptance of a normative perspective is simply identified with the relevant tendencies or dispositions. On this interpretation, there is no psychological act or state of acceptance distinct from the relevant tendencies, so the connection between normative acceptance and the tendencies in question requires no explanation. We would then have materials for the following argument, AAS-2:

19. A normative perspective just is a tendency for certain features of the circumstance to become salient in perception, thought, and imagination, and a tendency for these features to present a certain complex normative appearance.

20. Such tendencies are noncognitive.

21. So accepting a normative perspective is noncognitive.

The first thing to say about this argument as Kalderon presents it is that he does not defend either of its premises. In his presentation of the Argument from Aspect Shift, Kalderon simply notes that if the minimalist construal of normative perspectives were correct, an argument along the lines of AAS-2 would be possible (46, 50). But nowhere does he argue that the minimalist construal is correct. It is surprising, then, that when Kalderon comes to summarize the Argument from Aspect Shift, he treats minimalism as part of what has been established (51).

Nor does Kalderon argue for (20), that the tendencies in question are noncognitive. Perhaps Kalderon thinks that all tendencies qua tendencies are
noncognitive states; perhaps cognitive states must have representational content, whereas
tendencies just as such have no representational content. In any case, it is clear that the
same considerations that sank AAS-1 also threaten AAS-2. For even if the tendencies
that (19) identifies with a normative perspective are not *themselves* cognitive states, they
may still be tendencies to produce particular normative judgments that *are* cognitive
states. So even if Kalderon provided enough support for (19) and (20) to make AAS-2
appear sound, the argument would still not provide support for noncognitivism about
particular moral judgments, and thus for moral noncognitivism per se.

3.4. An Argument against Noncognitivism

I conclude that neither the Argument from Intransigence nor the Argument(s)
from Aspect Shift offers compelling support for the Noncognitive Thesis. Of course, the
failure of these arguments does not imply that the Noncognitive Thesis is false. And the
falsehood of noncognitivism is what moral realists would really like to establish,
especially given that the falsehood of noncognitivism would entail the falsehood of
nonfactualism. Without pretending to establish anything so ambitious, I will sketch one
argument that I believe provides a strong reason to reject noncognitivism. The argument
is due to Terrence Cuneo.\(^{30}\) It focuses on the massive failure of self-understanding of
competent speakers implied by noncognitivism. For if the acceptance of a moral
sentence is not belief in its content, neither is sincere avowal of that same sentence
assertion of its content. And yet it seems that speakers standardly regard their moral
acceptances as believings and their moral avowals as assertions. Kalderon recognizes

\(^{30}\) I have since discovered substantially the same argument made by Peter Glassen and pressed into
contemporary service by Richard Joyce (12-15 in *The Myth of Morality*).
that this is so and that it might seem to pose a problem for noncognitivism (141). But he argues that the revisionism entailed by the view is minor because it does not involve revising first-order moral commitments but only “certain sophisticated epistemological beliefs” and linguistic beliefs—presumably the sort of rarified, higher-order beliefs that ordinary speakers cannot be expected to get right (141-42). There are fair questions to be raised about whether the revisionism in question really is so minor and especially whether their beliefs about their own acceptances and avowals are really matters of such indifference to ordinary speakers. But tallying up the costs on each side of this dispute might seem to be inevitably impressionistic and therefore non-decisive.

However, the specific context of speech acts gives us a principled reason to think that the failure of self-understanding implied by noncognitivism is not merely a high cost but an unacceptable one. For consider the following principle proposed by Cuneo:

In ordinary optimal conditions, an agent performs an illocutionary act of Φing by way of performing a sentential act if and only if that agent intends to Φ by way of performing that sentential act. (41)

Call this principle the Illocutionary Intention Principle or IIP. Among the implications of the IIP are that, for example, one cannot ask a question by uttering a sentence without intending to ask a question, tell a joke by uttering a sentence without intending to tell a joke, or make a promise by uttering a sentence without intending to make a promise. One might, of course, utter sentences that are interpreted as questions, jokes, or promises without intending to ask, joke, or promise. But then it is best to say that one’s audience has misinterpreted one’s utterances. And of course one’s illocutionary acts may have many effects that one does not intend; the IIP takes no stand on whether perlocutionary acts must be intended. Thus understood, the IIP seems correct; Cuneo goes so far as to
call it a “truism” (42). Illocutionary acts are intentional acts, and they are intentional only insofar as they are intended. Moreover, in “ordinary optimal conditions”—roughly those conditions in which a speaker and an audience share a language, including conventions about which locutionary acts count as which illocutionary acts, and in which the speaker uses the language competently, according to the relevant conventions—performing some locutionary act with the intention of thereby performing some illocutionary act is sufficient for performing that illocutionary act.

If noncognitivism is true, then in all cases when a speaker avows some moral sentence “P,” the speaker performs some illocutionary act other than asserting that P. (This is on the plausible assumption that if one’s acceptance of “P” is not a belief that P, one’s sincere avowal of “P” is as not an assertion that P.) Whatever this non-assertoric illocutionary act is, the IIP now tells us that the speakers of moral sentences must intend to perform it. For it follows from the IIP that it is impossible for speakers to perform a non-assertoric illocutionary act without intending to perform that non-assertoric illocutionary act. But, plausibly, in a range of ordinary cases, speakers who sincerely avow moral sentences do so without any intention to perform an illocutionary act other than asserting those very sentences. In such cases, the noncognitivist must either reject the IIP or deny that speakers perform any illocutionary act. Yet the IIP is highly plausible, as is the claim that speakers are performing illocutionary acts when they make

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31 The characterization of the intention’s content here is de re, not de dicto, since otherwise the IIP would have the absurd consequence that one could not perform an illocutionary act of a given type without possessing the concept of every other possible type of illocutionary act (so as to intend explicitly that one’s speech act not be of any of those other types).

32 Though I doubt autobiography should count for much in settling such questions, I believe that I have uttered many moral sentences with the intention of asserting them, and have been understood to do so by my addressees. Likewise, I have been the addressee of many moral sentences that I believe were intended to be assertions of their putative content, and that I took to be such.
moral utterances that they themselves and their listeners take to be assertions. Together these claims make for a strong case against noncognitivism.

This argument is surely not the last word in the debate between cognitivists and noncognitivists. Committed noncognitivists will no doubt have much to say against it. Cuneo presses the argument in greater detail against expressivism and defends it from several likely objections. Noncognitivists as careful as Kalderon might begin by pointing out that noncognitivism is a view about the acceptance of moral sentences, whereas expressivism is a view about the use of moral sentences. I have already recorded my intuition that a speaker who accepts “P” in some way that does not involve believing that P does not assert that P when she sincerely avows “P,” so that noncognitivism entails expressivism (broadly construed). Unfortunately, I do not know how to argue for this intuition. But I believe the argument in which it figures is at least a good starting point for moral cognitivists and factualists who aspire to do more than defend their theses from noncognitivist arguments like Kalderon’s.

Finally, a note on the traditional cognitivist/noncognitivist dialectic: Although I have criticized Kalderon’s arguments for noncognitivism, I believe his distinction between noncognitivism as a thesis about the acceptance of moral sentences and nonfactualism as a thesis about the content of moral sentences is a real advance. But if noncognitivism is distinguished from nonfactualism in the way Kalderon proposes, such that the former does not entail the latter, then certain arguments traditionally deployed against noncognitivism really count only against nonfactualism. I have in mind especially the family of objections we might call embedding arguments. These are arguments that point to ways that moral sentences embed smoothly in truth-functional
and other propositional contexts and that infer from such embedding that moral sentences express propositions. Unfortunately for cognitivists, these embedding considerations show at most that moral sentences have propositional content, not that their acceptance is belief in that content or that their deployment is assertion of that content. Cognitivists may therefore have reason to take Cuneo’s argument (or my adaptation of it) all the more seriously as part of a shrunken menu of arguments for their position.

33 John Keller has suggested to me that embedding may still cause trouble for noncognitivists even in light of Kalderon’s argument if the objection is not merely that moral sentences embed grammatically in truth-functional contexts, but that we routinely so embed them, suggesting that our acceptance of them is cognitive.
CHAPTER FOUR

THE CHALLENGE OF ERROR THEORY

Even supposing that moral sentences do express moral propositions, that the acceptance of such sentences is at least sometimes belief in the propositions they express, and that the sincere avowal of such sentences is assertion of those same propositions, there is still a powerful contemporary challenge to all varieties of moral realism, and thus to a realistic construal of Social Requirement Theory. That challenge comes from error theory, the view that moral judgments, while truth-apt, are systematically false. Less radical versions of error theory might claim simply that our actual moral judgments are systematically false, without claiming that there are no moral truths to be discovered. More radical versions of error theory would claim that there are no interesting moral facts\(^{34}\) to be discovered, perhaps because our very moral concepts are incoherent or otherwise out of synch with reality. It is this more radical sort of error theory that was advocated by J.L. Mackie and that Richard Joyce has recently revived. Because of its focus on the relationship between moral obligations and reasons for action, Joyce’s argument for error theory provides an especially illuminating challenge to a realist construal of Social Requirement Theory.

\(^{34}\)“Interesting moral facts” roughly in the sense of first-order moral property exemplifications. For example, that some act V is morally right merely in the sense that it is not morally wrong would not be an interesting moral fact, since an error theory, in virtue of denying that any acts were morally wrong, could admit that every act was morally right in this minimal sense.
In what follows, I first explain Joyce’s argument for error theory (4.1). I then criticize the first three steps of his argument (4.2-4.4, respectively) and conclude with some broader reflections on the modal intuitions underlying his approach (4.5).

4.1. Joyce’s Challenge

Joyce provides the material for his error theory in two books: *The Myth of Morality* and *The Evolution of Morality* (cited hereafter as MM and EM, respectively). In *Myth*, Joyce argues at length for an error theory of moral judgment (Ch. 1-4), sketches an evolutionary explanation of the error (Ch. 5), and proposes a fictionalist revision of moral thought, whereby we retain some of the practical benefits of thinking and speaking in moral terms but recognize, in our reflective moments, that morality is a socially useful fiction (Ch. 6-7). In *Evolution*, Joyce expands his evolutionary explanation of moral judgment (Ch. 1-4) and argues that far from vindicating the truth of such judgments, evolutionary explanations defeat our epistemic justification for holding them (Ch. 5-6). Joyce’s official conclusion here is more modest than his conclusion in *Myth*. Without repudiating his *Myth* argument that moral judgments are all necessarily false, Joyce contents himself in *Evolution* with defending a kind of agnosticism about morality: for all evolution suggests, there could still be moral truths, but evolutionary explanation undermines our warrant for moral judgments by showing that such judgments result from selection pressures not sensitive to any moral truths there might be. Despite the differing (though compatible) conclusions of these works, Joyce employs much the same analysis.

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35 Joyce’s style of fictionalism differs from Kalderon’s in that Kalderon aims to describe our current moral discourse as a socially accepted fiction, without thereby discrediting it, whereas Joyce aims to criticize our current moral discourse as false and to recommend its replacement by a moral discourse we self-consciously intend as a useful fiction. Because of its focus on interpreting our current moral practice, Kalderon’s style of fictionalism has come to be known as *hermeneutic*, in contrast to Joyce’s *revolutionary* brand of fictionalism.
of moral concepts and judgments in both books, and I will draw freely from both in explicating and criticizing his views.

Joyce summarizes his argument for the error theory as follows:

For any $x$:
1. If $x$ morally ought to $\varphi$, then $x$ ought to $\varphi$ regardless of what his desires and interests are.
2. If $x$ morally ought to $\varphi$, then $x$ has a reason for $\varphi$ing.
3. Therefore, if $x$ morally ought to $\varphi$, then $x$ can have a reason for $\varphi$ing regardless of what his desires and interests are.
4. But there is no sense to be made of such reasons.
5. Therefore, $x$ is never under a moral obligation. (MM 77)

This argument represents a two-stage strategy: “first to find some thesis $T$ to which our ordinary moral discourse is committed (a ‘non-negotiable’ element) [steps 1-3], then to argue that $T$ is false [step 4]” (MM 17). Obviously the argument’s conclusion does not cover all types of moral judgments, only those that attribute moral obligations to people. Joyce seems to think that this type of judgment is central enough to our notion of morality that discrediting it would discredit morality as a whole. Since Social Requirement Theory is a view about the nature of moral obligations, and not about all forms of moral judgments, we can pass over the question of whether moral obligations really are central to morality in this way. Whether Joyce’s argument for error theory would, if sound, undermine all of morality, it certainly would cause trouble for any realistic view of moral obligation. Hereafter, any talk of moral judgments in connection with Joyce’s argument should be understood as referring only to deontological moral judgments—those judgments about the rightness or wrongness of actions or the moral obligations of agents.

The second stage of Joyce’s argument (step 4) relies on a broadly internalist or instrumentalist view of practical reasons of the sort associated with David Hume and
Bernard Williams. The idea, as Joyce develops it, following Michael Smith, is that an agent has a normative reason to perform some action if and only if a fully rational version of that agent would desire that the agent perform the action (MM 75).\textsuperscript{36} Joyce believes that the desires an agent’s fully rational idealization would have are a function of the desires the agent actually does have (MM 76), so that, contrary to the consequent of 3, no agent has reasons regardless of what his desires and interests are. I do not wish to commit here to a detailed account of normative practical reasons, but as I indicated in the first chapter, I am basically sympathetic to Joyce’s instrumentalism. Therefore, I shall focus below on the first stage of his argument, the stage that claims that moral judgment entails a commitment to practical reasons external to an agent’s desires or interests. I shall explain Joyce’s position more fully before turning to criticism near the end of this section.

Joyce frames his attempt to isolate the distinctive, non-negotiable feature of moral judgments as an interpretation of J.L. Mackie’s claim that such judgments aspire to a kind of “objective prescriptivity” (MM 17). Moral judgments seem to imply that their subjects must do or refrain from doing certain things—i.e., they prescribe—and they do so regardless of the desires or interests of their subjects—i.e., they do so objectively. Joyce’s own preferred term for this feature of moral judgments is “practical clout” (EM 57 and passim). The most obvious aspect of practical clout, Joyce suggests, is the inescapability of moral judgments: a person cannot evade a moral judgment simply by

\textsuperscript{36} Following Michael Smith’s distinction (MP 95-96; see also Jonathan Dancy, PR 1-5, for helpful explanation), normative reasons are typically contrasted to motivating reasons. Normative reasons are considerations that would justify an action or decision—good reasons, so to speak—whereas motivating reasons are the considerations in light of which an agent actually acts or decides. These reasons may or may not coincide in a given case, depending on whether the reasons that explain an agent’s decision (her motivating reasons) are good reasons (normative reasons). Except where otherwise noted, all references to practical reasons in this chapter are to normative reasons.
citing some feature of his psychology, such as his desire to perform an action that is being morally condemned. Joyce regards it as a requirement of any genuinely moral system that it contain at least some such categorical imperatives—“practical imperative[s] that [do] not depend for [their] legitimacy on some goal aimed at by the subject of the prescription” (EM 60). To motivate this thought, Joyce invites us to consider our reaction to an unrepentant murderer who convinces us that his crime, apprehension, and punishment satisfied some of his desires without frustrating any others. Surely, says Joyce, such considerations would not convince us to withdraw our moral condemnation of the murderer. This inescapability is the aspect of practical clout embodied in the first premise of the argument for error theory: If $x$ morally ought to $\phi$, then $x$ ought to $\phi$ regardless of what his desires and interests are.

But there is more to practical clout than inescapability. Cases such as Philippa Foot’s discussion of etiquette show that a system of normative rules may be inescapable but properly irrelevant to an agent’s deliberations (MM 35-36). Joyce makes this point by focusing on inescapable “ought” judgments licensed by the rules of institutions. For example, the rules of gladiatorial combat might be such that they apply to every gladiatorial contestant, including slaves or prisoners forced to compete against their wills; but unwilling participants may have no good reason to follow such rules (MM 34-36). Likewise, Joyce imagines creating a private game that involves secretly scoring strangers on their mundane choices. The rules of such a game might be said to apply to the strangers regardless of their desires or interests, but the strangers have no reason to modify their actions in response to the rules (MM 41). Or consider a cult that decrees that everyone should dye his or her hair purple. The scope of the decree is unrestricted,
and no one can elude it by citing a desire not to dye her hair purple. But no one would seriously suggest that such an edict, inescapably applicable or not, should figure into the practical deliberations of non-members of the cult (EM 62). All of these examples involve judgments that are in some sense inescapable—they apply to people regardless of their desires or interests—but that still fall short of the practical clout we associate with full-blooded moral judgments. What is missing is a reason-giving force that Joyce calls “authority” (EM 62). Genuine moral judgments aspire to furnish normative reasons to their subjects. Joyce first articulates this claim in a form that he calls “Mackie’s Platitude” (MP):

It is necessary and \textit{a priori} that, for any agent $x$, if $x$ ought to $\varphi$, then $x$ has a reason to $\varphi$. (MM 38)

At this point Joyce anticipates a challenge, because the cases of etiquette, gladiatorial combat, and the like might seem to provide counter-examples to Mackie’s Platitude. They seem to be contexts that license \textit{ought} judgments (thus satisfying the antecedent of MP) but that do not furnish reasons for their subjects (thus failing to satisfy the consequent of MP). One way to save MP would be simply to allow that every \textit{ought} judgment in such a context also licenses a corresponding reasons ascription. Anyone committed to strict rules of etiquette might be just as comfortable saying, from the perspective of those rules, “She has a reason not to eat her salad with her dinner fork.” as he would be saying, “She ought not to eat her salad with her dinner fork.” But this interpretation would save MP only by vitiating its usefulness for Joyce. For MP was introduced as a way to distinguish moral \textit{oughts}, which purport to carry practical authority, from non-moral \textit{oughts}, which do not.
Joyce is searching for a notion of reasons that obtain without antecedent commitment to any contingent institutional framework. He eventually characterizes “real reasons” as “those that one has independently of an institution that ascribes them” and identifies such reasons as the province of practical rationality (MM 51). Mackie’s Platitudine then becomes a claim about the existence of such institution-independent practical reasons, and step 2 of the argument for error theory is simply a restriction of MP to the moral case:

2. If $x$ morally ought to $\phi$, then $x$ has a reason for $\phi$ing.

The first two premises of the argument for error theory, then, express the features of inescapability and authority that together account for the practical clout that Joyce takes to be partly constitutive of our moral concepts. The third step of the argument is supposed to follow from the first two:

3. Therefore, if $x$ morally ought to $\phi$, then $x$ can have a reason for $\phi$ing regardless of what his desires and interests are.

Joyce says the first three steps of the argument are of this form:

1. If P, then Q
2. If P, then R
3. If P, then $(Q \& R)$ (MM 42)

And clearly, this is a valid argument form.

But in fact, Joyce’s actual 1-3 are not of the valid form schematized above, and this will provide a good critical entree into his argument. From premises 1 and 2, the schema licenses:

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37 To anticipate, I challenge this characterization of real reasons below.
4. If $x$ morally ought to $\phi$, then $x$ ought to $\phi$ regardless of what his desires and interests are, and $x$ has a reason for $\phi$ing.

Joyce, by contrast, derives:

3. If $x$ morally ought to $\phi$, then $x$ can have a reason for $\phi$ing regardless of what his desires and interests are.

The consequent of 4 requires only that $x$ have some reason for $\phi$ing, not that $x$’s reason for $\phi$ing be such that $x$ would have it regardless of what his desires and interests were. To put the point in Joyce’s own idiom, 4, following validly from 1 and 2, requires that moral judgments be inescapable and authoritative. Joyce’s 3, by contrast, invalidly infers from 1 and 2 that moral judgments are inescapably authoritative. But Joyce provides no independent argument to support this further claim; it rests solely on the considerations adduced in support of 1 and 2.

The possibility that Joyce apparently fails to consider is that moral judgments might both be in some sense inescapable, such that a subject cannot exempt himself from them simply by citing some contrary desire, and also be authoritative in that they furnish (or signal) real practical reasons for their subject (whatever the nature of these turns out to be), but that their reason-giving force for that subject is only contingent. This is the position of Social Requirement Theory outlined in Chapter One. Whether this possibility repays careful investigation depends, in part, on the plausibility of the inescapability and authority theses as expressed separately in steps 1 and 2. It is to the assessment of these theses that I now turn.

4.2. Premise One: Inescapability

Beginning with inescapability, it is important to distinguish this alleged feature of moral judgments from one with which it might easily be confused: universality. A
requirement may apply to a person irrespective of her desires or interests without applying to every other person, or even to every other similarly situated person (however similarity is specified). Kant, of course, believed that the inescapability of categorical imperatives required that they be grounded in a generic kind of reason characterized, in large part, by the universal scope of its edicts. But there is no obvious conceptual necessity that inescapability and universality be joined in this way. This is not to deny that moral judgments are in some sense universal, or even necessarily so, but simply to point out that universality and inescapability are distinct properties. Joyce recognizes the distinction between the inescapability of a judgment and its universality and explicitly rejects the latter as a conceptual requirement of moralizing: “Many communities have value systems that we don’t hesitate to call ‘moral,’ but which allow for particular judgments. For example, many (if not most) moral systems allow for strong distinctions to be made between community members and outsiders,” where such distinctions are not merely derived from some universal norm to the effect that everyone should favor members of his or her own community over outsiders (EM 71-72).39

What, then, should we make of the inescapability thesis taken in its own terms? That thesis, remember, is:

38 It may be worth noting that any alleged universality of moral judgments is notoriously hard to spell out, given that moral judgments are circumstance-sensitive, and circumstances can always be specified in ways that effectively limit the scope of a principle to a single case.

39 Yet notwithstanding his claim that he has always found universality suspect as a conceptual constraint on moral judgments (EM 71), Joyce rejects Humean instrumentalist accounts of moral obligation precisely on the grounds that they (allegedly) are unlikely to generate “a universal morality” (MM 61). Even if, for example, a Humean could appeal to unselfish sympathetic sentiments to dissuade a ring-equipped Gyges from harming those near him, “none of this will be sufficient for grounding imperatives proscribing his inflicting harm upon the inhabitants of the neighboring valley” (MM 61). But rejection on such grounds is unwarranted if Joyce is right, as I believe he is, that genuinely moral judgments need not be universal in their scope; the fact that a metaethical theory does not treat moral judgments as universal does not count against it.
1. If $x$ morally ought to $\varphi$, then $x$ ought to $\varphi$ regardless of what his desires and interests are.

There may be a trivial sense in which this statement is true: Assuming that moral *oughts* imply, or are a species of, *oughts* simpliciter (which is not to say they imply all-things-considered *oughts*\(^{40}\)), then any time it is true of some person that she morally ought to $\varphi$, it will be trivially true of her that she ought to $\varphi$, and that will be true of her given whatever desires and interests she has at that time. Even if some desires or interests could exempt an agent from a moral obligation, those desires and interests are obviously not present in any case in which the moral obligation obtains—that is, in any case in which the antecedent of 1 is satisfied.

But Joyce clearly intends premise 1 in a more robust sense. The “regardless” clause of the consequent is intended counterfactually, and not just as a way to refer to whatever desires or interests a person actually has at the time she morally ought to do something. The idea is that if a person morally ought to do something, a change in her desires or interests would not change what she ought to do (or, what amounts to about the same thing, if a person had had different desires or interests than those she actually has, she would have been morally obligated to do whatever she ought to do given her actual desires and interests). There is a sense in which this seems correct, as Chapter One recognized in enumerating some marks of moral obligations. One cannot exempt oneself from a negative moral judgment simply by citing a desire to do whatever the judgment proscribes. “But I want to!” normally counts for nothing against a moral-obligation judgment. And assuming that interests can be analyzed in a morally neutral way, the

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\(^{40}\) If Joyce intended the *ought* in 1’s consequent as an all-things-considered *ought*, I would further object to 1 that all-things-considered demands of practical reason need not tally with the demands of morality, even if they often do so.
same thing goes, *mutatis mutandis*, for assertions of one’s interests in the face of moral demands. Even if one’s interests give one a practical reason to discount moral requirements, they do not abolish the requirements, any more than (say) one’s interest in landing a job abolishes the legal requirement that one not break the speed limit to be on time for the interview, even if that interest gives one a good reason to break the speed limit.

I have not yet said anything precise about the sense in which Joyce’s premise 1 is plausible; I have simply noted that there is such a sense. In fact, I included something akin to 1 as the ninth mark of moral obligation in my Chapter One exploration of the concept. But in light of that same Chapter One discussion, we can see that there are extreme cases in which 1’s plausibility begins to look doubtful. And ironically, they are the very sort of cases Joyce uses to motivate the claim. Consider those examples: First, there is the criminal who is “utterly unrepentant: he tells us that he desired to kill the person, and that the killing did not frustrate any of his desires (we imagine that he even wanted to be caught and punished)” (MM 32). Second, there are the unrepentant Nazis, about whom Joyce says, “Any offering along the lines of ‘Well, we wanted to create an Aryan master race, and genocide seemed like an efficient means of accomplishing it’ is no defense at all!” (MM 43). Joyce acknowledges that one might hesitate to make ordinary moral judgments of the “you really ought not to have...” variety about such people. But this may not be simply, as Joyce thinks, because such judgments are “altogether too weak to capture the outrage” (MM 43). Rather, there may be a point (or at least a hazy region) at which a person’s apathy to ordinary moral concerns *does* seem to exempt the person from ordinary moral judgments. The person is simply no longer
one of us, not a functioning part of our moral economy. This shift in moral appraisal is already enshrined in our criminal justice system; any killer who pleads the way Joyce’s unrepentant killer pleads is likely to be classified as a sociopath—a threat to be controlled rather than a moral agent to be judged. Unrepentant Nazis we might judge to be morally depraved—but this need not be just a stronger way of saying they ought not to have done what they did. Rather, such depravity suggests a thoroughgoing moral disability (perhaps self-inflicted) that renders the subject something less than a full-fledged moral agent. Without supposing there is such a thing as the Nazi moral psychology, one might think that at least some Nazis really were not properly subject to moral ought judgments; of course, these same people might sensibly be condemned as vicious and vigorously, even violently, resisted. But ordinary ought judgments might seem misguided.

I have already (1.4) defended my view that radical moral and social disengagement may make it impossible for cultural demands to furnish the reasons for compliance that, according to Social Requirement Theory, constitute moral obligations. The point, as it bears on Joyce’s first premise, is that some changes in a person’s desiderative profile may be radical enough to make us reconsider the moral judgments we would otherwise make of that person. If this is correct, it means that 1 is false on a strong reading of its crucial “regardless” clause. As we have already seen, it does seem plausible that a subject’s isolated whim (say) would not ordinarily dislodge a moral judgment about him. So the inescapability characteristic of ordinary moral ought judgments seems to weaken somewhere between the extremes of a stray contrary wish and a radical moral disengagement. I do not know how to be precise about just where the

[41] This is more or less Gilbert Harman’s position (EV 7), discussed more fully in Chapter Five.
weakening occurs, and I suspect the borders of our moral concepts are too vague to permit any usefully precise specification. The only lesson I want to take from this discussion is that Joyce’s inescapability premise has not been established on its strongest reading, so that we should not reject a proposed interpretation of moral judgments solely on the grounds that it might allow sufficiently radical changes in a subject’s desires or interests to affect the truth of the judgments.

4.3. Premise Two: Practical Authority

Let us now turn to the second premise of Joyce’s argument for error theory:

2. If \( x \) morally ought to \( \phi \), then \( x \) has a reason for \( \phi \)ing.

This is the premise, recall, that began life as Mackie’s Platitude:

It is necessary and a priori that, for any agent \( x \), if \( x \) ought to \( \phi \), then \( x \) has a reason to \( \phi \).

The label invites us to consider whether the thesis really is a platitude, the kind of truism acceptance of which is partly constitutive of competence with moral concepts. Russ Shafer-Landau points to the significant contingent of moral philosophers who “regard it as an open question as to whether we necessarily have reason to do our moral duty” as evidence that Mackie’s Platitude is no platitude at all (111). Indeed, showing that people have reason to do what morality requires of them has been a central preoccupation of moral philosophy since the time of Plato. If Mackie’s Platitude were truly a platitude, one would not expect to see so many of the philosophers who believe it working so hard to show that it is true.42

42 I owe this point to Michael DePaul.
In favor of MP, Joyce points to the odd ring of, “You really ought to have done that, but I accept that there was no reason for you to” (MM 39). This oddness, however, might not result from any inconsistency between the content of the two clauses of the sentence. It might rather be that we typically call a person’s attention to her moral obligations only when we believe they also function as reasons for her, but we also believe that sometimes a person has no reason to fulfill an obligation. Perhaps we go to the trouble of remarking to a person on her obligation only when we believe she is likely to treat the obligation as a reason for action. To borrow Grice’s helpful term, we might say that among the normal conversational implicatures of the assertion, “You really ought to have done that,” is that there was a reason for you to have done that. If that were the case, then the assertion that you had no reason to V would be in tension with the normal conversational implicature of the assertion that you morally ought to have Ved, but not necessarily with its content.

More generally, it seems that the plausibility of premise 2 will depend on the correct theory of reasons for action, and I do not wish to try to settle that issue here. The above-noted grounds for doubt notwithstanding, I will simply note that 2 sounds plausible to me. I want to criticize not so much 2 itself, but rather certain points Joyce makes in the course of motivating 2, points that suggest an implausibly strong reading of 2.

Joyce’s defense of premise 2 makes clear that, despite its noncommittal appearance, it is not a claim about the existence of just any old reason for action. Joyce intends it as a claim about “real reasons” (MM 41 and passim), a concept he does not explicitly define but characterizes in two ways, which I will examine in turn below. First,
he treats real reasons as underwriting the all-things-considered judgments of practical reason; second, he treats them as unmediated by institutions. While both characterizations appear plausible in the context of the examples Joyce uses to motivate them, I believe both are ultimately misguided.

The suggestion that real reasons are all-things-considered normative reasons appears in Joyce’s discussion of Celadus the involuntary gladiator. The rules of gladiatorial combat state that combatants should not throw sand in each other’s eyes, but Celadus knows he will quickly meet a bloody end if he doesn’t throw sand in his opponent’s eyes. Joyce notes the apparent paradox that there is a sense in which Celadus ought not throw sand in his opponent’s eyes and also a deeper sense in which he ought to. The first ought is internal to the rules of the combat, but since Celadus has never accepted those rules and has no stronger interest than survival, it is only the second ought, which Joyce says marks an all-things-considered judgment, that properly guides Celadus’ deliberations (MM 34-35, 40). Joyce reinforces the sense that real practical reasons are those supporting all-things-considered judgments when he writes that “Practical reasons are, by definition, those which guide our action when everything has been taken into account” (MM 50). And this claim might look plausible when considered in the light of Celadus’ dilemma: whatever sort of reason the rules of combat provide for him not to throw sand in his opponent’s eyes probably does not strike most of us as a real practical reason for Celadus; by contrast, Celadus’ interest in survival does seem to give him a real reason to throw sand, and that reason seems fitted to underwrite an all-things-considered judgment that he ought to throw sand.
Yet the assimilation of real reasons to those that support all-things-considered judgments is misguided. True, whatever considerations support sound all-things-considered judgments will be real reasons—but not all real reasons pull the same way. What occurs in many sound exercises of practical reason is not that real reasons align on one side of the scales against spurious reasons on the other, but rather that some real reasons outweigh other real reasons. Good all-things-considered judgments reflect the overall balance of reasons, giving proper weight to reasons to that may pull against each other. We can easily elaborate Celadus’ dilemma in ways that make this clear. For example, suppose that in addition to caring greatly about his own survival, Celadus cares about the reputation of his ancestors, and suppose the reputation of his ancestors would be tarnished if Celadus were detected throwing sand in his opponent’s eyes. Then we might say (or at least Celadus might say) that his ancestors’ reputation gives Celadus a real reason not to throw the sand. And we might say this even if we stood by our original all-things-considered judgment that Celadus ought to throw the sand—we could say, in other words, that there is a real reason for Celadus not to throw the sand even though the balance of reasons favors throwing it. The general distinction between real reasons and spurious reasons is not the distinction between the reasons that favor sound all-things-considered judgments and those that do not.

That the reasons underwriting sound all-things-considered judgments are real normative reasons does not imply that all real reasons support such judgments. If we restrict our attention to moral judgments, the subject of Joyce’s premise 2, there is a substantive question about whether moral oughts always align with one’s best all-things-considered practical reasons. I believe they do not—that even if true moral obligation
judgments are always associated with good normative reasons, those reasons may sometimes be outweighed by other reasons, so that what one ought to do all-things-considered is not always what one morally ought to do. I believe this conclusion follows naturally from Social Requirement Theory along with the plausible claim that one does not always have strongest reason to do what is socially demanded of one. But I will not try to argue for that conclusion in detail here; its plausibility depends largely on that of SRT, which this dissertation as a whole is an attempt to display. However, it is important to note that premise 2 is proposed not merely as a truth about morality, but as a constraint on our moral concepts. It is supposed to follow from Mackie’s Platitude, which is allegedly necessary and _a priori_. And there is a strong _prima facie_ case to be made against the claim that it is a necessary and _a priori_ truth, a constraint built into our very concept of moral obligation, that moral obligations always provide the strongest normative reasons. The evidence against this claim in its strong _a priori_ conceptual form is that many moral philosophers who accept that morality furnishes real practical reasons nonetheless doubt that such reasons always outweigh competing reasons. Some philosophers who doubt (or even deny) this include Jonathan Dancy (MR 51-52), Philippa Foot (VV 185-86, NG 77-79), Christine Korsgaard (SN 125-28), Samuel Scheffler (52 and passim), David Wiggins (23), and Bernard Williams (ML 17-18). That such a diverse group of philosophers rejects the claim that moral reasons necessarily override non-moral reasons does not prove that the claim is false. But insofar as all of these philosophers have given careful, sustained attention to our moral concepts, their agreement in rejecting the claim does strongly suggest that the claim is not an _a priori_ conceptual truth. And in light of the fact that real non-moral reasons may oppose other
real non-moral reasons, I suggest that the burden of proof is properly on those who claim that the reasons that underwrite moral judgments are different, such that moral reasons always outweigh competing non-moral reasons.

Now let us turn to the second characterization Joyce offers of real reasons of the sort that premise 2 alleges accompany moral obligations. This second characterization of real reasons, more explicit than the first, is “those one has independently of an institution that ascribes them” (MM 51). We have already noted four examples of institutions Joyce uses to reinforce this distinction: etiquette, gladiatorial combat, the stranger scoring game, and the purple-hair cult. To these we may add a fifth:

Suppose I make this pronouncement: “I hereby declare that whenever we encounter something made in Norway in autumn it is permissible to assert the sentence ‘Everyone must pursue this thing.’” And suppose you answer “Hear hear” to my proposal. We have now created a little normative institution according to which everyone ought to pursue autumnal Norwegian products. (EM 203)

But obviously, says Joyce, such an institution creates no real reason for everyone to pursue autumnal Norwegian products.

Joyce’s examples of institutions (etiquette possibly excepted) suggest he has a strongly voluntaristic conception of institutions. Someone who set out learn the nature of institutions inductively from Joyce’s examples might naturally conclude that institutions are social arrangements that people arbitrarily create and then consciously decide to take part in. At one point he writes of “an institution, something that people may choose to endorse or not endorse” (MM 44). At another place he characterizes an institution as “something one may or may not adopt, something which, by its very nature, may be sensibly questioned from the outside” (MM 49). I suggest that this is a misleadingly narrow characterization of social institutions. Some institutions may be as arbitrary as
Joyce’s examples, but many obviously are not. Think, for example, of languages, family structures, or common law. All of these are clearly institutional, varying between cultures and evolving over time, all license normative judgments, and all may be questioned and criticized. But none is instituted by individual fiat, and most people would find it practically impossible to simply opt out of such institutions.

Once one takes a more representative view of the scope of institutions, any apparent opposition between institution-mediated reasons and real practical reasons begins to break down.\textsuperscript{43} Surely one’s language, family structure, and common law contribute to one’s reasons for action. Indeed, bracketing Joyce’s somewhat extreme examples, it is hard to see why anyone would oppose genuine practical reasons to those dependent on institutions. Clearly, Joyce’s problem with the notion of institution-dependent reasons cannot (or at least should not) be their contingency. Joyce is not an error theorist about practical reasons generally; indeed, it is his realism about internalist practical reasons that fuels his support for an error theory of morality. So the contingency of social institutions does not count against the authenticity of whatever reasons they may generate. It may be that such institutions must have some foothold in our desires or interests in order to generate reasons for us. But since our desires and interests are largely shaped by social institutions, that internalist requirement creates no impediment to the practical relevance of institutions. One may have good internalist reasons both to be a participant in an institution and also, in virtue of one’s status as a

\textsuperscript{43} To see the relevance of this point to Joyce’s claim that moral reasons are institution-independent, recall the strategy of his argument: Joyce does not argue directly that moral \textit{oughts} are conceptually connected to institution-independent reasons. Rather, he argues that (a) moral \textit{oughts} are conceptually connected to “real” reasons and that (b) real reasons are non-institutional. I am challenging (b) in order to disable what I contend is an implausibly strong reading of Joyce’s premise 2, a reading according to which if someone morally ought to do something, then the person has an institution-independent reason to do it.
participant, to act in whatever ways the institution prescribes. And yet it is precisely the contingency of (real) internalist practical reasons that is supposed to be the problem for moral realism.

These general points are especially evident in the case of moral institutions. Although historically contingent and culturally variable, human moralities are not created by whim. Nor can most people simply choose to endorse or not endorse the basic norms of their culture’s morality. Accepting a morality is partly constitutive of belonging to a culture, and cultural identity is not optional for most people in any practically relevant sense. Moreover, any successfully socialized human being will have strong socially instilled aversions to many kinds of immoral behavior and will also feel some attraction to her culture’s moral ideals. These aversions and attractions will partly constitute her “subjective motivational set,” grounding internalist practical reasons. And aside from the particular interests she has in virtue of her culturally instilled morality, if that morality serves the social coordinating and harmonizing functions typical of moralities, she will also have a strong general interest in being part of that moral system. In sum, moral institutions are almost nothing like institutions commending the purchase of autumnal Norwegian products, and there is little in the way of understanding their rational significance to be gained from lumping them together.

Indeed, speaking of morality as an institution at all may reinforce certain mistakes about its nature. Institutions of the sort Joyce considers are discrete, detachable social artifacts. That is, the other institutions constitutive of a culture could be described without reference to such institutions, and they could simply be eliminated from a culture with little perceptible difference. Rome would have remained Rome had gladiatorial
combats ceased, and no culture would feel the loss of the stranger-scoring game. A culture’s morality is not a discrete institution describable apart from its other institutions. Moral norms infuse virtually every aspect of a culture—any important social institution will have moral elements that protect it from the most egregious threats and lubricate its functioning. And the disappearance of a culture’s morality would not leave behind the same culture, but with one fewer contingent institution. A recognizably human culture simply could not exist without a morality. In these respects morality is similar to language—clearly a kind of social institution or convention, but not merely one optional modular institution among others; rather, it is the pervasive background and condition of all the more limited institutions of a culture.44

So we should not accept Joyce’s general opposition between real reasons and reasons generated or mediated by institutions. Moral *ought* claims can satisfy the requirement expressed in premise 2 of the argument for error theory—that they be accompanied by real reasons for action—even if they are licensed by social institutions.

4.4. *Step Three: Inescapable Practical Authority*

We have now raised serious doubts about the soundness of Joyce’s main argument for error theory. The first premise, claiming that moral requirements are inescapable regardless of one’s interests and desires, seems clearly true for a normal range of agents but may seem less clearly true for some extreme desiderative profiles. And although the second premise, requiring that moral obligations be accompanied by

44 As a crude analogy: If we think of the institutions of a culture as akin to the programs on a computer, the stranger-scoring game is like a video game program—removable from the culture without significant cost—whereas morality and language are more like the computer’s operating system—programs, yes, but indispensable to the functioning of the machine and of all its other, more local programs.
practical reasons, looks plausible, the practical reasons to which it alludes need not be understood either as underwriting all-things-considered practical judgments or as institution-independent, and so need not be thought to exclude social requirements as a candidate source for moral *oughts*. Moreover, as we saw at the outset, even if the argument’s first two premises were true, the crucial third step, requiring that true moral judgments be inescapably authoritative, does not follow from them. At most, the first two premises would establish that true moral judgments were inescapable and practically authoritative, not that their practical authority was inescapable. I conclude that the argument, in its current weakened state, does not constitute a reason to reject moral realism, including Social Requirement Theory.

But what about the third step of the argument? That step was:

3. If $x$ morally ought to $\phi$, then $x$ can have a reason for $\phi$-ing regardless of what his desires and interests are.

It does not follow from steps 1 and 2, but if it were nonetheless true, then conjoining it with the internalist view of reasons represented by step 4 would still yield the original argument’s conclusion. Obviously, an opponent of 3 would most like to be able to argue against it directly, perhaps by way of counter-example. Unfortunately, I see no way to do this that would not appear question-begging: to any putative counterexample I might give, Joyce could reasonably reply that my interpretation of the example presupposed the falsity of step 3. I hope that my presentation of Social Requirement Theory makes it look more plausible than Joyce’s step 3 for anyone who is forced to choose between them. Nonetheless, without pretending to refute it, we can still query the strength of step 3: Is there a strong reason to believe it? Is there anything to be said for 3 apart from 1 and 2, such that it appears more plausible than the alternative view (more congenial to
SRT) that moral obligations provide good reasons for most agents most of the time, even if those reasons are not strictly inescapable?

In *Evolution*, Joyce offers a defense of the requirement that morality deliver what he there calls “practical clout” that, while not part of the discussion of the *Myth* argument in which 3 originally appears, could nonetheless be taken as a defense of 3 against this looser alternative. Officially, practical clout is simply the conjunction of the inescapability and the authority of a demand or judgment (EM 62). As emphasized above, the conjunction of these two properties is different from the property of inescapable authority, and it is this latter property that figures into step 3. But since Joyce does not distinguish the compound property of inescapability and authority from the single property of inescapable authority, when he defends the practical clout requirement late in *Evolution*, it turns out to be inescapable authority that he is defending.

Joyce aims to rebut a version of naturalist moral realism on which morality would have practical reason-giving authority that was not strictly inescapable but was nonetheless reliable and hard to escape. Although the discussion is not about Social Requirement Theory in particular, it certainly anticipates SRT’s position on the connection between morality and practical reasons. If morality did not have to claim to generate strictly inescapable reasons but could be satisfied with merely deep and wide contingent reasons, internalism about practical reasons might no longer count against the truth of moral judgments. A desire, interest, or other element of a subjective motivational set may be widespread among the members of a culture and difficult to escape even if escape is in some remote sense possible. So a morality that engaged such deeply and
widely entrenched motivations could generate correspondingly deep and wide practical reasons.

In light of this brawny alternative, why does Joyce think our prephilosophical notion of moral obligation requires strictly inescapable authority, as per his original step 3? The answer is framed in a discussion of deliberation over a possible immoral action: stealing a newspaper from the hallway outside a hotel room. We are asked to consider a person who has “firm and entrenched desires on the side of moral goodness, and thus robust reasons to avoid moral wrongness” (EM 205). But strong and secure as they are, these firm desires and their corresponding reasons are nonetheless only contingent. Why isn’t such strong but contingent reason-giving force enough to satisfy our intuitions about the practical authority of morality? Joyce’s answer is addressed specifically to a natural moral realism that identifies moral wrongness with the property of causing unnecessary distress, but it is meant to apply, *mutatis mutandis*, to any naturalist moral realism:

The problem is that thinking in moral terms seems entirely superfluous to such a person’s reasons and motivations. If the person wonders why she should not steal the newspaper, all the answer she is ever going to get can come from reflecting on the fact that it will cause unnecessary distress. Her identifying that causal property with *moral wrongness* seems to add nothing to her reasons or motivation.... So the question we should put to this moral naturalist is “Why, according to your theory, do we need a distinct moral discourse at all?” Why not just talk openly about what we like and dislike, what is conducive to social harmony and what is not, what we will tolerate and what we will punish? (EM 207)

The argument of this passage appears flawed in at least two ways. The first is that it seems to assume that if moral wrongness were identical to some (other) natural property, competent users of moral language would be aware of that identity and could easily substitute talk of the natural non-moral property for explicitly moral talk. But the unobviousness of many true identity statements (Hesperus=Phosphorus, water=H₂O) to
competent language users is by now so familiar as to require no elaboration in the present case.

Secondly, the argument assumes that if moral properties were known to be identical to (other) natural properties, the continuing use of moral terms and concepts would involve a redundancy in need of a justification. But many respectable naturalistic concepts could be replaced by other (albeit often more complex) concepts, yet that fact does not point to any problem in need of solving. Consider our furniture discourse. I suppose we could replace all thought and talk about tables with thought and talk about flat horizontal slabs raised on legs or other supports used for surfaces on which to eat, write, work, and the like, and all thought and talk about chairs with thought and talk about devices made to support a single person resting on his thighs and buttocks with his back upright. We could think and talk this way, but there is obviously no harm if we don’t. Likewise, perhaps we could replace all of our explicitly moral thought and talk with thought and talk about some messy amalgamated property involving our desires and interests, our reasons for action, social harmony and coordination, social expectations and sanctions, intentional action, and the like. But, again, it seems harmless that we don’t.

There is a third thing to be said about Joyce’s response to a stable-but-contingent-reasons understanding of moral practicality, though it does not imply any further flaw in the response. The point is simply that the response does not seem aimed at the contingency of moral reasons that is supposed to be its target. The passage is supposed to provide some reason to think that true moral judgments would have to be accompanied by inescapable, rather than merely strong but contingent, practical reasons. But the passage says nothing about the dispute over the modality of morality’s practical rational
authority. It instead appears to make a general objection to the identification of moral properties with non-moral natural properties. Even if the response were successful in its own terms (and I have suggested two reasons above that it is not), it would still leave unanswered the original question that Joyce set out to answer of why contingent reason-giving force would be inadequate to account for the practical authority we normally ascribe to morality.

It seems to me, then, that step 3 of Joyce’s argument for error theory remains without independent support. In particular, Joyce gives (and I can see) no reason to prefer the strong thesis that moral obligations invariably bring inescapable practical reasons to the weaker competing thesis that moral obligations bring practical reasons that are difficult but not necessarily impossible to escape. Since step 4 of Joyce’s argument (denying the existence of inescapable practical reasons) yields the argument’s error-theoretic conclusion only in conjunction with the stronger thesis, I conclude that the argument fails to establish the necessary falsity of all moral ought claims.

4.5. Practical Modality

I believe the threat posed by Joyce’s argument for error theory to Social Requirement Theory, or to any other suitably modest form of moral realism, has now been neutralized. But before leaving Joyce’s challenge behind, it may be worth saying something more general about the modal intuitions that seem to drive it. Modal considerations enter Joyce’s argument in at least two distinct ways. First, the first three steps of the argument may be read as claims of conceptual necessity—as if they were prefaced by “It is part of the non-negotiable structure of moral concepts that…” In these steps, Joyce is aiming to articulate platitudes about morality that any competent user of
moral concepts would recognize as partially definitive of the concepts. But steps 1 and 3 bring in a second kind of modality with their references to an agent’s obligations or reasons “regardless of what his desires and interests are.” As I noted in section 4.2 above, these “regardless” clauses are clearly intended counterfactually—to assert that the reasons that accompany moral obligations are in some sense necessary reasons.\textsuperscript{45} I want to focus on this second sort of modality—the alleged necessity of moral obligations and of the practical reasons that accompany them. More specifically, I want to suggest that the philosopher’s habit of neatly splitting states of affairs (or the propositions that describe them) into the necessary and the contingent may mislead us about what falls on the contingent side of the line. Sorting moral obligations or reasons for action into the necessary and the contingent may obscure the force that moral reasons have for many agents by inviting us to assimilate the strength of those reasons to that of our more colloquial paradigms of contingency. In fact, some facts that fall on the contingent side of the necessary-contingent line as it is usually drawn by philosophers are so fixed and unalterable that they function as necessities for most practical deliberative purposes. Let me expand a bit on these points.

When we talk in an unphilosophical mood about contingency, we are apt to think about what is subject to chance or personal whim, about what could, for all we know, just as easily go one way as another. The contingent is the risky, the unpredictable, or (in the personal realm) the arbitrary. I have noted above how this loose understanding of contingency might be suggested by Joyce’s characterization of the alternatives to a

\textsuperscript{45} It is important to keep these two modal positions distinct in discussions of practical reasons: (1) Necessarily, if P, then S has a reason. (2) If P, then S has a necessary reason. It is easy to confuse a necessary (perhaps because conceptual) connection between obligations and reasons with the necessity of the reasons associated with obligations. The first sort of necessity does not entail the second.
strictly necessary practical authority of moral norms. The salient point to note is that the contingency that is the complement of metaphysical necessity need not be chancy or arbitrary at all. Indeed, there are many contingent facts (by the philosopher’s lights) that are reasonably taken to be unalterable in the ordinary course of life.\textsuperscript{46} The most obvious of these are facts about physical laws. The laws of physics and those of other natural sciences may be metaphysically contingent, but no one regards them (or their consequences) as contingent in common life. No one (including philosophers, of course) thinks of gravitational pull as something negotiable or subject to human deliberation. Gravitational pull is about as hard and unalterable a fact as we can hope to encounter, and if philosophers would place it on the contingent side of some necessary-contingent divide, that particular divide is not of much practical relevance to our negotiation of the world.

Beyond physical necessity, we are constrained by many contingent features of our social worlds. Some of these are never within our control; examples might include one’s caste or social class, one’s government and its laws, and the religious and moral expectations of one’s culture. Other social parameters might have been set in part by our past choices, but in ways that have fixed our future horizons; education, career, and family matters are often like this, at least for contemporary Westerners. But however the bounds have been fixed, bound we find ourselves to be. Social compulsions and constraints are so stable and pervasive that they are typically no more noticed or consciously resisted than is the force of gravity. However formally contingent they may be, they do not present themselves to us as optional or unreliable in any practically

\textsuperscript{46} To be clear, I don’t mean to imply that Joyce would deny this. I am simply trying to call attention to a fact I think is often underappreciated in metaethical theorizing.
relevant sense. Hume provides a vivid if extreme example of the power of social constraints: “A prisoner, who has neither money nor interest, discovers the impossibility of his escape, as well when he considers the obstinacy of the gaoler, as the walls and bars, with which he is surrounded” (EHU 60).

A third kind of metaphysically contingent practical limitation comes in the form of the volitional necessity and impossibility discussed by Harry Frankfurt (181-84), among others. Most agents would find it impossible to will to perform certain actions. Sometimes agents are aware of these limitations; other times the limits become manifest only when an agent discovers by trying and failing that he cannot will to do what he thought he could. Moreover, agents often identify upon reflection with these internal limits to their wills. Frankfurt argues that, far from being an impediment to a person’s practical rationality, such volitional limits are partly constitutive of having a character and can serve as a valuable bulwark against inhuman impulses of the destroy-the-world-to-protect-my-finger variety (188-90). It seems clear that the inability to will certain actions otherwise open to one is contingent in the grand metaphysical scheme of things. In a different culture with a different education and upbringing, one’s character could have been different. What is unthinkable for one’s actual self might be thinkable or even desirable to one’s counterpart in some near or distant possible world. Indeed, one may be able to take steps in the actual world to change one’s current “unthinkability profile.” Nonetheless, we are dealing with another practically limiting contingency.

Physical laws, multifarious social constraints, and volitional impossibilities are three examples of practically relevant necessities we may be apt to overlook if we carve up the world into the strictly metaphysically necessary and the contingent. These three
examples are neither mutually exclusive nor exhaustive. And if we broaden our thinking about practical reasoning to include such necessities, we should not then suppose that the realm of the metaphysically contingent splits neatly into the practically necessary and the practically contingent. Probably the practically relevant facts confronting (or involving) each person form a smooth continuum of susceptibility to change by human efforts, with the examples I have given of metaphysically contingent practical necessities clustering near one end of the continuum.

The most salient point for present purposes is that internally anchored reasons for action may be metaphysically contingent but practically quite strong or even inescapable for their subjects. Therefore, moral realism may be able to accommodate both a broadly internalist theory of practical reason and suitably qualified intuitions about morality’s practical clout. Mere metaphysical contingency need not compromise the internal reason-giving pull of moral obligations. In particular, if, as Social Requirement Theory maintains, an agent’s being morally obligated depends on her susceptibility to certain kinds of social pressures, it does not follow that the agent’s moral obligations are unstable or chancy. The relevant susceptibilities are beyond the voluntary control of most people and so essential to the reproduction of the species as to be nearly universal. Treating the approval and disapproval of other people as reasons for action is practically unavoidable for most of us, even if it is also the product of our metaphysically contingent psychology and socialization.

Joyce believes, and I agree, that it is the users of a concept who determine whether acceptance of a given platitude counts as part of competence with the concept (EM 200-01). But even if ordinary speakers believe that moral obligations are unyielding
and that they bring unyielding reasons for action with them, it is unlikely that they believe anything so specific and philosophically loaded as that this unyieldingness is strict metaphysical necessity. I would bet that any shared beliefs in this area are quite vague—perhaps to the effect that one cannot simply opt out of one’s moral obligations, and that there are weighty and widespread reasons to do what is morally obligatory. The upshot is that insofar as Social Requirement Theory can explain how a communally evolved notion of moral obligation has deep and wide internal deliberative weight, it is well placed to accommodate the intuitions that motivate Joyce’s error theory.
CHAPTER FIVE

SOCIAL REQUIREMENT THEORY AS MORAL RELATIVISM

If Social Requirement Theory is true, moral obligations are real: this much, I hope, appears plausible from the preceding three chapters. Yet Social Requirement Theory is also a form of moral relativism. It claims that one’s moral obligations are determined by the actual demands of one’s culture, and this kind of strong culture dependence is a hallmark of relativism. Yet it is surprisingly hard to formulate in any satisfying way what relativism is. Like “realism,” “relativism” is a label that is applied in philosophy more often than it is explained. And like explanations of realism, the explanations that are offered of relativism vary widely. Probably it is more important to be clear about what one means by calling a view relativist than it is to establish one’s preferred version of relativism as the uniquely correct formulation. My purpose in this chapter is two-fold: first, to explore the sense in which Social Requirement Theory is a form of relativism, and second, to contrast it with three other contemporary versions of moral relativism, those of Gilbert Harman, David Wong, and James Dreier.

5.1. The Relativism of Social Requirement Theory

Without aspiring to be exhaustive, I shall try to specify the sense in which Social Requirement Theory is a form of relativism by locating it with respect to several relevant variables or parameters. The first of these is the subject matter of the relativism. Most
often relativism (like realism and various other positions in metaethics) is discussed as a doctrine about morality or ethics per se. The implication is that fundamental moral notions are all of a piece, so that (for example) the nature of badness is more or less the same as the nature of wrongness. It is not necessary for my purposes to take a position on whether this is really so—whether, that is, moral concepts admit of a global metaethical treatment. I will simply point out that SRT is not a global theory of morality or ethics. It is a theory only about the nature of moral obligation, and although it may comport especially nicely with particular metaethical positions about other aspects of morality, it is at least compatible with a variety of positions on, for example, the nature of goodness, the meaning of ought, and the epistemology of virtue. To the extent that it is relativistic, SRT is a form of relativism about moral obligation, and that sort of relativism may or may not be accompanied by relativism about other moral notions.

Although there are probably formulations of relativism that fit neither of these patterns, most formulations are either what we might call difference formulations or dependence formulations. Difference formulations treat relativism as a doctrine about differences in moral statuses or properties in different contexts, such as between cultures. For example, William Frankena characterizes normative relativism as the view that “what is right or good for one individual or society is not right or good for another, even if the situations involved are similar” (109). Difference formulations capture the intuition that relativism involves a denial of a single universal morality and a consequent embrace of a diversity of moral codes.

One qualification is called for immediately (and this will apply to dependence formulations of relativism also): the subjects of relativism are standardly taken to be
*ultimate* or *basic* moral norms or principles, as opposed to (say) token moral requirements. On one standard picture of moral reasoning, token moral requirements are the product of moral principles interacting with circumstantial nonmoral facts. For example, the moral requirement that Susan give Jack a particular $5 at a particular time might result from the moral principle that a parent ought to care for her young children interacting with the facts that Susan is Jack’s mother and that giving Jack this $5 is the only way for her to ensure that he has lunch on a field trip. Because what a moral system requires of any particular person depends on the person’s circumstances and personal circumstances differ, differences in token moral requirements between persons need not indicate any difference in underlying moral principles. Similarly, on some pictures moral principles themselves are arranged in a hierarchy, with lower-level, more concrete principles derived from higher-level, more abstract principles in combination with stable background conditions or conventions. For example, the principle requiring that a married person not commit adultery might be thought to be derived from a higher level principle of utility in combination with a social convention of monogamous marriage, the observance of which promotes aggregate happiness more effectively than any socially available alternative. A differently circumstanced culture might have evolved a different sexual convention that promoted happiness for its members as or more effectively than marital monogamy would, and the principle of utility might not underwrite any ban on adultery for the members of such a culture. But this cultural variance would not normally be treated as a serious form of moral relativism if the proximate moral requirements binding the members of each culture were derived from a single ultimate normative principle, such as the principle of utility.\(^{47}\) Gilbert Harman defines conditions for an

\(^{47}\) Of course, principles may be arranged hierarchically without topping out in a single highest-
ultimate moral demand that can readily be adapted to other moral notions (such as norms or obligations) as well: “A given demand $D$ is an ultimate moral demand on an agent $A$ if and only if there is no further moral demand $D^*$ on $A$ which, given $A$’s situation, accounts for $A$ being subject to $D$” (EV 21). For our purposes, we can say that a moral obligation is ultimate just in case there is no further moral obligation that accounts for it. Robust difference formulations of relativism will postulate differences in the ultimate moral obligations that people have.

By contrast, dependence formulations characterize relativism as the dependence of morality (or some aspect of it) on some non-moral variable. Again, it is the dependence of ultimate moral considerations that is at issue, since even non-relativistic normative systems will recognize the partial dependence of derivative moral norms on non-moral circumstances. Mark Timmons gives a clear example of a dependence formulation (which he does not endorse). According to Timmons, moral relativism is the view that “What is right and wrong for the members of a culture depends on (is ultimately determined by) the basic moral norms of their culture” (40). This is an adequate statement of relativism only if “moral norms of their culture” is understood (as it is intended) as the norms endorsed by the culture rather than as, say, the norms binding on the culture—since a nonrelativist can grant that what is right and wrong depends on the norms that bind a culture but claim that the same norms necessarily bind every culture.

Although there may be little harm in defining moral relativism in terms of difference, I believe dependence formulations better fit what, on reflection, we take to be level principle. Ross’s ethics of prima facie duties, for example, would seem to top out in an irreducible plurality of highest-level principles.
distinctive of relativism. Relativism is a relational concept, regarding the relativity of one thing to another. Dependence formulations put this relation front and center, whereas difference formulations leave it in the background, where it presumably explains the relevant differences. Moreover, it seems intuitively plausible that relativism can be true even of (say) moral norms shared by different cultures if the explanation for each culture’s norms is bottom-up, so to speak, rooted in that culture, and it just happens that each culture for different (or even the same) reasons develops the same norms. Consider the rules of the road. No one doubts that whether one is to drive on the right or the left side of the road is a culturally (or legally) relative matter. The rules in this domain depend on local convention and are not derived from any universal system of road rules. As it happens, different locales have different rules of the road. But there is no necessity in this. Different locales might have all settled on (say) driving on the right as their norm, but this would not vitiate the relativity of the norms. The rules would still be relative to local conventions, even if the various conventions happened to converge. The same, it seems to me, is true of moral rules: they would still be importantly relative if they were locally grounded but happened to converge. Difference may indicate relativity, but dependence constitutes it. Henceforth, I shall regard relativism as a dependence doctrine.

Because relativism is a relational concept, any informative relativist thesis will need to specify both of the relevant relata—not simply what is relative, but also what it is relative to. We might think of a relativist thesis as satisfying the following schema:

X is relative to (depends on) Y.
Moral relativisms will place some moral fact, status, or property in the X position and some nonmoral fact, status, or property in the Y position. But not all sentences that satisfy the schema will be interesting versions of relativism. Consider:

(D) Moral obligations are relative to God’s commands.

(U) Moral obligations are relative to maximal aggregate preference satisfaction.

(R) Moral obligations are relative to the demands of pure practical reason.

None of these familiar moral theories is normally regarded as relativistic. At a minimum, it seems that any relativistic theory must fill the Y position of the schema with something that is not necessarily universal. That requirement will eliminate (R) from counting as relativism (at least on traditionally ambitious understandings of pure practical reason) but need not eliminate (D) or (U): God’s commands might be localized and particular, and preferences (and hence aggregate preference satisfaction) may be highly variable. I do not know of a neat way to distinguish positions that are intuitively relativistic from those such as (D) and (U) that are not. One option is simply to grant the “relativism” label to any position that satisfies the schema as specified thus far but to recognize that the resulting forms of relativism may be more or less interesting. If (D) is relativistic, it will be so in a less interesting sense than will a view that makes morality depend on cultural conventions.

In practice, the dependence formulations of relativism that have interested philosophers have generally fallen into one of two broad camps: those that make moral status relative to some property of the person making moral judgments, and those that make moral status relative to some property of the agent who is being appraised. Call
these two styles of relativism *speaker relativism* and *agent relativism*, respectively. An example of speaker relativism about moral obligations would be:

\[(S)\] Moral obligations are relative to the moral norms endorsed by the appraiser’s culture.

And the corresponding form of agent relativism would be:

\[(A)\] Moral obligations are relative to the moral norms endorsed by the agent’s culture.

Of course, hybrid views are also possible: one might think that moral status depended on both some feature of the appraiser and some feature of the agent.

Agent relativisms have at least one possible advantage over speaker relativisms in the domain of obligations. As I have emphasized from the outset, we typically understand an agent’s obligations to be closely tied to his reasons for action, even if we are unsure about how to spell out the connection. However, moral appraisers may have no causal interaction at all with the agents they appraise, and it seems implausible that an agent could gain or lose reasons for action simply in virtue of the judgments made by causally remote speakers. It seems incredible, for example, that a speaker living long after I am gone should be able to change my reasons for action by forming or reforming her judgments about my moral obligations. By contrast, because they focus on properties of the agent or token action, agent relativisms seem better placed to accommodate whatever connection there may be between an agent’s obligations and his practical reasons. We will revisit this point below when we examine James Dreier’s speaker relativism.

Social Requirement Theory is a dependence version of relativism about moral obligation. It claims that an agent’s moral obligations depend on the actual demands
made on the agent by his culture. SRT is not committed to any cultural difference thesis. Although it is possible—indeed, it is actual—that different cultures make different demands of their members, there is no obvious necessity that this be so. But moral obligations might be relative to actual cultural demands in the way SRT says that they are even if all cultures made the same demands and thus imposed the same obligations on their members. Furthermore, SRT is clearly a form of agent relativism. It anchors moral obligations in a feature of the agent: her status as the recipient of the actual demands of a culture whose reactions she (in some sense) cares about. The reality or unreality of a person’s moral obligations does not depend on the features of any particular appraisers. An anthropologist who deplored the demands a culture made on its members could nonetheless recognize the existence of those demands and could judge accurately (if SRT is true) that the members were obligated to comply with them. Even if obligation-ascribing sentences are often deployed exhortatively or otherwise noncognitively, according to SRT they literally describe naturalistic facts about agents—specifically, facts about agents’ reasons for action. Such sentences are made true by facts about the agents in question, not by facts about the speakers who happen to deploy them on this or that occasion.

It may be worth noting that Social Requirement Theory permits an agent to be subject to practically incompatible moral obligations. This is because an agent may be subject to the demands of many overlapping social groups, and these demands may sometimes conflict. Not every source of obligation-generating demands need be regarded as a source of moral obligations, but I see no reason in advance to think that a person could not simultaneously be part of more than one culture with incompatible demands.
For example, an agent’s ethnic culture and national culture may make incompatible
demands of him, and he may care deeply about his relationship to both cultures. So it
may be true of an agent at a time that he is both morally obligated to V in light of one
culture’s demands and morally obligated not to V in light of another culture’s demands.
Is this a problem for SRT? I don’t think so. The competing demands would be
incompatible in the sense that they could not both be honored, but there is no logical
absurdity in such incompatible demands being made. We are all familiar with
incompatible demands being made by different authorities. We find an instance of the
possibility of incompatible demands of the same broad type in the realm of law, where a
person may simultaneously be under the authority of several different legal codes. It is
perfectly conceivable that a person’s local government would make a law demanding that
she V, whereas her national government would have a law demanding that she not V. In
such a case, the person would be legally obligated to V and legally obligated not to V.
Any domain in which there are multiple demanders of the same broad type is one in
which people may confront incompatible obligations. Especially in our socially fluid and
variegated world, cultures may compete in the same individual’s life in this way. If a
person is properly connected to competing cultures and subject to the characteristic
sanctions of each, he may find himself morally obligated to perform and not to perform
the same action. So the possibility of practically incompatible moral obligations is not
one that should lead us to reject SRT out of hand.

5.2. Harman’s Relativism about Inner Judgments

Let us now compare Social Requirement Theory to other contemporary versions
of moral relativism. Gilbert Harman has provided the most influential recent defense of
relativism in a series of papers beginning with “Moral Relativism Defended” in 1975. These papers have been collected in Harman’s Explaining Value and supplemented with two other books: The Nature of Morality and Moral Relativism and Moral Objectivity (a debate with Judith Jarvis Thomson). I believe Harman defends substantially the same position in all of these works, albeit with varying emphases, and I shall move freely among them in reconstructing the core of his view.

Harman identifies a number of possible senses of moral relativism, all of which he endorses. Harman argues that all moral judgments, including evaluative judgments, are relative to some agreement (EV 4, 60-61, and passim). He endorses what he calls normative relativism, according to which different agents can be subject to different ultimate moral demands (EV 20-22); this is a form of what I have above called agent relativism. He also endorses a form of speaker relativism, which he calls moral judgment relativism, according to which moral judgments are true or false only relative to some set of moral standards implicitly invoked by speakers (EV 22-23). And Harman endorses what he calls metaethical relativism, according to which it is possible for more than one conflicting moral judgment about the same situation to be true (EV 24-25).

However, Harman has written most extensively about the relativism of what he calls “inner judgments.” According to Harman,

Inner judgments include judgments in which we say that someone morally should or ought to have done something or that someone was morally right or wrong to have done something. Inner judgments do not include judgments that someone is a savage, inhuman, evil, a betrayer, a traitor, or an enemy. (EV 4-5)

Harman distinguishes the ought of an inner judgment that an agent ought to have done something from the ought of a judgment that an action ought to have been done, where the latter is a normative “ought to be” about the moral status of some state of affairs.
independent of the agent who brings it about. Likewise, inner judgments attribute wrongness to agents, not merely to their actions or the outcomes of their actions (EV 6-7). According to Harman, what is distinctive of inner judgments versus superficially similar ought or wrongness judgments is that the former imply that the agent has reasons to do whatever he allegedly ought to do (NM 86-87, EV 42-43), whereas the latter make no claim about the agent’s reasons. Although Harman characterizes inner judgments in the language of ought, right, and wrong rather than in terms of obligation, it is clear that the moral obligations that are the subject of Social Requirement Theory are the subject of inner judgments in Harman’s sense. They belong on the deontological side of morality, and they concern the relationship of agents to their actions. So I will restrict my attention from this point to Harman’s relativism about inner judgments.

On Harman’s view, relativism is true of inner judgments in the sense that what inner judgments are true of a person—for our purposes, what moral obligations a person has—depends on what reasons for action the person has, and reasons for action are relative. Sometimes Harman explains this relativity in terms of actual diversity of reasons among different people (e.g., EV 40, 43), and sometimes he explains it merely in terms of the dependence of practical reasons on an agent’s variable desires, interests, and the like (e.g., MR 62). I have already explained my preference for dependence formulations of relativism, and I believe Harman’s appeals to actual differences in practical reasons can be read as intended to establish the variability in desires and interests that is needed to make dependence on them an interesting brand of relativism.

Our encounter with Richard Joyce’s argument for error theory has already suggested that an unqualified internalism about practical reasons may push us in the
direction of moral nihilism rather than even a relativistic account of moral facts. This is because morality as ordinarily conceived seems to involve some meaningful measure of objectivity. It is not simply a matter of satisfying idiosyncratic personal desires. Harman recognizes this in the course of criticizing R.M. Hare’s universal prescriptivism. Harman interprets Hare’s view as a form of subjectivism that makes each individual the source of her own morality, albeit one with which she demands others comply. According to Harman, “We do not ordinarily suppose that right and wrong are determined by a particular individual’s decisions and principles. We are inclined to think that morality has an external source, not an internal one” (NM 92).

We have already seen how Social Requirement Theory accommodates moral objectivity in a framework of internalism about practical reasons: Moral obligations come to a person unbidden as culturally entrenched demands, but these demands bind him rationally in virtue of his desire (broadly construed) not to be disapproved of or shunned by his fellows; this desire, and hence also the reasons it generates, is typically powerful and deeply entrenched.

How does Harman reconcile moral objectivity with internalism? He suggests that morality is the product of a tacit convention such that each individual’s reasons to be moral are just his reasons to abide by a mutually beneficial convention. Harman consistently emphasizes that the kind of convention he has in mind is not a punctual event or ritual like a promise or an oath. Rather, the conventions Harman takes to ground moral reasons (and thus to anchor inner judgments) are in place “when each of a number of people adheres to certain principles so that each of the others will also adhere to these principles” (NM 103; see also EV 4 and passim). All that is required for a convention in
this sense are intentions to act (or not act) a certain way conditional on the expectation that others will do the same. Hume’s example of the mutual adjustment between two rowers in a boat who tacitly compromise on a rhythm that will effectively take them where each wants to go is the kind of convention-as-shared-conditional-intention that Harman has in mind (NM 103, MR 22-23, EV 58). Each person has reason to be party to the relevant convention insofar as it is instrumental to his preconventional ends. According to Harman, “The fact that participants aim at provisions that are in their own interests helps to explain the rough utilitarian character of our own morality” (EV 47). The observance of moral rules tends to serve everyone’s interests because the rules in place are precisely those that self-interested individuals have settled on as a mutually beneficial compromise. So inner judgments are true or false with reference to moral principles that give people reasons for action. The principles are objective in that they are a social product, not changeable by any individual’s whim, but they generate internally recognizable reasons for action because they contribute to the satisfaction of each person’s premoral desires or interests.

How should we assess Harman’s tacit convention understanding of (inter alia) moral obligation from the perspective of Social Requirement Theory? Obviously there is much in Harman’s convention view that SRT will find congenial. Boths theories treat morality as an essentially social phenomenon grounded in the actual demands (or conventionally accepted principles) of a society. Both see moral obligations as intimately connected to practical reasons, and both work from a broadly internalist understanding of practical reasons, such that a person who takes no interest in complying with moral norms and who has no desire or interest that could be served by so complying has no
reason, and hence no obligation, to comply. SRT can also accept the convention theory’s claim that the moral principles that are in force for the members of given culture largely reflect evolved social compromises representing basic interests in physical safety, secure property, and social order. However, SRT does not take it as essential to moral principles that they be the products of conventions in Harman’s sense of shared conditional intentions. SRT allows a plurality of origins for moral principles or demands. Their ability to generate moral obligations stems from their social demandedness, not from whatever reasons or causes may explain their being demanded in the first place. For example, SRT allows that a culture may obligate its members to refrain from some religiously condemned action simply because it is considered impious, and having nothing to do with anyone’s conditional intentions. This is a point about the content of moral obligations—that it need not, according to SRT, be limited by the shared conditional intentions of those who are subject to the obligations.

To this first difference between SRT and Harman’s tacit convention theory is closely allied a second that is more significant. For on Harman’s view, it is not merely the content of moral obligations that is rooted in convention, but also their obligatoriness. The (moral) reason a person has to perform some token moral act is grounded in her participation in the relevant convention—that is, in her conditional intention to adhere to a certain practical policy or principle. And her reason to form and maintain such an intention is grounded in whatever preconventional interests or desires she has that are served by the convention. So on this view, there is a sense in which a person is obligated to do only what she has already formed some intention to do. Harman explicitly acknowledges this implication of the theory:
The principles that apply to you, according to this theory, are not simply whatever principles are conventionally accepted by the surrounding group; you must accept the conventions too. Otherwise they could not give you reasons to do things, and judgment about what you morally ought to do or about what it would be right or wrong of you to do could not be made with reference to those conventions. (NM 112-13)

It is crucial to recall here that for Harman’s purposes, accepting a convention in this sense does not necessarily involve a gesture or ritual of promising compliance. Accepting the convention simply is forming the relevant intention to perform according to the convention on the assumption that others will, too. So Harman is saying that inner judgments (and hence moral obligations) do not apply to you unless you have already formed an intention to act in accord with the relevant principle, and that it is your intention to do so that furnishes your proximate reason—that binds or obligates you—to do so. This is in marked contrast to SRT, which grounds the bindingness of moral obligations in the demands of other people. According to SRT, it is not necessary for an obligated person to intend to comply with the relevant principle, and it is not the person’s own intentions that furnish whatever reason she has to comply. It is enough that the person’s surrounding culture make the demand, that it be backed by some threat of disapproval or ostracism for noncompliance, and that the person have some interest in avoiding this reaction.

I believe SRT’s account of moral obligatoriness is more satisfying than tacit convention theory’s account. Having a conditional intention to comply with a principle shared by one’s fellows seems neither necessary nor sufficient to morally obligate one to comply with the principle. It does not seem necessary, because we routinely recognize that a person can be morally obligated to do what he has no intention at any level of doing. He may, for example, be morally obligated to remain faithful to his spouse even if
he has no intention of doing so, has no broader intention to keep his promises or respect the institution of marriage, and takes no interest in whether other people remain faithful to their spouses. Harman’s position limits the scope of moral criticism too narrowly. Of course Harman can allow that the person ought to remain faithful to his spouse, if the *ought* in question is, say, evaluative, merely an expression of our preference for a state of affairs in which the person remains faithful. But he cannot allow that the husband who has grown indifferent to the institution of marriage ought to remain faithful in the inner sense of *ought*, the sense that points to a reason the husband has to remain faithful. SRT, by contrast, accommodates our prephilosophical sense that such a person remains morally obligated to stay true to his spouse. This is because the person still has an internally grounded reason to avoid his culture’s disapproval of marital infidelity, even if he has grown otherwise indifferent to his spouse and the institution of marriage and has no intention of remaining faithful.

Furthermore, the practical reasons supplied by shared conditional intentions, even when present, seem insufficient to account for the felt texture of moral obligations. Moral obligations often feel imposed on us as if from the outside. They are different from merely prudential reasons to cooperate with other people for whatever good results the cooperation aims to produce. The example of the two rowers that Harman uses to illustrate the sense of convention he takes to ground morality also shows up this shortcoming of his account. If one’s only purpose were to reach a destination efficiently, one might indeed have good reason to compromise on a rate of rowing with one’s fellow passenger. But one would not feel morally obligated to row at that (or any other) rate. We typically feel bound to perform our obligations apart from whatever interest we take
in their immediate ends. The unsupplemented tacit convention theory has no way to explain the qualitative difference between obligations and non-obligatory reasons to cooperate with others. Social Requirement Theory, by contrast, identifies a salient difference: Obligations, unlike merely prudential practical reasons, feel like requirements because obligations are requirements—requirements that our cultures make on us. It may be relevant to note in this connection that Hume, from whom Harman borrows the example of the two rowers, was careful to distinguish two stages in the evolution of moral conventions. In the first stage, people’s pre-conventional interests led them to develop the relevant conventions. In the second stage, participation in the conventions became moralized as people began to praise and blame each other for their participation or lack thereof. (See, generally, T III.ii.2.) A practice that originates in self-interest does not become obligatory unless or until it becomes subject to reactions of praise and blame by other people.

In sum, the advocate of Social Requirement Theory can agree with Harman about the relativity of moral judgments to culturally based standards, the tight connection between obligations and practical reasons, the internal character of practical reasons, and the conventional origin of at least much of ordinary morality. However, by locating the obligatoriness of morality in its demandedness rather than in its conventionality, SRT can better account for our judgments of people who flout moral rules and for the widely felt distinction between what is obligatory and what is merely prudent.

5.3. Wong on Adequate Moral Systems

David Wong has provided one of the most elaborate contemporary discussions of relativism in his book *Moral Relativism*. He presents a version of relativism about the
truth of first-order moral *ought* claims of the form “A ought to do X” as the most satisfactory way to accommodate both the data suggesting morality is objective and data suggesting it is not (MR 5). (The notion of objectivity in play here is rough and intuitive.) Data suggesting that morality is objective include the widespread beliefs that moral statements have truth values and that there are good and bad reasons for people’s moral judgments (MR 1). Data suggesting that morality is not objective include moral disagreements about issues such as abortion that appear to be rationally irresolvable and the diversity of seemingly respectable moral traditions among cultures (MR 3-4). Wong argues that subjectivist moral theories (e.g., those of Stevenson and Hare) have failed to account for the objective features of morality (MR 10-22), while objectivist or absolutist moral theories (e.g., those of contemporary Kantians, Aristotelians, and Platonists) have failed to account for the subjectivist-pointing data (MR 80-104).

Wong defends the following analysis of moral judgments of the form “A ought to do X”:

> By not doing X under actual conditions C, A will be breaking a rule of an adequate moral system applying to him/her. (MR 40)

Let us dub this analysis $W$. I will scrutinize the elements of $W$ in detail below, but first some further contextualizing: Although $W$ is framed explicitly as an analysis of a certain sort of *ought* statement, Wong’s exposition moves freely between talk of ought and talk of obligation (e.g., MR 41-42), and I believe it is reasonable to regard his target as what Harman calls inner judgments, including the obligation claims that are the focus of Social Requirement Theory. Wong does not say what kind of analysis he is aiming to provide, but it is apparently at least a truth-conditions analysis, since one of its alleged virtues is preserving the truth functionality of A-ought-to-do-X judgments. Wong argues that $W$
permits a high degree of objectivity in first-order moral judgments while still respecting the data that point toward subjectivism. He classifies moral theories as either absolutist or relativist depending on whether they affirm or deny (respectively) the claim that there is a single true morality (MR 1, 4). And he argues that W, by this standard, counts as a form of relativism, because (as he argues) there is (or can be) different adequate moral systems applying to different agents. Although he does not say so explicitly, Wong’s general strategy for vindicating W appears to be to show that it walks the objectivist/subjectivist line more successfully than the subjectivist, absolutist, and relativist alternatives he considers, and also avoids various others of their shortcomings. It will not be necessary for my purposes to appraise all of Wong’s comparisons between W and the alternatives he considers. I shall confine my attention to W itself as it compares to Social Requirement Theory.

As a final bit of preliminary housekeeping, let us query the concept of relativism defined by Wong. According to that concept, relativism denies that there is a single true morality. Depending on what kind of elements constitute a morality, the notion of a morality being true or false may or may not make good sense. If a morality is a set of propositions (about, e.g., what action types are right and wrong), then the ordinary notion of truth may apply. However, Wong appears to regard moralities as sets of rules that take the form “A is to do X” and are the contents of imperatives (MR 37-38). And rules are not, intuitively, the kind of things that can be true and false. They can, however, be true in the sense of genuine or authentic. And they also underwrite straightforwardly true and

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48 Although Wong does not say so, it seems more in keeping with the spirit of his project to treat relativism as the view that there is or could be more than one true moral system, since relativists intuitively want to allow for moral truths, and various stripes of nihilists might deny truth (or legitimacy or genuineness or…) to every possible moral system, and thus deny the claim that there is a single true morality.
false judgments within their domains. Consider, for example, the rules of a game such as baseball. The rules of baseball are not true as opposed to false. But there are rules that are the genuine rules of baseball, and other possible rules that are not, and it makes good verbal sense to call the genuine rules the true rules of the game (just as one might have called Ronald Reagan the true U.S. president in 1987, as over against any imposters).

Likewise, the genuine rules of baseball constitute (at least partially) the truthmakers for various judgments made within the context of baseball, such as the judgment that a particular batter is out and ought to return to the dugout. We could thus define a derived notion of truth for a set of rules such that the set is true iff all of the subsidiary judgments it licenses (when it is properly applied) are (ordinary, correspondence) true. It may be simplest for our purposes if we treat Wong’s issue about the existence of (only) one true moral system as the issue of whether there is more than one genuine or valid or legitimate moral code, such that all of the A-ought-to-do-X judgments it licenses are true. A relativist in Wong’s sense claims that there is (or could be) more than one such code, while an absolutist claims that there is only one.

Now we are ready to unpack W and see why Wong thinks it supports relativism. Again, W claims that statements of the form “A ought to do X” can be analyzed as:

By not doing X under actual conditions C, A will be breaking a rule of an adequate moral system applying to him/her. (MR 40)

Obviously, in this schema, X represents an action, A represents an agent, and a moral system is composed of rules of the directive form noted above (“A is to do X”). The three remaining elements of the analysis that call for comment are its notions of actual conditions under which an action would break a moral rule, of an adequate moral system,
and of a moral system applying to an agent. Let us call these, respectively, the
*conditions*, *adequacy*, and *application conditions* of W and examine each in turn.

The conditions condition simply acknowledges that many moral rules build in
conditions on when an action is prohibited, permitted, or required. Examples of relevant
conditions C might include the existence of a promise or the likelihood of causing hurt
feelings. You ought to go to work today *if* you’re not likely to spread a contagious
disease *and* you haven’t promised to care for a sick spouse instead *and*…. As Wong
says, we rarely go to the trouble to try to list all of the relevant conditions C, trusting our
audiences to know what they are, and philosophers often signal their possible existence
with *ceteris paribus* clauses (MR 41). Wong suggests that these conditions generate a
kind of relativity, insofar as they contribute to the existence of different substantive moral
demands on different agents. But he acknowledges this relativity is not very deep (MR
66), and it is certainly not the kind of relativity at issue between moral relativists and
absolutists, since it is compatible with the existence of a single practically consistent
system of moral rules.

The adequacy condition tells us that moral *ought* statements are true only when
they are backed by an adequate moral system, and it is at the heart of Wong’s distinctive
brand of relativism. On the one hand, the condition is intended to introduce a substantive
constraint on what moral systems can underwrite true *ought* judgments. On the other
hand, the constraint supports relativism because more than one moral system satisfies it.
Wong derives his notion of adequacy from what he regards as the function of moral
systems within a culture. Here is Wong’s most clear and succinct explanation of this
function and of its relation to adequacy:
I conceive of a morality as an organized system of belief with the characteristic function of resolving or regulating two kinds of conflict of interest: conflict between the different interests within the individual that create incompatible possibilities for action; and conflict between the interests of different individuals and groups. Ways of dealing with those two kinds of conflicts develop in anything recognizable as human society, and they crystallize in the form of customs and practices. Embodied in these customs and practices are rules for conduct and ideals for persons. To the extent that these rules get organized into a relatively coherent system of rules for conduct and ideals for persons, we have the core of a morality.

But morality is not simply an abstraction from existing customs and practices. It emerges when a community engages in collective reflection on the rightness or adequacy of its customs and practices. That is why, under my analysis, moral truth cannot enter the scene until we begin to discuss the adequacy of a system of rules. A system that allows the torture of persons on whim is not adequate for the task of resolving interpersonal conflict. Acceptance of a given morality involves the implicit acceptance of its rules and standards for persons as constituting an adequate system for performing the function of morality. (“Commentary” 182)

The thought, then, seems to be that to count as true, a moral ought claim must be part of, or follow from, a system of rules adequate to resolve intra- and interpersonal conflict. Since there may be more than one such system, morality is somewhat relative. But the functional notion of adequacy places a substantive boundary on what a person may be morally obligated to do. It appears from the second quoted paragraph that this boundary enters in the truth conditions of ought judgments because of its role in the intentions of speakers. Wong seems to be arguing that distinctively moral ought judgments involve conscious commitment to the adequacy of a system of rules for resolving inter- and intrapersonal conflicts, and that first-order ought judgments are true only if these higher-order adequacy judgments are also true.

This picture is complicated by Wong’s discussion of the relativity of the extension of the concept of an adequate moral system. This discussion occupies most of the fifth chapter of Moral Relativity and involves subtleties of various theories of reference that
need not detain us. But the main point is that relativity enters not simply through the
differences between various possible moral systems each of which meets the same
standards for adequacy but is incompatible with the others. Different speakers and
cultures have different notions of what would make a moral system adequate, and so even
if all moral *ought* claims make implicit reference to standards of adequacy, as Wong
believes, they may still have significantly different truth conditions, since the standards
thus referred to may vary with the speaker. I will not examine this alleged source of
relativity in depth, since the thrust of my response (below) to the adequacy condition will
be that it is implausible whether it is supposed to admit of one or many possible standards
of adequacy. But it is important to note at least because Wong considers it to be “at the
heart of the debate between relativists and absolutists” (MR 66). And he is right at least
to this extent: If a proper truth-conditions analysis of *ought* judgments does include an
adequacy condition, and if the concept of adequacy varies in extension as Wong suggests,
then relativism as Wong conceives it is true, and in a deep sense. It is not merely that
true moral systems vary in their superficial elaborations of a common core; there may be
no necessary common core. Moral truth may vary as much as conceptions of adequacy
vary. As I have argued is true of the range of actual cultural demands with reference to
Social Requirement Theory, there may well be limitations of human nature and cultural
evolution that de facto limit the range of possible conceptions of adequacy. But the
resulting relativism will be just as radical as SRT’s; there will be nothing in the concept
of morality itself constraining its content in advance of the actual adequacy standards that
emerge.
And this introduces the first of two internal puzzles about the alleged variability of the extension of adequacy that I will briefly note. The worry is that this variability vitiates much of the interest in the adequacy condition. That condition was supposed to provide a substantive constraint on the range of true moral systems; it was supposed to allow for a degree of relativity within fixed bounds. But if the extension of the concept of adequacy can vary apparently without constraint (and I do not find any constraints mentioned in Wong’s text), then it looks like there may be no limit on what moral systems may be true (or generate true ought judgments) after all. The relativism licensed by W will be just as radical as it would have been without the adequacy condition.

A second puzzle created by the extensional relativity of the concept of adequacy is how to jibe this part of Wong’s discussion with his initial requirement that the standards of adequacy of a moral system be successful at resolving inter- and intrapersonal conflict. Is conflict resolution a specially privileged ideal, the correct standard for the adequacy of moral systems, as it initially appears to be in Wong’s discussion? Or is it simply Wong’s personal ideal of adequacy, or the ideal he takes to be endorsed by his culture? If it is the former, why does Wong go on to argue that adequacy is relative in ways that affect the truth conditions of ought claims? If it is the latter, why does Wong introduce the notion of adequacy by telling a story about the original function of morality that does not seem to be restricted to any particular culture or context? My point is not that W (as Wong interprets it) is inconsistent here, simply that there is a puzzle that begs for a resolution, a resolution that Wong, as far as I can tell, has not yet provided.
The extension of the concept of adequacy aside, the adequacy condition does not appear very plausible as part of a truth-conditions analysis of moral *ought* judgments. This is so for at least two reasons. First, Wong’s justification for the adequacy condition attributes an unrealistic degree of critical reflectiveness to ordinary moralizers. Most people inherit their culture’s moral system from their parents and early teachers and accept it as given. They do not have higher-order views about the adequacy of their culture’s moral rules with respect to some functional ideal, much less do they intend such judgments as part of their first-order judgments about the moral status of token actions or agents. Certainly philosophers are accustomed to pondering the purpose and justification of morality, but this is regarded by many people as a rarified and even potentially subversive pursuit. Contrary to Wong, such reflection is not a condition of individual or communal moral awareness and commitment. Considerations of systemic adequacy do not inform the moral deliberations of ordinary speakers and agents in the way that Wong’s justification suggests they do, so it is implausible to build them in to the truth conditions of moral judgments.

A second reason to doubt Wong’s adequacy condition emerges from comparison with the structure of legal judgments. There can be no doubt that systems of legal rules evolve to serve certain characteristic functions within communities, mostly related to the maintenance of order. Moreover, legal judgments about the token legal obligations of a particular agent at a particular time and place are made true, at least in large part, by the legal rules that are in force at that time and place. In these respects, legal obligations are analogous to moral obligations as conceived of by Wong. But, crucially, the truth of token legal obligation judgments does not depend on the success of the relevant local
legal system in discharging its original function(s), and that function does not provide a substantive prior constraint on what rules may or may not become part of the system. Put simply, a law may be a lousy law by a variety of functional standards but still be a law. It may be that legal systems exist to serve certain purposes, but it does not follow that existing laws are laws in virtue of serving those purposes. It is the genesis and political standing of a rule (as the actual demand of a political authority backed by threat of sanctions) that makes it a law capable of generating legal obligations, not its adequacy at discharging the functions that have historically motivated political communities to make laws in the first place. The same, I suggest, may be true of morality. Wong may be correct (probably is correct) about the functions that moral systems have evolved to serve. But it does not follow that moral rules are genuine or generate obligations only if they are adequate to serve those functions. If Social Requirement Theory is correct, it is the genesis and cultural standing of a rule (as the actual demand of a community backed by threat of sanctions) that makes it a moral norm capable of generating moral obligations, not its adequacy at discharging the functions that have historically motivated communities to make demands of their members in the first place.

It is the adequacy condition that is most distinctive of Wong’s version of moral relativism by limiting its scope. But Wong’s justification for the condition attributes an unrealistic degree of reflectiveness to ordinary moralizers and communities, and the condition also elides the distinction between the original function of a rule and its normative standing as a rule. Rules, at least the kind of rules made and enforced by persons, add to the reasons had by their addressees; they are not simply reminders of the reasons their addressees had anyway. Social Requirement Theory is better positioned to
account both for the unreflecting commitment that sustains actual moral codes and for the independence of rules from their original functions. The result is a relativism more radical than Wong’s, insofar as SRT does not the constrain the obligation-generating power of actual social demands within the limits of adequacy to some functional ideal.

Finally, let us attend to the application condition of W, which requires that an adequate moral system apply to an agent if it is to underwrite true moral *ought* statements about her. On its face, the application clause can be accepted even by an absolutist in Wong’s sense—one who believes there is exactly one true (or genuine or adequate…) moral system. The absolutist will simply claim that the one true morality is the only one that applies to anyone, and that it applies to everyone. But Wong means for the application condition to do more work than this. He illustrates what he has in mind with an example from Hector Castañeda, who believes that monogamy is morally right in a community approximately evenly distributed between members of the sexes, who are heterosexual, and who satisfy other appropriate conditions, but that in an entirely different situation, in which the female population is, say, only ten percent of the total population, the polyandric family is right. (MR 43)

The idea seems to be that certain widespread, stable cultural and environmental conditions affect the suitability of various possible moral systems for the people in them. These conditions differ from the conditions mentioned in the conditions condition, because the latter change frequently and are thus built into moral rules such that they figure explicitly in the practical reasoning of agents, whereas the former are stable and widespread enough that they are not mentioned in the moral rules and do not enter moral deliberation. They are instead part of the fixed environmental background that determines which moral rules apply to a population in the first place.
My primary criticism of W is directed at its adequacy condition, which I examined above. However, two comments about the application condition are in order. First, even taken as Wong seems to intend it, it may not represent a very deep departure from absolutism. For the application condition provides a way to see superficially different moral systems as the expressions of a single underlying code. In Casteñeda’s example, that code contains, among others, rules of the form:

If widespread, stable conditions F obtain, agents should behave monogamously.

If widespread, stable conditions G obtain, agents should behave polyandrously.

True, because the variables in question are so locally stable, agents can successfully discharge their moral duties by treating the relevant consequents as if they were unconditional. But the consequents by themselves are not the ultimate moral rules; the conditionals (or the deeper, culturally invariant rule or rules from which the conditionals derive) are. Wong seems to acknowledge this nonrelativistic implication of his interpretation of the application condition (MR 118).

The second comment about the application condition is that it is not clear what work it does beyond that done by the adequacy condition. If we do think of the monogamous and polyandrous moral systems as genuinely distinct codes, not merely different derivations from a single underlying code, then it would seem that the polyandrous code would not be effective at resolving intra- and interpersonal conflicts in the monogamy-favorable conditions described by Casteñeda, and that the monogamous code would be comparably inadequate for conflict resolution in polyandry-favoring conditions. So the adequacy condition alone may be able to do all the work that the application condition is supposed to do. If the application condition of W is redundant
with the adequacy condition in this way, then it will inherit the weaknesses of the latter relative to Social Requirement Theory that I discussed above.

Before leaving Wong’s version of relativism, we should note one further significant contrast with Social Requirement Theory. As Wong explains W, actual demands are neither necessary nor sufficient to create moral obligations. They are not sufficient because such demands may not satisfy the adequacy condition. And they are not necessary because a rule could be part of a moral system that was adequate and applicable in Wong’s sense without having any local currency. Of course, treating moral obligations as independent of actual cultural demands is a respectable philosophical position that provides a formidable challenge to SRT. The contrast does not by itself discredit W, but it does indicate how much W differs from more traditional forms of relativism.

5.4. Dreier’s Speaker Relativism

James Dreier argues for a version of speaker relativism on the grounds that it best explains a weak kind of motivational internalism about moral judgments that Dreier claims must be accommodated by any adequate metaethics. He develops this argument in “Internalism and Speaker Relativism” (ISR) and recapitulates it briefly in “Moral Relativism and Moral Nihilism” (MRMN). I will summarize Dreier’s position as I understand it and then offer two criticisms of the view as it compares to Social Requirement Theory. To anticipate, those criticisms are that it renders much apparent moral disagreement illusory, a consequence that Dreier himself seems to regard as undesirable, and that it does not adequately account for the connection between an agent’s moral obligations and her reasons for action. I conclude with a look at how
Social Requirement Theory can accommodate the internalism that underwrites Dreier’s argument for speaker relativism.

Unlike Harman and Wong, Dreier does not distinguish among types of moral judgments. The speaker relativism he proposes is apparently intended to cover any type of moral judgment, but Dreier’s examples are consistently phrased as cases of someone believing something to be *good* (as opposed, for example, to be wrong or obligatory or courageous). I think it is likely that different moral concepts serve different enough purposes that no single account of their meaning and truth conditions will suffice. For example, even within the broadly deontological family of judgments, judgments about wrongness may have different truth conditions from judgments about obligatoriness. This is because obligations implicate reasons for action in a way that wrongness might not. An agent’s action may break a rule of a relevant moral code and therefore qualify as wrong even if the agent has no reason, and hence (on my view) no obligation, to abide by the code in that situation. Here, deontological moral concepts may again parallel legal concepts, for it is certainly possible for an action to be illegal in virtue of breaking a rule of a legal code even if the person performing it has no reason to obey the law. At any rate, Dreier does not make such distinctions, and in order to bring his version of relativism into conversation with a theory of moral obligation such as Social Requirement Theory, it will be necessary to convert what he says about goodness into claims about obligation.

Speaker relativism as Dreier intends it is basically the view that:

(a) “‘x is good’ means ‘x is approved of by [moral system] M,’ where M is filled in contextually,” and
(b) the motivations and affective attitudes of the speaker contribute materially to determining the content of M in a context. (ISR 23-24; my paraphrase)
Presumably, Dreier’s take on obligation would be something along the lines of:

(a’) ‘S is morally obligated to V’ means ‘moral system M requires that S V,’
where M is filled in contextually, and
(b’) the motivations and affective attitudes of the speaker contribute materially to
determining the content of M in a context.

Dreier construes this speaker-relative context dependency by analogy to that of
indexicals. Following David Kaplan, Dreier argues that indexicals have a two-level
semantics that includes both a content and a character. The content is the semantic
contribution (intension and extension) the indexical makes to a sentence in a given
context, and it changes from context to context. For example, I refers to you when you
say it and to me when I say it. “I like peanut butter” said by me has the same
propositional content and the same truth conditions as “Jason Baldwin likes peanut
butter,” but it has a different propositional content when someone else says its. Yet there
is something about I that remains the same from context to context. This is what Kaplan
calls its character. The character is a function from contexts to contents. A speaker gains
competency with indexicals by learning how to assign suitable contents to them in
different contexts—by learning, for example, what semantic contribution I makes to a
sentence in different contexts of utterance (ISR 8).

Why suppose that the meaning of moral terms varies contextually in this way?
Dreier’s answer is that only such context-dependency adequately explains a weak version
of motivational internalism that he takes to be a nonnegotiable feature of our moral
discourse. Here are Dreier’s two clearest statements of his preferred brand of
internalism:

[I]n normal contexts a person has some motivation to promote what he believes to
be good. (ISR 14)
[O]n the whole, or for the most part, it must turn out that most people who judge something good generally are thereby motivated. (MRMN 258; Dreier’s italics)

Note first that this form of internalism is a doctrine about the connection between sincere moral judgments and motivations; it must be distinguished from the internalism I have endorsed in connection with SRT that links the existence of practical reasons to an agent’s existing motivational resources. Note second that the motivation at issue need not be decisive in a situation; it might be present but trumped by competing motivations. All Dreier’s principle requires is that there be some motivation, not that the motivation always issue in action. Note third the deliberate weakness of Dreier’s motivational internalism. He does not assert an invariable case-by-case connection between moral judgment and motivation, only a normal pattern of motivation within a population. This is because Dreier wants to allow for the possibility of a depressed or cynical person who retains his old moral judgments but loses all motivation to act on them, or of a Sade-style immoralist whose motivations all line up against what he believes to be morally right. Dreier thinks that stronger versions of internalism founder on such cases, but he also argues that the cases make sense only as aberrations against a background of widespread connections between moral judgments and motivations (ISR 10-11).

Although reframing Dreier’s statement of speaker relativism from talk of goodness to talk of obligation was straightforward, it is less clear how to adapt the underlying motivational internalism to obligation. This is because obligation judgments, unlike goodness judgments, are typically made explicitly of agents. Such judgments may be about what the speaker is obligated to do, but they may also be about what some third-personal agent ought to do. And it is unobvious how a speaker’s judgments about other people’s obligations might be expected to engage or reflect his own motivations.
Dreier’s weak motivational internalism surely includes some commitment along the lines of:

In normal cases we should expect a person to have some motivation to do what he believes he is morally obligated to do.

But what about second- and third-personal obligation judgments? Certainly we do not believe, nor should we attribute to Dreier the view that:

In normal cases we should expect a person to have some motivation to do what he believes someone else is morally obligated to do.

After all, one common reason we form and communicate judgments about other people’s obligations is to make it clear to ourselves and to them what they are responsible to do and what we therefore are not responsible to do. You are morally obligated to pay your tab at the bar; it’s not my responsibility. Moreover, we can make vigorous moral judgments about the obligations of people far removed from us historically, geographically, culturally, or otherwise—people whose obligations are such that we could not experience any motivation to discharge them. What, if anything, should Dreier’s internalism say about third-personal obligation judgments? I cannot confidently answer this question. But here is one possibility:

In normal cases we should expect a person to have some motivation to pressure people to do what he believes they are morally obligated to do when he is able to do so.

This seems to me to be more or less true and also (as will become clearer below) to be congenial to Dreier’s purposes in endorsing motivational internalism. Let us treat weak motivational internalism about moral obligations as the conjunction of the first-personal and third-personal doctrines presented in this paragraph.
How does weak motivational internalism support speaker relativism? The basic idea is that internalism is a datum for which speaker relativism provides the most satisfactory explanation. On the one hand, a wide range of moral judgments seem both truth apt and true; to accept some version of error theory or noncognitivism about them would require too drastic a revision of our self-understanding (ISR 14-15, MRMN 241). But on the other hand, whatever truth moral judgments have must also account for their coincidence with motivation. Nonrelativist moral realisms may explain the truth aptitude of moral judgments, but not their reliable connection to speakers’ motivations. Speaker relativism accounts for this coincidence by identifying the standards by which particular moral judgments are made true with those that are approved by the speaker in some motivationally salient way. Speakers make moral judgments with reference to standards they themselves desire to be observed. So it is natural that, as per weak motivational internalism, speakers generally have some motivation to discharge what they judge themselves to be obligated to do and to pressure others to do what they judge others to be obligated to do.

How should we appraise this view? Like Social Requirement Theory, Dreier’s speaker relativism is, obviously, a form of relativism. And like SRT, speaker relativism is formulated in terms of the dependence of moral facts on variable contexts rather than in terms of putative differences in moral status. Note, too, that speaker relativism’s account of moral facthood and truth is substantially similar to SRT’s: both views treat rules or standards actually endorsed by human beings as the truth-makers for particular

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49 Dreier does not comment explicitly on nonrelativist moral realisms in the works I cite, but I believe his argument for speaker relativism clearly implies that internalism is an inconvenient truth for the nonrelativist alternatives, insofar as internalism suggests that the meaning of moral expressions depends in part on the practical stances of speakers.
moral judgments. The central difference between speaker relativism and SRT is that the former is (as its name indicates) a form of speaker relativism, according to which the truth of obligation judgments depends on some feature of speakers, whereas the latter is a form of agent relativism, according to which the truth of obligation judgments depends on some feature of the agents the judgments are about. Unsurprisingly, I believe SRT’s agent relativism is more plausible than speaker relativism, and for at least two reasons.

First, speaker relativism threatens to make fundamental moral disagreement impossible. According to speaker relativism, if Anne judges that Cindy is morally obligated not to abort the fetus she is carrying and Beth judges that Cindy has no such moral obligation, Anne and Beth are not necessarily disagreeing. Anne’s judgment amounts to the claim that Cindy’s aborting her fetus would be proscribed by the system of rules that Anne favors, whereas Beth’s judgment amounts to the claim that Cindy’s aborting her fetus would not be proscribed by the system of rules that Beth favors. Both claims may be couched in an idiom that superficially makes them appear to conflict. But they do not really conflict anymore than “I am in South Bend” said by you and “I am not in South Bend” said by me conflict. Yet intuitively, we believe, as Anne and Beth do, that they are disagreeing about a single fact, the moral status of Cindy aborting her fetus. SRT readily accommodates such disagreement, for on SRT, there is a single fact of the matter about whether or not Cindy is morally obligated to abort her fetus. Anne and Beth may genuinely disagree about this fact, and if they do, then at least one of them is wrong.

Dreier himself calls the fact that speakers such as Anne and Beth disagree with each other “a rather obvious” point that it would be embarrassing for relativism to have to
deny (MRMN 261). His response is that ordinary speakers may indeed take themselves to be disagreeing with each other about a single moral fact of the matter, but that this represents only a flaw in their metatheory that need not infect their first-order moral judgments. Compare the case of ordinary observers who take themselves to be describing events against an absolutist Newtonian space-time frame; the more scientifically enlightened will, if they are reasonable, let such judgments pass as true when they are true relative to a conversationally relevant spatiotemporal frame of reference, even if they know the judgments reflect a flawed underlying theory (MRMN 261-62).

But this response is not satisfactory. In the first place, it does not really defuse the objection. It still makes deep moral disagreement of the Anne/Beth sort impossible. It simply attributes to Anne and Beth a mistaken self-understanding such that they believe deep moral disagreement is possible when in fact it is not. In the second place, even if such a strategy will save the truth of a wide range of ordinary physical judgments, it will not rescue moral judgments if, as Dreier argues, they function indexically. This is because the indexical character of indexicals is not simply a rarified theoretical nicety of which ordinary language users might remain ignorant even while using indexicals competently. Rather, as Dreier emphasizes, an indexical expression’s character qua “a rule for determining the content given a context” is “what someone has to know to be competent in their use” (ISR 8). So if Anne and Beth are competent users of moral language and Dreier is right that moral language functions indexically, relativized to speakers, then Anne and Beth must know that their superficially inconsistent judgments really refer Cindy’s action to different standards and thus that there is no single moral
fact of the matter about which they can disagree. Speaker relativism renders a commonly recognized range of moral disagreement illusory, and it is not yet clear how Dreier’s indexical account can explain this failure in self-understanding.

A second shortcoming of speaker relativism is that it fails to account for the reason-giving force of moral obligations. It is easy to overlook this feature of moral judgments when examples are couched solely in terms of what is good, with no connection to particular agents. But obligation judgments tie moral appraisal tightly to agents, and I have claimed that it is a central feature of our notion of obligations that obligations create (or track or are) reasons for agents to act. It sounds odd to the point of incoherent to say of someone else, “He’s morally obligated to V, but there is no reason for him to.” Yet it is obviously implausible (and out of keeping with the naturalistic spirit of Dreier’s account) to suppose that speakers’ preferences for standards just as such give agents reasons to comply with those standards. Speaker relativism as Dreier develops it offers no account of the connection between obligations and reasons for action. The motivational internalism to which it appeals accounts at most for the practical import of first-personal moral judgments; about third-personal judgments—judgments that implicate agents other than the speaker—it is silent. SRT, by contrast, has a straightforward story to connect obligations to practical reasons. According to SRT, moral obligations simply are a kind of reason--those constituted by the demands of the surrounding culture that an agent conform to this or that code. Unlike the preferences of arbitrary speakers, such demands give an agent reasons to comply because they come from the social matrix on which the agent depends for sustenance, physically and emotionally. Indeed, it is largely this social matrix that transforms savage infant humans
into responsible agents, and that in the process teaches them what considerations, including social demands, count as reasons in the first place. Even more than the possibility of deep moral disagreement, the intimate connection between moral obligations and practical reasons is central to our understanding of obligation, and it gives us a reason to favor Social Requirement Theory over speaker relativism as an account of obligation.

But what about the evidence to which Dreier appeals in support of speaker relativism, namely, motivational internalism? Should we grant that motivational internalism identifies a genuine feature of our moral concepts, and if so, can SRT accommodate it? I believe the answer to both questions is yes, as long as motivational internalism is understood in the weak sense in which Dreier presents it. Weak motivational internalism, recall, holds that most people in normal contexts have some motivation to do what they believe they are morally obligated to do, and also to pressure others (as they are able) to do what they judge those others to be morally obligated to do. Thus formulated, the doctrine seems unexceptionable. It tells us simply that for the normal run of people in the normal run of circumstances, moral considerations are practical considerations, and that they tend to attract rather than repel. Dreier provides several thought experiments to show that some positive motivational valence is part of our moral concepts (ISR 13, MRMN 257-58), and I cannot improve on his argument. It does seem correct that (for example) an unfamiliar word describing a class of possible actions that the users of the word consciously and consistently avoided could not plausibly be translated as “good” or “obligatory.” So let us grant weak motivational internalism; there is some connection between moral appraisal and motivation.
Clearly, speaker relativism is well-placed to account for weak motivational internalism. Speakers will normally be somewhat motivated to act in accord with their moral obligation judgments if those judgments amount to judgments that some possible action conforms to standards that speakers desire to see realized. However, Social Requirement Theory is also equipped to explain weak motivational internalism. Like speaker relativism, SRT holds that the particular obligation judgments people make of themselves and of others are relative to a code. Unlike speaker relativism, SRT does not hold that it is definitive of this code that it be endorsed by the maker of each particular judgment. But the account SRT gives of this code explains its motivational salience. By identifying moral obligations with cultural demands, SRT ensures that in the normal run of cases, particular moral judgments will be made with reference to a code that has evolved in a group precisely because it promotes and protects the shared individual and collective interests of the members of the group. We learn from an early age to care at least to some extent about the moral demands our cultures make on us. And we also learn to demand that others comply with the code. Moreover, even if we have not developed an unmediated desire to do what our cultures demand of us, normally our knowledge that compliance with those demands will keep us in the good graces of our fellows interacts with our desires for acceptance and companionship to produce some motivation to discharge what we take to be our obligations. This explanation will not ensure that every member of every culture is motivated to comply with each of what she takes to be her moral obligations and to demand that others do the same, but it is enough to satisfy weak motivational internalism that most people are so motivated for the most part.50 Indeed, weak motivational internalism is just what we should expect if SRT is the

50 There is, however, a motivational gap suggested by SRT to which Michael DePaul has called
correct account of obligation. A moral system that did not routinely engage people’s motivations would not serve any purpose and would quickly disappear. And a culture without a motivationally efficacious moral code would likewise probably disintegrate. So SRT explains weak motivational internalism as successfully as speaker relativism does. Given the shortcomings of speaker relativism noted above, I conclude that SRT is a stronger theory of the nature of moral obligation.

my attention: We might judge that a member of another culture is required to do something by her own culture without having any motivation ourselves to pressure her to do it. I think this motivational failure is compatible with weak motivational internalism, which requires only that some pattern of motivations typically accompany recognized obligations, not that motivations accompany obligation judgments made from any perspective. Presumably, the members of the other culture tend to experience the relevant patterns of motivation in relation to their perceived obligations, even if observers outside the culture do not.
Thus far, we have proceeded as methodological naturalists—that is, we have not appealed at any point to the existence of God or any other supernatural entities, properties, or powers. I have contended that Social Requirement Theory provides a plausible understanding of moral obligation in a naturalistic universe, and, moreover, one that reasonably counts as a version of realism about moral obligation. I have not attempted to show that Social Requirement Theory is the true account of moral obligation, simply that it accommodates many of the apparent prephilosophical data relating to moral obligation, that it can be defended from many common criticisms, that it has advantages over closely related anti-realisms and relativisms, and that it is therefore a hypothesis worthy of further consideration alongside other major accounts of moral obligation. But what if God does exist, and in more or less the personal form traditionally supposed by Christians, Muslims, and Jews? Does SRT still provide a plausible understanding of moral obligation, or should it be modified or even discarded? How, if at all, would God’s commands affect our moral obligations? Because my presentation of SRT takes significant inspiration from the work of Robert Adams, a philosopher who presses a broadly social requirement perspective into the service of divine command theory, these questions have a special urgency for me. I proceed in five stages: first, I consider Adams’s criticisms of humanistic versions of SRT, criticisms that
motivate him to prefer a divine command account. Second, I present a problem for Adams’s case for divine command theory. Third, I explore the ways God’s commands can nonetheless shape our moral obligations. Fourth, I ask whether God can impose non-moral obligations on people. And fifth, I reflect on the possibility of conflicts among obligations.

6.1. Adams’s Critique of Social Requirement Theory

In his magisterial *Finite and Infinite Goods*, Robert Adams argues for a divine command theory of moral obligation on which the property of moral wrongness is identified with being contrary to the commands of a loving God. Adams begins the case for such a divine command theory by building the case for a broadly social theory of obligation—one on which obligations result from actual demands made in the context of personal relationships—and then arguing that the divine-human relationship is a more promising basis for our fully moralized notion of obligation than is any merely human relationship. Thus, while much of Adams’s position is congenial to the kind of humanistic social requirement theory explored in this dissertation, Adams also challenges elements of the theory in order to motivate the move from human requirements to divine commands.

Like Social Requirement Theory, Adams’s divine command theory is an account of the metaphysics of moral obligation, and he approaches the subject much as I did in Chapter One, first by limning the semantic role staked out by our concept of moral obligation, then by arguing that his preferred candidate, divine commands, best fills that role. Before we review the substance of his argument, it is worth clarifying one subtlety of the overall strategy. Any account of the nature of X that proceeds by specifying a
semantic role indicated by the concept of X and then showing that some candidate Y best fills that role might seem to make the reality of X dependent on the reality of Y, such that if Y did not exist, X would not, either. And this impression is true, strictly speaking: assuming that things have their natures necessarily, then for any existing X whose nature is Y, if Y did not exist, neither would X. For example, given that H$_2$O best fills the role semantically indicated by our concept water, then if H$_2$O did not exist, neither would water—water is essentially H$_2$O. Likewise, if contrariness to the commands of a loving God best fills the role semantically indicated by our concept of moral wrongness, then if there were no God, so that nothing were contrary to the commands of a loving God, then moral wrongness would not exist either, i.e., everything would be morally permitted.

However, as Adams notes (DCMMA 77-78), it does not follow that if there is no God, so that nothing is contrary to the commands of a loving God, then everything is morally permitted. If in fact there is no God, then the semantically indicated role of moral wrongness is best filled by some other possible (existing) candidate instead, and it may be that that candidate constitutes the nature of moral wrongness. In particular, it may be that if (as Adams and I agree) the semantic role for moral wrongness is most naturally filled by opposition to some kind of actual demands, and if there is no God, then that role is best filled by opposition to the actual demands of human communities, as SRT would have it. Although Adams does not endorse this hypothetical explicitly, his obvious preference for an actual-demand theory combined with his sensitivity to the distinction noted above suggests he might be open to SRT as the correct account of moral obligation if God does not exist. So if SRT is offered simply as an account of moral obligation in a naturalistic universe, and divine command theory is offered simply as an account of
moral obligation in a theistic universe, there need be no deep disagreement between Adams and the advocate of SRT; which theory is correct might depend simply on whether or not God does in fact exist. To set an interesting problem for this chapter, I want instead to assume with Adams that God does exist, and then explore the relative merits of SRT and DCT on that supposition.

Adams’s case for divine command theory begins by examining the conceptual role that an adequate candidate for the nature of moral obligation must fill. The features of that role that he notes overlap with those that I noted in Chapter One—and not coincidentally, since Adams’s discussion helped to inform my own. According to Adams, our concept of moral obligation indicates that we care about complying with our obligations (FIG 23551), that they ground reasons for compliance (235), that broken obligations elicit blame or guilt (235) characteristic of damaged relationships (239), that moral obligations are publicly inculcated (236), and that moral obligations are objective in the sense of being significantly independent of our beliefs about them (247).

Adams favors a broadly social account of moral obligation on which “having an obligation to do something consists in being required (in a certain way, under certain circumstances or conditions), by another person or a group of persons, to do it” (242). Social accounts might seem to have an edge over non-social accounts along several of the dimensions Adams discusses. In light of the argument of Chapter One, I would especially emphasize the social aspects of blame and guilt that characterize broken obligations and also the tight fit between the epistemology of moral obligations (as socially inculcated) and their nature (as actual demands) secured by social accounts. But

51 Subsequent references to Adams are to Finite and Infinite Goods unless otherwise noted.
Adams’s central reason for favoring social accounts seems to be their motivational resources. Adams mentions the fear of punishment, the desire to maintain relationships, and the desire to express one’s valuing of relationships as three motives that may accompany actual social demands. By contrast, Adams says that he finds thoughts about the hypothetical demands of ideal observers or communities much weaker motivationally. While neither Adams nor I have canvassed the motivational resources of competing non-social accounts of moral obligation sufficiently to show that none of them is a match for social accounts, I of course share Adams’s view on this point, and I will not scrutinize it further. I will simply note that it is the character of obligation’s motivation—its felt quality of external demandedness—rather than its strength that seems to me to account for the explanatory edge of social accounts over non-social accounts on this score.

Adams would, however, have at least two objections to the humanistic Social Requirement Theory I have advocated, objections that lead him to regard divine commands as a more adequate candidate to generate moral obligations. These objections are, first, that human social requirements are not sufficient to create moral obligations, since some actual demands do not provide genuinely good reasons, and second, that

Adams says that he prefers to emphasize the last of these as the form of motivation most salient to understanding obligation, and he seems to downplay the first. While I agree that there are a variety of motivations that underlie actual compliance with moral obligations, my intuitions about what constitutes the motivational distinctiveness of obligation are the reverse of Adams’s. I have already described in some detail the importance of sanctions—externally imposed penalties—to the existence of obligations. Adams himself, in the context of making a different point, explains nicely why the desire to express one’s values, while perhaps significant to the moral life, does not seem central to the notion of obligation: “It is certainly possible to come to value—even to love—an ethical principle for its own sake, and this provides a motive for conforming to it; but this way of relating to ethical principles has more to do with ideals than with obligations. To love truthfulness is one thing; to feel that one has to tell the truth is something else” (240). The point relevant for present purposes is that the desire to express one’s valuing of some good, whether it be truth or one’s social relationships, does not seem sufficient to account for the felt mustness characteristic of obligations.
human social requirements are not necessary for the existence of moral obligations, since the objectivity of morality should make it impossible for a society to change one’s obligations simply by ceasing to make certain demands. I will consider these objections in turn.

Adams acknowledges that actual social demands may be sufficient to constitute obligations in a premoral sense involving a conventional system of power relationships that participants treat as reason-giving. But according to Adams, a fully moralized notion of obligation must “impose a certain kind of critique of reasons for complying” (244). Participants in the relationship must not merely take themselves to have reasons to comply with the demands of others; they must have genuinely good reasons for doing so. In an idiom that Adams himself does not employ, we might say that moral obligations involve normative reasons for compliance, not merely motivating reasons. Adams claims that demands generate genuinely moral obligations only if they command genuinely good actions and originate in the context of genuinely good relationships (244-45). (As Adams points out, the appeal to goodness here does not render his account circular, since he is providing an account of obligation specifically, and not of all moral notions.) For Adams, the kind of goodness in question is robustly objective, constituted by resemblance to a perfect God (see, generally, Chapter 1 of FIG).

If we accept an objectivist theory of goodness such as Adams’s, I think we must grant that his first criticism of Social Requirement Theory has some traction. For it does, on the face of it, seem counterintuitive to say, “S is morally obligated to V, though doing so would be very bad indeed.” And if goodness and badness are defined universally in relation to some superhuman standard, then they may exercise a constraint on moral
obligation ascriptions that limits the power of any account rooted in actual human demands. However, Social Requirement Theory is not without resources with which to account for the apparent data here. First and most obviously, central to the theory’s realist ambitions is its identification of obligations with genuine—i.e., truly normative—reasons for action. As I have argued at length in Chapters One and Four, the fact (if it is a fact) that practical reasons are grounded in an agent’s cares, interests, and goals does not detract from their reality. Internal practical reasons are still normative. As such, they open a space for rational criticism of agents who do not act on the balance of reasons they have. Moreover, in responding to objections in 1.6, I noted various further ways that SRT can accommodate rational criticism of the moral demands of one’s culture—as, e.g., based on false empirical beliefs, internally inconsistent, or damaging to the culture. So even without an appeal to substantive moral constraints on the goodness of the reasons involved, Social Requirement Theory makes room for various kinds of the rational critique Adams takes to be available in the context of moral obligations.

It should, however, be acknowledged that on Social Requirement Theory, it is the notion of obligation, and not of moral obligation in particular, that brings practical reasons onto the scene. Whereas Adams distinguishes moral from other obligations in part by the goodness of the reasons accompanying moral obligations, SRT distinguishes them by the source of the demand involved—the mores of a culture instead of (for example) the laws of a state (as in legal obligations) or the singular demands of a family member (as in more personal obligations). Can SRT accommodate the sense that moral obligations are also distinctive from other obligations at least partly in virtue of the goodness of the content of the obligations? The answer to this question will depend on
the proper account of goodness, something beyond the scope of this dissertation. However, we can gesture broadly at a couple of options.

Because Social Requirement Theory, like Adams’s divine command theory, is an account only of moral obligation, and not of moral concepts in general, it is compatible with a range of accounts of goodness, including Adams’s, on which goodness is the property of resembling God. If we accept this theistic account of goodness and remain impressed by a need to limit moral obligations to good actions and relationships, we might be led to modify SRT so that it is not just any culture-wide demands that constitute moral obligations, but only those that are also objectively good in the relevant sense. For reasons I will discuss in 6.2 below, I believe we would still have reason to prefer human to divine commands as the relevant obligation-makers even if we adopted a theistic account of goodness.

However, it would be more theoretically tidy and satisfying if Social Requirement Theory could account for the goodness we associate with moral obligations without surrendering its naturalistic credentials. There are a variety of naturalistic accounts of goodness that I will not attempt to survey here. I myself am inclined to favor a purpose-relative account on which purposes are subjectively determined. We can explain the connection between goodness and moral obligation on such an account without building in a further conceptual constraint on the content of obligations. In 1.3, I noted that the cultural demands that, according to SRT, constitute moral obligations exhibit three kinds of generality: they are made by (more or less) everyone of (more or less) everyone on behalf of (more or less) everyone. But if goodness is understood subjectively, it is no

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53 For an argument that Christians should resist this assimilation of goodness to Godlikeness, see Chappell 377-78.
surprise that there is widespread consensus on the goodness of moral obligations—for presumably the demands that people make typically reflect what they take to be good relative to their purposes, so that demands endorsed by all the members of a culture reflect a kind of overlapping consensus about the good. We can imagine a moral reformer persuading the members of a culture to quit making some demands of each other on the grounds that such demands have no point, or at least do no good (in a subjective, naturalistic sense) for the people making the demand. The recent weakening of traditional sexual mores in Western cultures can be seen as the result of such challenges. This is not to imply that the challenges have always been well-grounded—but it may be significant in this regard that the defenders of traditional sexual mores often attempt to justify them by appeal to subjectively recognizable kinds of goodness that the mores are alleged to protect or promote. At any rate, there is no difficulty in accounting for the coincidence of goodness, understood subjectively, and the demands that constitute obligations according to Social Requirement Theory. And because moral obligations may constitute real internal reasons for action without outweighing all possible counter-reasons, SRT also allows room for the addressees of social demands to ask whether complying with those demands is really for their own good, all things considered. In sum, even on an internal view of practical reasons and a subjective construal of goodness, SRT has ample room for criticizing both the goodness of a culture’s demands and their normative relevance for this or that deliberating agent.

I have so far been addressing Adams’s worry that human cultural demands are not sufficient to constitute moral obligations. Now let us turn to Adams’s charge that human cultural demands are not necessary to constitute moral obligations, because morality is
objective in a way that should make it impossible for a culture to subtract from a person’s
obligations merely by ceasing to make certain demands of her. Here is Adams’s way of
putting it:

[W]e conceive of moral rightness and wrongness as properties that actions have,
and of moral obligations as features of people’s situations, that are mostly
independent of our beliefs…. I cannot get rid of a moral obligation by persuading
myself and others that I do not have it; all I can do in that way is to live a lie…. But on the [humanistic] social theory of the nature of obligation, as developed
thus far, society would be able to eliminate obligations by just not making certain
demands; and that seems out of keeping with the role of moral obligation. (247)

By contrast, notes Adams, “Divine commands are more unqualifiedly objective than
human social requirements, inasmuch as their factuality is independent of socially
established as well as individual opinions and preferences” (256).

Of course, if we understand the objectivity of a fact or belief to consist in the
independence from human attitudes of its obtainment or truth, we must grant that divine
commands are a more objective basis for moral obligations than are human social
demands. But I think we can lessen the apparent cost of this admission to Social
Requirement Theory by considering the kind of objectivity available to both SRT and
Divine Command Theory. We have already noted (1.5) the kind of belief independence
about moral obligations secured by a humanistic social requirement theory. In particular,
no single individual’s beliefs or desires about his own moral obligations can change them
directly. I cannot make it the case that I am not obligated to V simply by ceasing to
believe or desire that I am so obligated, or even by starting to believe or desire that I am
not so obligated. Adams, too, allows that the humanistic SRT is “completely objectivist
in relation to any individual. I cannot change what society requires of me by changing
my beliefs about it” (247). It is true that on SRT, the moral obligations of any given
individual depend on the actual demands made on him by his surrounding culture, and that these demands vary between cultures and evolve over time. However, a given individual’s moral obligations at a time are no more subject to sudden radical change by the collective willing of the members of his culture than by his own individual willings. This is because at least in the central cases, we cannot simply will ourselves not to make the demands that constitute moral obligations according to SRT. The demands typically serve some purpose that matters to many people, and our making them results from the same long process of pervasive acculturation that makes us care deeply about complying when other people make the same demands of us. I cannot, for example, will myself not to require of others that they not steal the food of orphans, much less can I effectually will the other members of my culture not to demand this of each other. The point here is akin to one made in Chapter Four in my response to Joyce’s error theory. There I focused on the stability and entrenchment of the psychological mechanisms that make agents care about complying with the moral demands of their cultures. Here I am calling attention to the comparable stability and entrenchment of the moral demands that people make on each other. In neither case should the metaphysical and historical contingency of the mechanisms lead us to suppose that they are fragile or easily changed. This is all the more true if Adams is right about the close conceptual ties between goodness and obligation. For even on a subjectivist account of goodness like the one I mentioned above, the kinds of goodness judgments reflected in moral demands are not revisable by an individual on a whim, much less are they likely to be hastily abandoned by all the members of a culture. Nonetheless, we must admit that Adams is right that according to
SRT, one’s moral obligations do depend on the actual demands of one’s culture such that if those demands did change, one’s moral obligations would change along with them.

But now consider how much of an improvement divine command theory really is on this score. True, it makes moral obligations objective in the sense of independent of human attitudes and actions. But obviously it does not make moral obligations independent of intentional attitudes and actions per se—to the contrary, it entails that moral obligations depend on the attitudes and actions of one person, God. And given the assumption of divine freedom, this dependence introduces a contingency in the content of moral obligations akin to that created by their dependence on human actions according to SRT. Indeed, Adams suggests that even a loving God might issue any of several sets of incompatible commands (255-56). This means that if the original intuition about moral objectivity was really the expression of a sense that morality is unchangeable, it may be no better supported by DCT than by SRT. While it seems likely that a loving God would not constantly change his commands to his human creatures willy-nilly, DCT just as such does not guarantee that God will not change his commands over time or even that he will make the same demands of everyone at a given time. Scriptural stories of God’s highly singular commands to individuals and cultures—for example, his command to Abraham to sacrifice Isaac, or his command to the Israelites to kill every member of enemy tribes—present some of the most challenging data for divine command theories to explain. Some traditional theologies treat God’s nature and ways as utterly other and unfathomable to us, and virtual no orthodox theology regards God’s actions as comfortably conformed to our expectations. Because the actions of only one person are necessary and sufficient to bring about moral obligations on DCT, and a person whose
purposes are not molded by human acculturation and have traditionally been taken to be significantly different from our own, DCT might render our understanding of our moral obligations less stable than does SRT.

In sum, while Adams is clearly correct that divine command theory is more objective than Social Requirement Theory in the sense of being more independent of human attitudes, it is not so clear that this difference represents a weakness for SRT or a strength for DCT. Before leaving the issue of objectivity, it may be worth noting one other sense of objectivity on which DCT is more objective than SRT. It might seem that a domain in which all judgments are either determinately true or false is more objective than one in which some judgments are neither clearly true nor false. If so, then DCT is probably more objective in this sense than is SRT. Presumably for any agent and any action-description at a time, it is true or false that God has issued a command that implies that that agent is to perform (or not perform) an action of that description at that time. By contrast, as I have noticed in 1.3, it seems likely to be essentially vague how widespread a demand must be among the members of a culture to count as a demand of the culture. And it seems natural to suppose (1.6) that on SRT, moral obligations come into and go out of existence gradually over time, as demands wax or wane in popularity. Even the boundaries and identity conditions of a culture may be vague in the way that (say) the boundaries of a nation-state are not. Given these apparent facts, it seems that some moral obligation judgments at a given time may be neither true nor false if obligations are set by culturewide demands that may not determinately obtain or not obtain at a given time. Its preservation of bivalence in the domain of moral obligation judgments may thus render
divine command theory more objective than Social Requirement Theory. However, it is not obvious that objectivity in this further sense constrains our ordinary concept of moral obligation any more than it does many of our non-moral concepts, and I am not equipped to examine the extent and implications of this constraint further here.

We have, then, encountered two objections from Adams to grounding moral obligations in the actual demands of human cultures: that such demands may not be sufficient to constitute moral obligations, because moral obligations must also be good; and that such demands may not be necessary to constitute moral obligations, since the latter seem to have a kind of objective independence from human attitudes. I have argued that while we should grant Adams’s preferred divine command theory some edge over humanistic Social Requirement Theory in these respects, SRT can still go a long way in explaining the data that motivate Adams’s objections, and DCT’s edge is not as decisive as we might have initially supposed. I conclude that these objections by themselves should not lead us to give up SRT in favor of DCT, even on the assumption that God exists. I will now present what I take to be a more decisive reason to favor SRT over DCT in light of the case for a broadly social understanding of obligation that is common to Adams and me.

6.2. A Problem with Adams’s Case for Divine Command Theory

Recall that Adams’s argument for divine command theory proceeds in two stages: first, he argues that actual personal demands best fit the conceptual role of moral

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54 Michael DePaul has pointed out to me that vagueness in the terms in which demands are made may make it indeterminate whether a token action has been demanded by a given party at a particular time. But (as DePaul also points out) this indeterminacy may affect only human demands, since it seems likely that a perfect being could frame demands with no vagueness and fully determinate implications, even if those implications were not always properly traced out by the recipients of the demands.
obligation; second, he argues that God’s demands have certain advantages over the demands of human cultures as candidates for constituting obligations. I have so far addressed only the second stage of the argument, suggesting that the advantages that Adams claims for DCT over SRT are not decisive. However, I now want to argue that the first stage of the argument actually causes problems for DCT. Although Adams is correct that the conceptual marks of obligation he identifies are well satisfied by actual personal demands, it turns out that God’s commands in particular lack several of the marks that seem to favor social demands more generally. Specifically, DCT does not well account for the motivational salience of moral obligations, for their connection to attitudes of blame and guilt, and for their public inculcation. By contrast, Social Requirement Theory accounts neatly for all of these features.

My discussion here will take for granted a point that Adams developed in earlier work: that the concept of moral obligation that we are investigating is common to theists and nontheists. Adams’s earliest published version of divine command theory was a thesis about the semantics of moral language: roughly, that the predicate “is wrong” means “is contrary to the commands of a loving God.” He acknowledged the obvious problem that nontheists also deploy moral language in contexts of sincere moral commitment, and it is highly implausible that nontheists mean by such language anything regarding God or his commands. So Adams proposed that “is wrong” and other deontological predicates mean one thing (about God’s commands) when deployed by theists and something else (unrelated to God’s commands) when deployed by nontheists (MDCTEW 318-19). Yet this position had a different implausible consequence: that theists and nontheists have different concepts of wrongness and other deontological
notions. Since theists and nontheists learn moral language from common sources and often engage in discussions and arguments with each other about the application of what they take to be the same moral concepts, it seems unlikely that, unbeknownst to many of them, they actually mean quite different things by the same ethical terms. In later work, Adams changed his DCT from an analysis of the meaning of moral language (relative to religious background) to an identification of the properties referred to by moral language (see, generally, DCMMA). Just as a group of people who share a common concept of water may nonetheless be split between those who know that water names H2O and those who do not, Adams’s new theory allowed that people who share common moral concepts may be split between those who know that wrongness names the property of contrariness to God’s commands and those who do not. It allowed, in other words, for a unified semantics of moral terms and relocated the philosophical controversy to the metaphysical issue of the nature of the properties designated by those terms. This is the issue I have sought to investigate in this dissertation, and it seems desirable to maintain a unified semantics for moral terms if at all possible. So although DCT might be able to account for the marks of moral obligations I discuss below if it were construed, in part, as a semantic thesis about the distinctive content of moral concepts for religious believers, I proceed on the assumption that moral notions such as wrongness and obligation are shared by believers and nonbelievers alike, and that the versions of DCT and SRT at issue acknowledge this.

The problems for divine command theory I now want to discuss are akin to the problem that led Adams to relativize his first, semantic version of the theory to religious believers: many nontheists are competent users of moral concepts and full-fledged
participants in moral life, but divine commands do not seem well-suited to explain the three aforementioned marks of moral obligations in the case of nontheists. Begin with the motivational salience of moral obligations. Adams, recall, mentions three common motivations people have to comply with personal demands: fear of punishment, the desire to maintain a relationship with the demander, and the desire to express the value one places on the relationship (242). But, plausibly, a person must believe the party making demands on him exists and that he has a relationship of the requisite sort with that party in order for him to have such motivations. Since nontheists do not believe that God exists and therefore do not believe that they are subject to his punishments or have a relationship with him to maintain or value, it does not seem that divine commands explain any motivations of these sorts that nontheists have to satisfy their moral obligations. And although there are many possible motivations people have for satisfying their obligations, it is not clear how divine commands could explain any such motivations of nontheists. By contrast, since everyone but the occasional Robinson Crusoe is embedded in some culture with a system of behavioral demands, and since no sane person doubts the reality either of society or of his relationship with it, human social requirements supply a much more reliable source for the motivations characteristic of moral obligation discussed by Adams.

Consider next the phenomenon of guilt that accompanies broken obligations. I believe Adams is right that the original significance of guilt is contrition over damage done to a valued relationship (239-40). But now the same problem emerges for divine command theory. For presumably nontheists cannot regret damaging a relationship to a God they do not believe exists. Like motivations to comply, if guilt is to favor actual
demands as the constituents of moral obligations, it would seem that those demands would have to come from a source recognized by virtually everyone who experiences guilt over broken obligations. Once again, the fellow members of her culture could fill this role for anyone, theist and nontheist alike, whereas divine commands seem at best to explain the phenomenon only for theists.

Finally, consider our knowledge of moral obligations. According to Adams, we expect that “fulfillment of obligation and opposition to wrong actions should be publicly inculcated” (236). I have already argued that the fact that we learn about our moral obligations through the demands that other people make on us tells in favor of Social Requirement Theory by closing the gap between the ontology and epistemology of obligations that plagues other theories. It is no wonder that we learn about our obligations from the demands of the people around us if it is those very demands that obligate us. But once again, divine command theory cannot furnish a comparable explanation. Theists may believe that God makes certain demands of them, but nontheists do not believe this. So divine commands do not provide as obviously uniform an account of moral education as do human social requirements.

To recap: the three features of moral obligation I have been discussing—their distinctive motivational force, their power to generate guilt when flouted, and their social inculcation—are presented by Adams as data best explained by an actual-demand theory of obligation. But actual demands straightforwardly explain these data only insofar as the demands—both their content and their origin—are known to those to whom they are addressed. Divine commands are known as such at most only to theists, but the three noted features of moral obligations affect theists and nontheists alike. So it seems that
divine commands are not well suited to give a unified account of these phenomena. By contrast, human cultural demands explain the phenomena for both theists and nontheists. Thus, the phenomena provide some reason to favor Social Requirement Theory to divine command theory on explanatory grounds. It is important to be clear about the dialectic at this point. I am not claiming that these phenomena are incompatible with DCT. Rather, I am claiming that they do not provide evidence for DCT because they would not be predicted on the basis of DCT. By contrast, they do provide evidence for SRT, because they are just what one would expect if SRT were true. Moreover, the phenomena do not seem to fit comfortably with DCT given our ordinary understandings of the motivation to maintain relationships, guilt, and the knowledge of demands. Of course, it is open to theists to suggest that these phenomena may operate in other than their ordinary ways when an omnipotent creator is involved. But SRT requires no such revisionism—it saves the phenomena in their familiar guises.

6.3. God’s Role in Moral Obligation

If Social Requirement Theory is correct that it is human cultural demands, not divine commands, that generate our moral obligations, then it might seem to join most other contemporary moral philosophy in consigning God to moral irrelevance. But this appearance would be misleading. There is a clear sense in which SRT makes God dispensable to moral obligation: it holds that there are moral obligations as long as human societies are making informal demands on their members, whether God exists and makes demands or not. But this position is compatible with a robust role for God in the human moral economy if he does exist and makes demands of us. In fact, SRT can accommodate many of the beliefs about God’s moral significance that motivate more
theocentric moral theories. This section briefly explores several of the more important of these.

First, Social Requirement Theory can make sense of the thought that God determines the content of our moral obligations. God could do this by setting the content of the demands that members of a culture collectively make against each other. God might overtly adopt a culture and tell it what standards to enforce, as traditional Jews and Christians believe he did with ancient Israel. Or enough of the members of a culture might individually treat God’s commands as the proper moral standards for the culture that those commands become the *de facto* source of the culture’s morality. The result might be a culture that rightly understands itself as having a distinctively Muslim or Christian morality. Of course, God could also influence the content of a culture’s morality in less obvious or direct ways. He might bring it about that the members of a culture make certain demands on each other without being aware of God or attributing the origin of those demands to him. He could, in divine watchmaker fashion, design a universe with specifications he knew would bring it about that this or that culture would evolve to make various demands he favored. Presumably, influencing the content of a human culture’s demands is no great challenge for an omniscient, omnipotent being. The point to emphasize is that on SRT, it is the still fact that the demands are made by the culture, and not their divine origin, that constitutes them as moral obligations.

Second, Social Requirement Theory is compatible with the claim that we are morally obligated to obey God. This could be so if the members of a culture demand of each other that they follow God’s commands. Once again, according to SRT, the obligation is *moral* because it is owed to the members of one’s culture. It may seem that
such an obligation would pale in strength to one’s more direct reasons to obey God, such as that no disobedience escapes his notice, that he controls one’s eternal destiny, and that he is perfectly wise and loving. While these considerations might render supporting moral (cultural) obligations superfluous for rationally mature recipients of God’s commands, the demands of palpably present fellow human beings can be a necessary source of education and a motivational bolster for less mature or theologically astute practical reasoners. Thus, enthusiasts of submission to God should not denigrate the potential significance of merely human demands in bringing about such obedience.

Third, Social Requirement Theory can allow God a role as the source of our knowledge of moral obligations. If God determines the content of our obligations by directly making of us the demands that we go on to make of each other, then he can sensibly be said to be the origin of our knowledge of morality. Strictly speaking, it will be the endorsements of our fellow humans that give us knowledge of the demands as moral obligations, but theists may still reasonably view our first knowledge of the content of the demands as the work of God.

Fourth, it is consistent with Social Requirement Theory to think of God as a source of motivation to comply with one’s moral obligations. This could again occur if one thought of God as commanding the same things that one’s culture demanded. If it is a mistake to suppose that belief in God is essential to moral motivation such that atheists cannot lead moral lives, it is equally a mistake to suppose that a belief in divine commands makes no motivational difference. Such a belief may inspire the more elevated motive discussed by Adams to obey as an expression of the value one places on one’s relationship with God. Likewise, trust in God’s wisdom and care might inspire
compliance among the faithful. But the influence of old-fashioned fear should not be overlooked. It is fashionable among moral philosophers to dismiss fear of divine punishment as beneath the dignity of a genuinely moral agent. Perhaps fear does not play a prominent role in the motivational lives of moral exemplars. But there can be no question that it plays an indispensable role in moral education. Moreover, most mature human beings are not moral exemplars and are motivated by an earthier mixture of concerns than those that stir the hearts of Kantians or virtue theorists (for support, see Aristotle NE X.9). No one seriously doubts that human positive laws prohibiting the same kinds of conduct forbidden by moral codes (e.g., theft, rape, murder) have some additional deterrent effect by adding to the strength of motives people have not to do those things. The same, it stands to reason, holds of divine commands. It is easy to imagine a person in the grip of some strong temptation who believes, rightly or wrongly, that he could hide his calumny from his fellow humans or that he could bear their condemnation, but who is nonetheless restrained by the thought of incurring the wrath of an all-seeing judge in the next life. While it is surely false to say that people in general have no incentive to do the right thing without belief in God, it is probably true that some people would do the wrong thing more often if they did not fear God’s displeasure.

And there may be other significant ways for God to interact with a system of human social requirements as well. Clearly, God’s existence can make a difference to the moral lives of individuals and of entire cultures, even if Social Requirement Theory is right that moral obligations are generated by human beings.
6.4. Can God Obligate?

All of the roles discussed above for God in moral obligation are somewhat indirect. God’s ability to play those roles requires that human communities make the demands that, according to Social Requirement Theory, constitute moral obligations. Can God obligate human beings directly, without any action on the part of surrounding communities? According to SRT, God cannot morally obligate human beings without the mediation of a surrounding culture. But that is not the end of matter, since there are other kinds of obligations besides moral ones. For example, in Chapter One, I used legal obligation as a paradigm from which to extract some of the structural features of obligations more generally. So my way of presenting SRT assumes that moral obligations are not the only obligations there are. Might there be, in addition to moral and legal obligations, divine obligations? Nothing hangs on the answer to this question for the purposes of SRT. But I will briefly indicate why I am inclined to think the answer is yes.

Recall the three structural features of obligations identified in Chapter One: obligations involve a requirement (a content), they come from a demander, and they are backed by a sanction. Clearly, God’s commands could meet all three of these conditions. Moreover, it seems clear that any recipient of God’s commands would have excellent reason to obey—and not just some reason, but an overriding reason, given the sanctions at God’s disposal. (This assumes traditional portrayals of God on which the costs of disobedience are unavoidable and prohibitively high, if not in this life then in the next.)

55 But what about the limit case of an isolated human being who interacts with no one but God, say, Adam in the garden of Eden? Would it make sense to say that God is Adam’s surrounding community so that his commands constitute moral obligations for Adam? I would be inclined to say that God might indeed obligate Adam, but that there would be no point in distinguishing the kind of obligation as moral, legal, divine, or anything else. Adam is simply obligated by God.
So there seems at least prima facie reason to think that God can obligate human beings. Of course, in light of the criticisms made of divine command theory in 6.2 above, it is plausible to think that for God to obligate people, his existence and demands must be known to them. But that is easy enough for an omnipotent being to bring about. Theists must believe that the failure of many people to believe in God’s existence is due, at least in part, to God’s free decision not to impress his existence more forcefully on their consciousness, and not on any inability to do so.

The prospect of a single person’s demands generating obligations might suggest a worry about the adequacy of my account. For if God can obligate human beings just by making demands of them backed by credible threats, can individual human beings obligate other human beings just by making demands of them backed by credible threats? Could an armed mugger, for example, obligate you to hand over your wallet? It is not obvious to me that the answer is no. If we resist the thought that such a demand obligates, it may be because we are accustomed to thinking of obligations as exclusively moral or legal, and neither custom nor law requires one to hand over one’s property to an assailant. But certainly such a demand may furnish one with a genuine, and perhaps decisive, prudential reason to comply. Yet we may still be reluctant to extend the notion of obligation to such a case. I am not sure if this reluctance is well-grounded. But if it is, I do not know what further condition distinguishes demands that obligate from those that do not. However, I do not believe a fully general distinction is necessary to answer our original question about God’s obligating power, for the following principle seems overwhelmingly plausible to me: If any person or institution has the power to obligate human beings, God has that power. It is inconceivable to me that any merely human
agency has the power to obligate but God lacks that power. Whatever conditions are required to obligate human beings, I suggest that it is reasonable to believe that God meets them (or could meet them if he willed to). And since we know of at least one institution—the law of the state—that has the power to obligate human beings, it follows from this principle that God has that power, too.

6.5. Conflicts among Obligations

The four possible roles identified above for God in Social Requirement Theory all assume that God and culture are, as it were, pulling in the same direction. But that they do so is not inevitable. Indeed, if my argument that God himself can obligate directly, without the mediation of human culture, is correct, then not only might God not support moral obligations in those ways—he might impose obligations on people incompatible with their moral obligations. Let us say that two obligations are incompatible with each other when it is possible that each be satisfied by itself but impossible that both be satisfied.\(^{56}\) For all we know, God might demand that a person do something that his culture’s moral code prohibits, or vice versa. Many Christians and Jews regard this not simply as a bare possibility, but as the reality portrayed in several Old Testament passages. The most famous of these is the story of Abraham’s near-sacrifice of Isaac in Genesis 22. This story has been treated by many philosophers as a kind of test case for theistic ethical theory. It has seemed to some that divine command theory implies that Abraham was morally obligated to sacrifice Isaac in obedience to God’s command. This

\(^{56}\) So characterized, incompatible obligations may attach to different people as well as to the same person. For example, Alfred’s obligation to V and Betsy’s obligation to ensure that Alfred does not V would be incompatible. Although the discussion above will focus on incompatible obligations that a single person may face, incompatibilities of obligations between people present many of same problems, and much of what I say about the former could also apply, \textit{mutatis mutandis}, to the latter.
alleged implication, in turn, is treated either by the critics of DCT as an absurdity that undermines the theory or by its defenders as a challenge that may require us to refine DCT or our pretheoretical intuitions. Both critics and defenders of DCT may assume that genuine obligations do not conflict and hence that either Abraham was obligated to sacrifice Isaac or he was not. The question then becomes, what was Abraham’s one true obligation?

A more inclusive picture of the sources of obligations suggests that the dilemma behind this question may be false. If different kinds of actual demand generate different forms of obligation, then there may be no single, simple answer to the question of what Abraham was obligated to do. Perhaps Abraham was both obligated to sacrifice his son (in virtue of God’s command that he do so) and obligated not to (in virtue of his culture’s demand that he do no such thing). Neither obligation need be thought of as merely prima facie or as defeated or suspended by the other. If both demands were really made, Abraham may have been in the unenviable position of being unable to discharge all his obligations. Whether he sacrificed Isaac or not (and setting aside God’s late reprieve in the Genesis narrative), he was bound to incur blame and possible estrangement (or worse) from a relationship he valued. While some moral theorists are likely to regard this possibility as a deficiency of actual-demand accounts of obligation, I believe it is actually a strength. Although in well-ordered lives it is the exception rather than the rule, feeling pulled as if between conflicting obligations—between friends and career, nation and family, law and morality—seems to be a fairly common phenomenon. One high-minded

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57 In fact, this is probably an anachronistic way of understanding the historical Abraham’s situation, since (a) Abraham does not seem at the time of the sacrifice narrative to be part of any larger culture and (b) it seems likely that the dominant local cultures would not have condemned the sacrifice of a child to God. But philosophical discussions of Abraham are usually somewhat stylized, and there seems to be no harm in this.
response to this phenomenon is to suggest that it is the product of an error or an illusion: all true obligations are compatible, so any apparent conflicts are *merely* apparent, between at most one true obligation and one or more imposters. Actual-demand accounts have the potential to save more of the phenomena. While some of our beliefs about our obligations may be mistaken (as, for example, when we misunderstand what others demand of us), it is entirely possible that different people or institutions we care about make incompatible demands on us. Actual-demand theories can allow that our feeling of being pulled as if between incompatible obligations is at least sometimes due to our actually being so pulled.

It might be thought that to allow the possibility of such conflicts trivializes the notion of obligation, robbing it of some of its practical relevance. After all, a sanitized account of obligation on which genuine obligations never conflict allows one to claim further that obligations when present always count as *ultima facie* practical reasons, outweighing or cancelling or silencing every competing consideration. But if obligations can conflict with each other, discerning the presence of an obligation no longer settles the issue of what one should do, all things considered. While this is an implication of recognizing a plurality of obligations, the view that a genuine obligation invariably settles the balance of practical reasons is doubted by many contemporary moral philosophers, including those who do not support actual-demand theories. (See the list in 4.3.) On the broadly internalist view of practical reasons I favor, I would allow that moral obligations as understood by Social Requirement Theory could be outweighed by considerations that are not obligations of any kind. Because of the importance of relationships to human beings, often the demands made emphatically by virtually everyone in an agent’s culture
will be the agent’s strongest reasons, but I see no reason to think this must always be so. Obligations may always count for something without always counting for everything. I have elsewhere (in Reply 1 of 1.6) emphasized that SRT is a theory about the nature of moral obligation, not a theory about the balance of practical reasons per se, such that much of the deliberation that we loosely regard as moral deliberation may actually be deliberation about how to weigh one’s moral reasons against competing non-moral reasons to reach an all-things-considered decision.

Suppose an agent confronts incompatible obligations to God and to his moral community. Can we say anything in general about how he should proceed? It seems likely that we can, at least if God deals with human beings more or less as he is portrayed to deal with them in the Hebrew and Christian scriptures. There do not seem to be any merely minor offenses with the God of the Old Testament. He is able and sometimes inclined to rain down the full force of judgment on those who disobey him. It seems likely that the expected cost of disobeying this God would always be higher than the expected cost of disobeying one’s community. And in virtue of God’s omniscience and omnipotence, he can ensure that his intended punishments always find their mark—no peculiarities in one’s psychology could render one immune to the ill effects of his displeasure. Peter Geach makes the point vividly: “A defiance of Almighty God is insane: it is like trying to cheat a man to whom your whole business is mortgaged and who you know is well aware of your attempts to cheat him, or again, as the prophet said, it is as if a stick tried to beat, or an axe tried to cut, the very hand that was wielding it” (MLLG 126). If it is true that obligations to God always provide stronger reasons than any competing obligations, this is probably the only general lesson we can draw about
conflicts of obligation. When it comes to incompatible obligations to merely human authorities, the balance of reasons will depend on the likely costs of noncompliance and the agent’s contingent profile of concerns and interests. These determinations will be highly situational.

Finally, what of incompatible moral obligations? Is it possible on Social Requirement Theory that a person’s moral obligations may conflict with one another? It seems the answer is yes. I have already noted (5.1) the possibility of conflicting moral obligations due to a person’s membership in different cultures that made incompatible demands of her. But the moral obligations generated by the demands of even a single culture might also conflict. After all, an individual person may make demands of another that cannot be jointly satisfied. It seems in principle that a culture could as well. Of course, there is a kind of futility to making incompatible demands, and perhaps it would be irrational to persist in making demands that one knew to be incompatible. But that doesn’t make it impossible to make such demands, especially in the absence of knowledge that they conflict. Just as positive laws may have implications unintended by their authors, so, too, it seems a culture’s moral system might demand the impossible of some unfortunately situated people. This may be grounds for rational criticism of the code, but it does not imply that the code, including the elements of it that have generated incompatible demands, is not in force and backed by the social sanctions characteristic of morality. It seems likely that such inconsistencies will be quite rare in the moral code of any mature culture, since presumably the code has evolved over time to resolve inconsistencies that have emerged. It may also be that some cultures endorse a kind of meta-norm according to which first-order moral demands cannot conflict, or a person is
blameless for sacrificing either of two or more incompatible obligations, or there is some rough prioritization among types of moral duties that can settle cases of unforeseen conflict. Think here of the widely acknowledged priority of a passerby’s duty to rescue an accident victim to his duty to keep a promise to attend a luncheon. Such conventions may greatly reduce or even eliminate the possibilities for incompatible moral obligations. Social Requirement Theory has no general answer about how an individual should resolve any conflicts of moral obligations that may remain. Here, again, the individual confronts the broader question of what to do, all things considered, a question that SRT does not purport to address.

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58 An example that, incidentally, also tells against any exceptionless priority of perfect over imperfect duties (in Kant’s sense; see *Groundwork* 4:422-23).
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