

# Making Sense of Faultless Disagreement

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## ABSTRACT

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This dissertation examines the phenomenon of faultless disagreement: situations in which it seems that neither of two opposing sides has made a mistake in upholding their respective positions. I explore the way in which we ought to conceive of the nature of the kinds of claims that give rise to faultless disagreement and what the possibility of such disagreement reveals with a view to the rationality of tolerance.

My starting point is a rather simple observation: persistent disagreements about ordinary empirical claims, say, that it's now raining outside or that Columbia's Philosophy Department is located at 1150 Amsterdam Avenue, are significantly more puzzling than persistent disagreements about matters of taste and value. Suppose you and I are standing at 1150 Amsterdam Avenue and you deny that this is where Columbia's Philosophy Department is located. My immediate—and I believe justifiable—reaction is to suspect that you suffer from some sort of cognitive shortcoming: bad eyesight, the influence of drugs, or what have you. As opposed to that, I am not particularly shocked to see that our disagreement about the tastiness of snails persists. More importantly, I would not want to say that you are mistaken in any real way if you call snails tasty.

The problem is of course that if we are prepared to allow for the possibility of faultless disagreement, it seems inevitable to conclude that for certain subject matters the law of

non-contradiction does not hold. The tension between this rather uncomfortable consequence and what seems to be a datum of our linguistic practices motivates the guiding question of my dissertation—namely, if there is a way to make sense of the phenomenon of faultless disagreement. In trying to do so, I make three central claims.

First, I argue that the possibility of faultless disagreement is characteristic of what I call “basic evaluations.” Evaluations are basic, on my account, not by being fundamental or universal, but by being rooted in the agent’s sensibilities. Such evaluations are basic insofar as the agent cannot step outside of her inner frame of personal tastes and preferences.

Second, I argue that what characterizes faultless disagreements is that there are no established methods of determining who has gotten things right. This is why we tend to think that the opponents may rationally stick to their respective positions—or, as I put in my dissertation, why we do not epistemically downgrade each other whenever we encounter such disagreements. The absence of established methods of resolution entails various epistemological challenges for realist accounts of the kinds of claims that give rise to faultless disagreement. The realist insists that despite the appearance that these disagreements are rationally irresolvable, at least one of the opposing sides must have made a mistake. But then she is forced to maintain either that we might lack epistemic access to the realm of evaluative facts and properties, or that we have access to this realm due to special evaluative capacities. Neither option is particularly attractive from the point of view of an agent.

In response to such challenges I therefore propose a non-cognitivist, robustly anti-realist account of the subset of the evaluative domain of discourse that allows for faultless disagreement. I argue that we can make sense of the dimension of faultlessness, if we construe the relevant claims as expressions of our individual evaluative attitudes. More precisely, I suggest that we can construe them as dispositional intentions or plans to bring the world into line with what one deems worthy of pursuit. I also show how we can make sense of the dimension of disagreement by proposing a pragmatic account of the way in which evaluative attitudes can stand in relations of inconsistency.

Third, I argue that whenever there is no way of demonstrating that one side has gotten things wrong, it is unjustified—at least from the point of view of a cognizer who abides by the norms of rationality—to reject a given conflicting evaluation as mistaken. When it comes to the kinds of claims that give rise to faultless disagreement it is thus a rational requirement to be tolerant of our opponents' positions. Contrary to a long-standing tradition that goes back to Locke and Mill I therefore take toleration to be not a moral, but an epistemic value. Moreover, I show that what is sometimes taken to be paradoxical about the kinds of situations that call for toleration is the result of a switch of perspectives: from the perspective of a valuer I genuinely disagree, say, with your claim that it's permissible to lie if this prevents hurting someone's feelings. But from the perspective of a cognizer I realize that I would be unjustified in rejecting your conflicting evaluation as mistaken.

## TABLE OF CONTENTS

1. Introduction.....	1
2. The Value of Toleration: Overcoming a Moral Paradox from an Epistemic Point of View .....	13
3. Disagreement about Matters of Taste and Value: A Special Problem for Realism?.....	48
4. Making Sense of Faultless Disagreement.....	84
5. Asserting Relative Truths .....	120
6. Bibliography .....	150

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*Pentru Mama și Tata*

## 1. Introduction

The starting point of my dissertation is a rather simple observation: persistent disagreements about ordinary empirical claims—say, about whether it is raining at a given time and place, whether a particular object is rectangular or round, or whether Columbia’s Philosophy Department is located at 1150 Amsterdam Avenue—are significantly more disturbing than persistent disagreements about evaluative claims—for example, about whether snails are tasty, whether Mahler’s third symphony is beautiful, or whether abortion is morally permissible.

We presume that we can in principle resolve disagreements about such things as current weather conditions and shapes of objects. Imagine that you and I disagree about the shape of a table that is in front of us. You claim that it is rectangular, while I claim that it is round. Clearly, at least one of us is wrong. From my perspective there is no doubt that it is you who is at fault. If you persist in your position, I will wonder what is wrong with you, whether you suffer from poor eyesight, some sort of delusion, or the like. I will assume that if we get closer to the table so that you can touch its edges, or if we compare its shape to other objects, and so on, we will be able to settle who has made a mistake. In contrast, our everyday lives provide us with ample experience of intractable disagreement about matters of taste and value: situations in which opposing sides uphold contradictory positions, but where we have no similar expectations to be able to decide the disagreement in a determinate manner.

There are differences, of course. When the issue at stake involves predicates of gustatory or aesthetic taste, we often feel that there is no point arguing, that we should simply agree to disagree—the Latin proverb *de gustibus non est disputandum* seems apt in such cases. In other cases, it seems more difficult to reconcile oneself to the persistence of the disagreement and we are likely to think that there are important considerations that our opponents are missing. We usually do not feel that it is pointless to argue about the moral permissibility of abortion, or whether it is just to increase taxes for redistribution to the poor.

Nevertheless, all of these cases of evaluative disagreement share the following features. First, there is, on the face of it, no reason to deny that we genuinely disagree: whether I affirm that snails are tasty or that tax increases are just, I will take you to disagree with me if you reject these claims. It is thus unsatisfactory to reconstruct such disputes as being covertly about the speaker, as mere descriptions of subjective personal preferences. Second, and in contrast with disagreement about ordinary empirical claims, I will not automatically suspect that there is something seriously wrong with you if you defend a contradictory evaluative judgment. In many instances it seems unjustified to maintain that you are mistaken in any real way.

The goal of this dissertation is to try to make sense of these comparative differences in our linguistic behavior. Why do we allow for the possibility of what is sometimes called “faultless disagreement” in the evaluative domain of discourse, but not when it comes to discourse about ordinary empirical facts? For the purposes of this project, I will take “faultless disagreement” to refer to situations in which it seems that neither of the opposing

sides has made a mistake or is otherwise at fault, such that they may rationally stick to their positions even after the disagreement has come to light.

To be sure, not all evaluative claims will be liable to faultless disagreement. If you assert that slavery is morally acceptable or that torturing others for fun is admissible, I am likely to think that you are simply mistaken. But this does not disprove the possibility of faultless disagreement with respect to other types of evaluative claims. Conversely, one might think that there are cases of faultless disagreement in other domains. If a given scientific question is extremely complex and the facts currently transcend our capacity of detection, it may be equally rational to stick to a given claim  $P$  and its contradiction  $\sim P$ . But it seems to me that in such cases it is nevertheless presumed that at most one side can get things right. In other words, the comparative point still holds: if faultless disagreements are possible, their possibility is limited to matters of taste and value.

The present work lends support to the thesis that the paradigmatic case of faultless disagreement concerns judgments that result from what Hume calls divergent “internal frames”—judgments I will refer to as “basic evaluations.” Such evaluations are “basic,” not because they are fundamental or universal, but insofar as they are ultimately a matter of individual moral, aesthetic, or gustatory sensibility. In this project I leave it open how far the phenomenon of faultless disagreement extends within the evaluative domain of discourse. My primary aim is to examine if the features that characterize these disagreements can be combined in a coherent manner, and if so, what kinds of normative, metaethical, and epistemological conclusions we may draw.

One important question that arises from the normative perspective is, how we ought to respond to disagreements that strike us as rationally irresolvable. This is the question that I tackle in Chapter 2, “The Value of Toleration: Overcoming a Moral Paradox from an Epistemic Point of View.” The main concern of this chapter is to examine whether the possibility of faultless disagreement mandates that we adopt an attitude of toleration towards contradictory positions. I propose that we conceive of toleration as an epistemic value, rather than a moral one, thereby contradicting a long-standing tradition that defends toleration either by reference to autonomy or to the kinds of rewards it affords to human relations. I argue that tolerance is the only justified response when a given confrontation is simply a matter of incompatible personal tastes and preferences. Since there is no way of demonstrating that one side has gotten things wrong in such cases, it is not only unjustified, but also irrational to be intolerant. I conclude by showing how we can make sense of the tension that characterizes the kinds of situations that typically call for toleration. I argue that such situations involve a switch between two perspectives: the perspective of a valuer and the perspective of a cognizer. From the perspective of a valuer, we disagree; but from the perspective of a cognizer, we realize that neither of us can be considered mistaken.

Chapters 3 and 4 examine faultless disagreement and its implications from a metaethical point of view. In Chapter 3, “Disagreement about Matters of Taste and Value: a Special Problem for Realism?”, I ask how we can make sense of the following difference in our linguistic behavior: if you disagree with me about the shape of the table that is in front of us, I will immediately suspect that you suffer from some sort of cognitive

shortcoming. But when it comes to evaluative matters, opposing sides may uphold conflicting evaluative judgments without immediately revoking each other's status as epistemic peers. What explains this feature of evaluative disagreement is the fact that we lack established methods of deciding such issues in a determinate way. I cannot demonstrate that you ought to take greater pleasure in this or that performance. Similarly, when it comes to the question of abortion, I cannot prove how you should balance the competing demands of an individual's autonomy and the principle to protect others from harm. I argue that this difference in the kinds of methods available to resolve disagreements is in turn best explained by adopting an antirealist outlook for evaluative discourse. That is, I propose that we take evaluative claims—or at least the kinds of basic evaluations that give rise to faultless disagreement—as expressions of mind-dependent facts or properties. Insisting, as the realist does, that such claims track objective evaluative truths entails that at least one of the opponents is suffering from something worth calling a cognitive shortcoming—although we have no way of showing what the shortcoming involves. Such a position saddles the realist with an epistemological challenge: she will either have to allow for a potentially inaccessible realm of evaluative facts or properties, or she will have to posit obscure *sui generis* evaluative capacities by means of which we have access to the relevant facts and properties. I show that neither option is attractive from the point of view of a practical agent.

Chapters 2 and 3 of my dissertation make the case that faultless disagreement arises above all with respect to basic evaluations and that these types of judgments are most plausibly spelled out in antirealist terms. Taken together, these chapters give my grounds

for developing a robustly antirealist and non-cognitivist framework in Chapter 4, “Making Sense of Faultless Disagreement.”

Influenced by Gibbard’s approach in *Thinking How to Live*, I suggest that we can construe the kinds of claims that give rise to faultless disagreement as expressions of dispositional intentions or plans to bring the world into line with what one deems worthy of pursuit. Such a construal allows for a straightforward explanation of the dimension of faultlessness. If evaluative judgments express mental states with a world-to-mind direction of fit, the appropriateness of such judgments is ultimately a matter of an individual’s psychological setup: her desires, goals, and preferences. This accounts for why we typically lack mutually acknowledged methods of settling disagreements in a determinate manner and for why it seems inappropriate to blame our opponents with mistakes when they uphold contradictory positions. The chapter then aims to clarify, from a pragmatic point of view, how expressions of planning-states can stand in relations of disagreement and inconsistency to one another. I develop Stalnaker’s account of assertion to accommodate the sense in which evaluative discourse is aimed at updating a common ground. As I see it, we engage in evaluative discourse in order to ensure that we adopt a shared plan on how to live and how our society should develop. If I hold that abortion is morally permissible, and you deny it, I cannot but reject your position. If I did not, I would have to update the common ground accordingly, as a result of which I would embrace incompatible plans for action.

The final chapter, “Asserting Relative Truths,” engages with contemporary versions of truth-relativism, which purport to make sense of faultless disagreement. I argue that

although truth-relativism provides significant improvements over contextualist accounts of the relevant phenomena, the improvements are limited in various respects. First, the kind of linguistic data that is typically invoked to motivate such forms of relativism does not license the conclusion that truth is a relational notion. Such data could only be available from a neutral third party perspective that does not itself mandate a particular assessment of the claim under consideration. Unless broadly antirealist reasons are invoked, the relativist lacks an argument to the effect that such a neutral perspective does not betray some form of cognitive shortcoming. Second, it is exceedingly difficult to make sense of the point of engaging in evaluative discourse if truth is relative. On a plausible picture of communication, assertoric discourse serves the purpose of updating the set of propositions that are presupposed by the participants to a given conversation. This picture is unavailable to the relativist. She must therefore provide an alternative explanation of what we are up to when we put forward evaluative judgments, one that, I will argue, relies on central non-cognitivist tenets. As a result, it is unclear what is gained by adopting truth-relativism as opposed to the antirealist/non-cognitivist account I explore in chapters 3 and 4.

My dissertation touches upon a wide range of topics in metaethics, normative ethics, and topics at the intersection between ethics and legal/political philosophy. I hope to have been able to sketch a framework that makes sense of the differences in our linguistic practices when it comes to disagreement about different types of judgments. I also hope to have laid the ground for an account of the evaluative domain of discourse that takes the explanatory resources of an antirealist and non-cognitivist outlook seriously. Nevertheless, the present work necessarily leaves a large variety of issues unexamined. Let me therefore



conclude this introduction by describing some of the projects that emerge from my dissertation and that I expect to take up in subsequent work.

First, an obvious metaethical question is, how we should construe the domain of evaluative thought and talk, which does not intuitively allow for faultless disagreement. Consider a claim such as “It is permissible to torture others for fun.” To most of us this sounds terribly wrong. It is a powerful, and widely shared intuition that there are evaluative judgments—and this type of claim is a classic example—that are false regardless of the kinds of attitudes that a given agent might happen to have. Even if we construe the agent as having access to all relevant non-evaluative facts and as being free from any ordinary cognitive shortcoming (bad eyesight, tiredness, and the like), if she claims that it is okay to torture others for fun, she is guilty of a serious moral mistake and seems to suffer from a different form of cognitive shortcoming. Moral judgments, it seems, can therefore not always be construed as expressions of basic evaluative attitudes, but are at least in some cases reflections of some form of objective reality with respect to which it is possible to get things wrong.

This is of course precisely the kind of argument that proponents of non-naturalist realism invoke in an attempt to expose the implausible implications of antirealism (and robustly antirealist versions of non-cognitivism). It seems to me, however, that the epistemological challenges that I raise in Chapter 3 still apply. Given the absence of established methods to determine what “getting things wrong” involves in such cases, insisting on an understanding of moral discourse, according to which it is possible to make mistakes, leaves the realist with problematic implications of her own. They include a

potential lack of epistemic access to the evaluative realm, and the need to postulate obscure *sui generis* evaluative faculties. Such implications do not strike me as more worrying than those that the antirealist faces.

Such issues aside, however, a different line of thought worth exploring is whether the antirealist has the resources to accommodate the intuition that the agent who thinks it is morally permissible to torture others for fun is guilty of a mistake. The antirealist might be able to argue that such a person is wrong on her own terms. Even if she has access to all pertinent non-evaluative facts and suffers from no cognitive shortcoming, she might, for example, be wrong about her own deeply held values.

What then should the antirealist say regarding the ideally coherent villain, who not only has access to all pertinent non-evaluative considerations, but who is also perfectly consistent as far as all of his deeply held values are concerned? If such a person thinks torturing others for fun is permissible, how can the antirealist hold him guilty of a mistake? If she cannot, it seems we must accept the possibility of faultless disagreement about these types of evaluative judgments after all. I am inclined to bite the bullet here, and grant that in such scenarios the villain is, indeed, free from fault. However, it is not clear to me whether this amounts to a serious problem for the antirealist, as I am not sure whether the intuitions described above (that there are evaluative judgments that are false regardless of the kinds of attitudes that a given agent might happen to have) apply to the outlandish character of an ideally coherent villain in the first place. It may not be helpful to test our theories of the nature of value against such far-fetched hypothetical scenarios. In any case, this is a different approach from the one pursued in the present work: in trying to make

sense of the phenomenon of faultless disagreement, I try to make sense of actual linguistic practices, which do not typically involve characters of this sort.

A second topic that emerges from my dissertation is the possibility of moral expertise. In examining disagreements between experts and novices about such things as the quality of a particular bottle of wine, or the performance of a piano concerto, I argue (in Chapter 2) that such disagreements are not intuitively conceived as faultless. Experts are called experts, because they are particularly good at discerning specific gustatory or aesthetic qualities. Their evaluations can offer guidance to others, and they seem justified in trying to demonstrate to non-experts who uphold contradictory evaluative judgments what they are missing or where they have gone wrong.

This raises the question of whether we can make sense of a similar notion of expertise in the moral domain. Intuitively, we want to be able to say that some people are better in reaching informed moral conclusions than others. But the antirealist needs to determine whether the possibility of moral expertise presupposes a realist account of moral facts and properties.

Another, and to my mind interesting, question in normative ethics is if there is an obligation to defer to the opinions of alleged moral experts. We feel uncomfortable about deferring our moral judgments to others, perhaps, because this reveals our own inability to discern the morally relevant features of a given situation by ourselves. Or perhaps the discomfort arises from the difficulty of identifying moral experts in a non-circular way. I am sympathetic to the view that there is something problematic about the very notion of a moral expert. As my point about the comparative absence of methods reveals, we lack

independent checks that can determine who is getting things right when it comes to matters of value. It seems, therefore, that the prospects for identifying moral experts in a way that is not itself subject to significant controversy are rather dim.

But what it would mean for a given society to forgo the possibility of appealing to moral experts? The need for moral experts is particularly manifest in the public domain. In democratic deliberations about what we should collectively do, and in the face of intractable controversy, moral experts can help clarify what is at stake and provide justifications for the demands put forward by the opposing sides.

Third, my dissertation gives rise to a cluster of issues at the intersection between moral and political/legal philosophy. As I argue, we are rationally required to adopt an attitude of toleration when it comes to evaluative judgments that are ultimately a matter of divergent gustatory, aesthetic, or moral sensibilities, and can therefore not be true or false in any robust sense. It remains to be made out, however, whether such an epistemic understanding of toleration is helpful in trying to settle the practical issues we face in the social and political realm—in particular, the need to decide on policies and legislation. We might well come to realize that we ought to refrain from denouncing someone else's stance on abortion as mistaken, but it is clear that governments cannot be equally disengaged: in determining whether the medical costs that are incurred by an abortion ought to be covered by national health insurance, for example, governments are forced to take sides.

The worry is especially pressing when trying to determine how we should collectively respond to increasingly diverse societies and in what way we should accommodate minority groups. If toleration should indeed be understood as a requirement of rationality,

one might ask whether norms of rationality have any role to play in a theory of accommodation.

There are further questions about policy-making and the status of law that relate to my distinction between the perspective adopted qua valuer, and the perspective adopted qua cognizer. From the latter point of view, if a given situation of disagreement rationally requires the adoption of an attitude of toleration, the question at hand is such that no method of resolution exists. Issues that are rationally irresolvable are in some sense “open.” But what does this mean for policy-making? One might think that when a question relevant to action is open, laws that make one of the competing ways of acting impossible or subject to criminal punishment are unjust. Or suppose that a given moral question is such that, from an epistemic perspective, we should suspend judgment on what is right and wrong, even though, from the perspective of a valuer, we feel committed to one side of the issue. How should this inform our political agency?

Finally, my account presupposes that toleration is intrinsically valuable. This is an ambitious claim that I do not adequately defend. Still, it is a claim I find plausible and would like to further explore. One strategy might be to take toleration to secure diversity, and argue that such diversity is essential to human flourishing.

There is much more to say. Looking over the project and its ramifications now, I am struck by the many open questions that remain. But my hope is that the present work succeeds in preparing the ground to explore them in greater detail in future research.

## 2. The Value of Toleration: Overcoming a Moral Paradox from an Epistemic Point of View

### I.

Toleration is widely held to be a problematic, if not paradoxical concept. It has been called “elusive,”<sup>1</sup> “puzzling,”<sup>2</sup> and even “impossible.”<sup>3</sup> But as I will argue in this chapter, such verdicts seem inevitable only under the assumption that toleration is a moral value. My aim is to show that the most pressing paradoxes and difficulties can be overcome if the focus is shifted from moral to epistemic concerns. More precisely, I want to suggest that insofar as toleration is a way for us to avoid inconsistency among beliefs, and thereby to satisfy a basic requirement of epistemic rationality, it is an *epistemic* value.

In some sense, I will take up a skeptical line of reasoning that was already proposed by Locke, who argued for the irrationality of religious persecution.<sup>4</sup> But while Locke focused on religious belief, I will concentrate on discourse about matters of taste and value, or rather, on a particular subdomain of this type of discourse: the kinds of claims that give rise to so-called faultless disagreements. I will show that because such disagreements amount to confrontations between incompatible personal tastes and preferences, it is irrational to reject a given view as mistaken or inferior—or so I will argue.

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<sup>1</sup> Heyd (1996), p. 3.

<sup>2</sup> Scanlon (2003), p. 187.

<sup>3</sup> Williams (1996), p. 18.

<sup>4</sup> Locke (2010).

As we will see, appealing to the value of toleration on such epistemic grounds does not only allow us to avoid what is commonly known as the paradox of toleration, it provides also a criterion to determine the proper realm of toleration—at least, if it is understood along the lines that I will suggest.

I will begin by outlining standard attempts to justify the value of toleration, arguing that they are not satisfactory. I will then approach the problem of the boundaries of toleration and show that intolerance is an inadequate response when it comes to disagreements about what I call “basic evaluations:” judgments that are based on diverging moral, aesthetic, or gustatory sensibilities and are therefore not demonstrably right or wrong. I will conclude by showing how the same line of reasoning necessitates the adoption of an attitude of non-interference with respect to such judgments and how such an attitude can be reconciled with genuine disagreement.

## II.

Toleration is generally understood to refer to a voluntary attitude or policy of non-interference.<sup>5</sup> I take it that such attitudes and policies of non-interference can pertain to either judgments or actions (or both).<sup>6</sup> Thus, I will assume that persons or institutions are tolerant, if they do not express disapproval of someone else’s claims and/or do not constrain or prohibit his or her actions, although they take the relevant claims or actions to be mistaken. For example, suppose that you are a proponent of the “pro-life” movement.

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<sup>5</sup> If one is compelled not to interfere with what one rejects, one cannot be tolerant.

<sup>6</sup> I use the term “judgment” as a neutral term to designate any type of mental state that is expressed by way of an indicative sentence.

You are tolerant of my view that abortion is morally acceptable if you do not dismiss it. Similarly, suppose that a given institution disagrees on some level with the homosexual lifestyle. The institution is tolerant of homosexuality if it does not attempt to suppress it—for example, by denying homosexuals equal rights.

In other words, I take intolerance to include a range of behaviors and attitudes, with outright coercion and oppression at one end of the spectrum and expressions of hostility or condemnation of an action or judgment at the other end. Here I will focus for the most part on the latter case, that is, on intolerance of contradictory judgments. Note that in order for such cases to be plausibly understood as cases of interference, they ought to take place in the public domain: either as the public assertion that someone's judgment is wrong, or as an action that can be interpreted as the manifestation of such a denouncement.

To be sure, sometimes it is impossible to actually interfere in any way. In such cases, toleration can be understood as a dispositional attitude that is identifiable in counterfactual terms: a tolerant person would refrain from interfering, even if she had the power to do so. Furthermore, it is clear that we can only speak of toleration if it happens for the right reasons—for example, if one does not merely show restraint because one is too lazy, or too afraid to do or say anything.<sup>7</sup>

But what are “the right reasons”? For the purposes of this chapter I will assume that toleration is *intrinsically* valuable. Hence, being tolerant of a given judgment or action, because it is more advantageous to do so, is being tolerant for the wrong kinds of reasons.

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<sup>7</sup> Since the weak are not normally in a position to tolerate the strong, it is frequently held that the possibility of toleration requires some form of asymmetry of power. It seems to me however that someone who, as a matter of fact, currently is powerless to dismiss or coerce someone else's views or actions, can still be adequately characterized as intolerant if she had the disposition to do so.



By stipulation, I will therefore set aside instrumental conceptions of toleration. What I am interested in is to determine whether it is possible to provide a justification of the value of toleration understood in such non-instrumental terms.<sup>8</sup>

Now, as the examples above reveal, you would hardly be called tolerant of my view that abortion is morally permissible if you did not care about the pros and cons of abortion. By the same token, if in a given society one's sexual orientation were equally unproblematic as, say, one's choice of a hobby, granting equal rights would not be a matter of toleration. If one is indifferent towards a particular view or action, one is not sufficiently involved to agree or disagree. And where there is no disagreement, the intention to refrain from interfering with it is unintelligible. In other words, I will presuppose that toleration is conceptually linked to disagreement. Unless there is a tension between what one deems true or worthy of pursuit and what someone else believes, values, or intends to do, it seems bizarre to be credited with toleration.

But the requirement that there be this kind of tension is precisely why toleration is commonly perceived to involve a paradox. If you disagree with my claim that abortion is morally permissible, you must consider this claim to be *mistaken*. In order for contradictory statements to amount to a genuine disagreement they must be inconsistent. This is generally taken to mean that they cannot both be true, and therefore, that at least

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<sup>8</sup> As will become clear below, the main rationale for this is that an instrumental conception of toleration faces important limitations. If toleration is taken to be merely of instrumental value, it is adopted only so long as it is effective to secure the desired end in question. Consider, for example, the most well-known instrumental defense of toleration that emerged in early Christian discourse and became particularly important following the onset of the Reformation and the resulting political and religious conflicts. In short, the idea is that toleration is conducive to peaceful coexistence. The trouble is, of course, that if peace and political stability can be realized in a different manner, the adoption of a regime of tolerance becomes obsolete.

Moreover, the argument might be counter-productive and sanction intolerant policies—for example, if it is argued by a certain societal group or class that such policies are the only way to ensure a state of peace and order.

one of the opposing parties has gotten things wrong. The same holds for situations in which one tolerates a given course of action. In order for it to be describable as a case of toleration, the relevant intention or action must be perceived as misguided, as not co-tenable with what one endorses.

To be sure, “toleration” is also used in a weaker sense. For example, when a given society calls itself tolerant of homosexuality or other religions, this need not imply that the relevant beliefs or lifestyles are considered to be mistaken. In such cases, speaking of toleration is oftentimes simply an artifact of change: it has its origins in times when there was indeed genuine disagreement with the relevant beliefs or lifestyles. Alternatively, it can reflect the awareness that there are domains of regulation (related to life, death, and sexuality) that are so important that every difference is somehow difficult to deal with, regardless of whether one finds it wrong. In this chapter however I will not be concerned with such types of cases. My focus will be on instances of toleration that involve genuine disagreement.

With respect to such cases the upshot seems to be that toleration is appropriate only for the “intolerable,” as Williams put it.<sup>9</sup> For it requires an attitude of non-interference with what one deems wrong, and what is therefore worthy of interference: not to correct what one thinks ought to be corrected and not to prevent what ought to be prevented. This does indeed sound paradoxical.

In the attempt to escape such an outcome, an obvious strategy is to provide a principled justification and derive the importance of toleration from a substantive moral theory. In the liberal tradition flowing from Kant and Mill, a particularly popular approach to that effect

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<sup>9</sup> Williams (1996), p. 18.

is to resort to the value of individual autonomy. Joseph Raz, for example, argues that the principle of autonomy provides a powerful justification for toleration—indeed, that “the duty of toleration is an aspect of the duty for respect of autonomy.”<sup>10</sup> In line with Mill,<sup>11</sup> he argues that the concept of autonomy carries with it the recognition that each and everyone control their lives by deciding which projects and relationships to pursue. An autonomous person must therefore be able to choose freely among an adequate range of options.<sup>12</sup>

Since people have different preferences and concentrate on different abilities, it is inevitable that they choose different forms of life that are governed by distinct norms and virtues. But these forms of life might be incompatible. To use Raz’s example, I cannot both intend to exemplify all the virtues of a nun and of a mother. Being committed to autonomy thus implies being committed to the possibility of norms and values that are not co-tenable, but that are equally acceptable and equally capable of being pursued for their own sake—in short, it implies being committed to moral pluralism.

As he points out however, in order for moral pluralism to necessitate and thereby justify toleration, it ought to be understood in a *competitive* sense, i.e. as admitting not only “the validity of distinct and incompatible moral virtues, but also of virtues which tend, given human nature, to encourage intolerance of other virtues.”<sup>13</sup> A single-minded

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<sup>10</sup> Raz (1988), p. 165.

<sup>11</sup> Mill (2003).

<sup>12</sup> Crucially, according to Raz, enabling others to lead an autonomous life does not only mean to refrain from interfering with the beliefs and actions we disagree with, but also, to help creating the cognitive, emotional and physical abilities that are required for such a life. Clearly, this has far-reaching political implications, a discussion of which would however exceed the scope of this chapter. Raz (1988), p. 166ff.

dedication to a given cause is often accompanied by intolerance towards those who do not share the concern or act in opposition to it. In cases of conflict it is therefore essential to have a tool at one's disposal by means of which potentially intolerant actions and attitudes can be restrained. In requiring to refrain from interference, a principle of toleration secures diversity and thereby the possibility of an autonomous life.<sup>14</sup>

Before turning to the shortcomings of such a line of reasoning, let me examine another popular, albeit less ambitious approach to respond to the paradox under consideration. It seeks to mitigate its force by reducing it to a conflict of goods: the good of rejecting what one deems mistaken versus the good of adopting an attitude of non-interference.

Thus, Thomas Scanlon argues that we all have reasons to value toleration, although it is a practice with high stakes. In his view, the particular difficulty of admitting beliefs and practices that one strongly disapproves of lies not so much in granting everyone equal legal and political rights, but in what goes beyond it: what he refers to as the “informal politics of social life.”<sup>15</sup> Being tolerant in informal politics involves acknowledging that everyone is “equally entitled to be taken into account in defining what our society is and equally entitled to participate in determining what it will become in the future.”<sup>16</sup> Given that we would all prefer our society to be one in which a significant number of people share our values, such a requirement is challenging. As a vegetarian, I am happy to leave people to their dietary choices, but I would be rather unhappy if our society were to develop into one

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<sup>13</sup> Raz (1988), p. 164.

<sup>14</sup> For a different approach to the relationship between toleration and diversity that aims to promote toleration in diverse societies on the basis of rational self-interest, see Muldoon (forthcoming).

<sup>15</sup> Scanlon (2003), p. 190.

<sup>16</sup> Scanlon (2003), p. 190.

in which being a vegetarian would become impossible. Similarly, as a non-believer I am not bothered by the religious beliefs and practices of others, although I would be worried if being religious became the sole form of life that is supported by the state, such that our laws and educational curricula would change accordingly.

If such concerns are legitimate, why be tolerant at all? Scanlon's answer rests on the thought that there is something distinctively valuable about the kinds of relationships that toleration encourages. By accepting those who differ from me as equally entitled to influence the evolution of our society, we recognize a common membership that is deeper than the conflicts that might emerge from our differences. Rejecting the value of toleration, Scanlon argues, "involves a form of alienation from one's fellow citizens."<sup>17</sup> In other words, the idea seems to be that if we deny others the right to shape and define our society we would deprive ourselves of an important good. Instead of treating each other with mutual respect, our relationships would be characterized by antagonism and division.<sup>18</sup>

Samuel Scheffler pursues a similar argumentative strategy.<sup>19</sup> In giving an account of the good of toleration, he also focuses on the rewards it affords to human relations, and argues that life under a regime of toleration creates bonds with fellow members that are valuable in their own right, despite the risks that they involve. In extending toleration to others one concedes the legitimacy of values and principles that one rejects. There is a sense in which one therefore defers to their authority. Given the role that such values and

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<sup>17</sup> Scanlon (2003), p. 194.

<sup>18</sup> Scanlon's argument for toleration might be viewed as an instance of the more general argument he puts forward in *What We Owe to Each Other*. There he makes the fundamental assumption that we all want to get along, that we have a reason to try to live together. This provides us with a reason to attend to the question of which actions are right and which ones are wrong. Scanlon (1998), p. 153ff.

<sup>19</sup> Scheffler (2010).

principles play in our lives, it is not surprising that the practice of toleration is frequently perceived as an attack on one's integrity.

Nonetheless, Scheffler believes that we have reasons to be tolerant, because this very practice of deference, of treating the values of others as sources of reasons, means that one is implicated in each other's lives. And this can in turn give rise to a feeling of solidarity:

[T]he phenomenon of being linked to others through a practice of mutual deference to one another's values is experienced as a form of fraternity: a way of acknowledging, beneath and despite our differences, that we face a common predicament.<sup>20</sup>

The common predicament that Scheffler refers to is the shared experience of being subjected to a normative authority. We all feel the need to respond to the authority of principles, values, and ideals and guide our lives by what they demand. We therefore recognize one another as "participants in the shared human enterprise of trying to live a good or worthy life."<sup>21</sup> This unites us and creates valuable ties—not unlike actual fraternal relations, created by the shared experience of being subjected to the authority of one's parents. It is this type of relationships, this sense of solidarity, which, in Scheffler's view, constitutes the distinctive value of toleration.

But it seems to me that neither Scanlon nor Scheffler provides a particularly satisfactory attempt to overcome the paradox. To begin with, the kinds of inter-personal

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<sup>20</sup> Scheffler (2010), p. 331.

<sup>21</sup> Scheffler (2010), p. 331.

relationships, which are allegedly encouraged under a regime of toleration need not be universally experienced as rewarding—or at least, not along the lines they describe.

More importantly however, even if such relationships are experienced as intrinsically valuable, the problem remains how to reconcile such a good with one's other values and commitments. One might fear the consequences of tolerating, say, the beliefs and practices of a certain religious cult much more than the alienation involved in denying these groups the right to define and shape one's society. Or one might perceive the interactions with those who are like-minded as much more rewarding than the sense of enrichment that one might get from developing an appreciation of values and practices other than one's own.

To be sure, Scheffler admits that not everyone will consider the kinds of relationships that are fostered by a regime of toleration to be equally attractive. His goal is explicitly modest: to show why *some* people find toleration to be worthy of pursuit. And also Scanlon's main concern does not appear to be to overcome the paradox, but to spell out the difficulty of toleration: to sharpen our awareness of the tension between the risks of adopting an attitude of non-interference and the benefits involved in relating to one another within a framework of mutual respect.

My goal in this chapter is less modest. I want to examine whether a normative defense of toleration is feasible that is not similarly restricted—in other words, whether it can be shown that also those who do not value the kinds of benefits that a regime of toleration allegedly entails have a reason to be tolerant. One might therefore think that a principled justification along the lines put forward by Raz provides an effective approach to the kind

of question that interests me here. But given that that it relies on a quintessentially liberal thesis about the good, his argument suffers from similar deficiencies.

Taking individual autonomy to constitute a fundamental moral and political value is easily contested, especially in the kind of pluralistic society that Raz advocates. As pointed out by Wong, for example,<sup>22</sup> autonomy and the corresponding focus on individual rights is a characteristic feature of European and Northern American moralities. Asian moralities tend to focus on duties that arise from the value of community.

Alternatively, consider thinkers outside the liberal tradition who subscribe to Marxist or socialist ideals. They might not value the kind of pluralism that individual autonomy engenders. Having a definite conception of what counts as the rational end of human beings and human society, they might, instead, favor intellectual and moral uniformity and will thus remain unconvinced by the argument that we ought to value diversity as a good in its own right.

In other words, trying to justify the value of toleration in terms of the value of autonomy is to appeal to just one moral outlook among many. To be sure, the notion of autonomy can be rendered in more or less ambitious terms—for example, it can be spelled out in a way that is compatible with non-individualistic conceptions of the good life. But the point I want to make is more general: trying to derive toleration from a particular moral outlook, whatever this outlook might be, faces the difficulty that to the extent that the relevant outlook is rejected, toleration may be rejected as well.

This is, of course, a descriptive point, and one might complain that it begs the question against those realists who consider it to be a moral fact that we ought to value autonomy.

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<sup>22</sup> Wong (2006).



Moreover, the problem I have identified is only a problem insofar as toleration is presumed to be a non-instrumental value. But as I said earlier, my aim is precisely to see whether we can say something in virtue of toleration if it is conceived along such lines. Such an endeavor is not only valuable from a theoretical point of view; insofar as one subscribes to political liberalism, it is also of political interest to be able to provide a defense of toleration that can not only convince those who are in some sense *already* convinced. Toleration is thus better not taken to depend on substantial and highly controversial moral claims

Now, the kind of justification of toleration that I want to propose is of an epistemic kind. I will argue that we are required to be tolerant, because in certain cases, being tolerant is a way to avoid inconsistency among beliefs. Taking it to be a fundamental norm of epistemic rationality to avoid inconsistency, the requirement to be tolerant therefore applies to everyone qua cognizer. It is in this sense that my defense of toleration is more ambitious: it is intended to hold universally.<sup>23</sup>

The argument is, in effect, a variant of another well-known liberal attempt to justify toleration, commonly associated with skepticism. In short, the thought is that disapproval does not warrant the suppression of a contradictory position if such disapproval does not stem from knowledge. In similar fashion, I will argue that the kinds of views towards which we ought to be tolerant are not demonstrably right or wrong, and can therefore not

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<sup>23</sup> Note that in this chapter I shall not pursue a potential other line of reasoning, namely, that toleration is a value that can be defended on naturalistic-evolutionary grounds, because it secures diversity. The thought might be that, in nature, diversity is advantageous, in such a way that ethical values relating to diversity would be naturalistically grounded. I suspect that the difficulties that this line of argument faces, both on the science side and in meta-ethics, are considerable. Whether they can be overcome is not my topic here. My approach aims to be independent of substantive assumptions of this sort.

amount to knowledge about how things are. This is why intolerance is irrational: if there is no way to demonstrate the falsity of a given judgment, it is not justifiable to denounce it as such.

Taking toleration to be a requirement of rationality is, of course, a line of reasoning that is familiar from Locke. My approach differs from his however, insofar as he argues for the irrationality of intolerance on *instrumental* grounds. Locke claims that if the goal of a given state or ruler is to achieve religious conformity, coercion is a misguided approach. Given that it is impossible to produce sincere religious belief by way of force, it would be irrational to try to do so.

It has been objected that such a line of reasoning fails to show that intolerance is *morally* wrong.<sup>24</sup> But as I just suggested, this is actually an advantage. Advocating toleration in the name of epistemic rationality is a form of justification that is not similarly limited in scope as the accounts we have just examined, precisely because it does not depend on a particular moral outlook. Nonetheless, one might want to be able to say that someone who is intolerant is also acting immorally. But I take this to be a separate question, one that will not concern me here.

As I said above, my aim is to determine whether toleration can be shown to be a universal requirement, one that applies to everyone—also to those who do not subscribe to traditional liberal values, and who do not value the effects toleration can have on interpersonal relationships. My hypothesis is that taking it to be an epistemic value provides us with such a line of reasoning.

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<sup>24</sup> Waldron (1988), p. 76ff.

### III.

It is notoriously difficult to determine the realm of toleration. It is bounded, on one side, by the kinds of actions or judgments towards which it is impossible to adopt an attitude of non-interference, and on the other side, by those towards which it seems redundant to do so. Religious or cultural disagreements—say, about the proper interpretation of a sacred text, or about how much respect is owed to parents and elders—are generally viewed as paradigmatic for the kinds of cases that call for toleration. But matters are significantly more controversial when the issue at stake concerns fundamental moral convictions or expressions of taste. Discrimination against others on the basis of race, gender, or sexual orientation seems patently intolerable. And so are theft, murder, and torturing others for fun. Conversely, it is not clear whether one's personal tastes and preferences can count as proper grounds for considering someone else's view as *mistaken*.<sup>25</sup> As we have seen, this seems required in order for the kind of tension that is characteristic of toleration to arise and for an attitude of non-interference to make sense.

To get a handle on these issues, let me start with the most straightforward case: disagreement about ordinary empirical facts. Suppose that I look outside the window and

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<sup>25</sup> There is a related issue that is sometimes held to pose an additional difficulty in determining the boundaries of toleration. Certain attitudes seem inadequate as instances of toleration if they are based on a reprehensible moral outlook. Thus, Horton argues that if toleration is understood as a moral virtue, someone who is prejudiced against a particular racial group, but manages to refrain from discriminating against it, cannot be called tolerant (Horton (1996), p. 31.).

Similarly, Raz holds that it is a central feature of toleration that the intolerant inclination be *in itself* worthwhile or desirable (Raz (1988), p.163. Note that he omits here an important, and in my view indispensable qualification that he makes a few paragraphs earlier: that the inclination must be worthwhile or desirable *from the point of view* of the tolerant person).

It seems to me, however, that the question of the grounds of the objection to what is tolerated is beside the point. Regardless of whether toleration is taken to be a moral virtue or not, as long as it is understood as an attitude of non-interference, and as long as this attitude is adopted for the right reasons (i.e. not out of fear or laziness), a person that refrains from discriminating against others *is* tolerant. She might also be a racist, but surely this does not automatically exclude her from displaying any other attitude or disposition that is praiseworthy (unless, of course, one were a defendant of the unity of virtues thesis).

notice the pouring rain, while you, standing next to me, looking outside the same window, declare that it is not raining at all. It would not occur to me to be tolerant and refrain from calling it mistaken. Rather, my immediate—and justifiable—response will be to wonder what misleads you. I might suspect that you suffer from poor eyesight, or that you are under the influence of drugs, and the like. In other words, discourse that is in the business of representing or describing the way in which things are in the world lies clearly outside the contours of toleration. It is impossible for the claim *that it is now raining* and its contradiction to be true with respect to the same time and place. Thus, if I have reasons to believe that  $P$  is the case, I will consider  $\sim P$  to be false.

To be sure, under the assumption that the opponents' abilities to interpret and assess evidence are perfectly symmetrical, one might have reasons to either revise or abandon one's belief after all. But at this point I am not interested in the special case of peer disagreement—at least when it is understood in such an idealized way.<sup>26</sup> My aim is to register *prima facie* rational responses to everyday situations of persistent disagreement in the representational domain. And as we have seen, with respect to such cases the kind of intolerance that interests me here—that is, expressions of disapproval of particular judgments—appears to be justified.

As I will argue in greater detail in the next chapter, it is also justified if we presuppose less demanding understanding of the notion of an epistemic peer and take intellectual parity to obtain if one's interlocutor is simply equally likely to get things right. In such a

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<sup>26</sup> It is an open question—and an issue that I cannot further discuss here—whether the idealized sense of an epistemic peer that is generally presupposed in the literature allows us to draw any significant conclusions regarding actual cases of peer disagreement, understood in the ordinary language sense of the term outlined below.

case the very emergence of the disagreement provides a *prima facie* reason to revoke the presumed epistemic parity.<sup>27</sup>

There are, of course, also disagreements about matters of fact, where intolerance seems inappropriate. Consider, for example, highly complex scientific questions, such as the origin of the universe or the inner workings of our brain. In such cases, the facts currently surpass our capacity of detection. It would be unjustified to condemn the position of one's opponent as false—irrespective of whether he or she is viewed as an epistemic peer or not. But this does not mean that one should therefore adopt an attitude of toleration. Precisely because the facts are not yet in, one should rather *suspend* judgment. And where there is suspension of judgment, toleration is an idle wheel.

I conclude that the realm of toleration is limited to discourse about matters of taste and value.<sup>28</sup> As I suggested earlier however, also with respect to this type of discourse, toleration seems neither desirable nor intelligible across the board. In order to see why, I shall begin by first examining matters of gustatory and aesthetic taste.

Imagine a situation in which Jane, a distinguished sommelier, and John, a novice in the field, disagree about the quality of a given bottle of Clos de la Coulée de Serrant. Assume that they affirm and reject the same proposition:

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<sup>27</sup> Intolerance is evidently also justified in cases of intellectual asymmetry. If an expert in particle physics disagrees with someone who is a novice in the area that there is reason to believe that the Higgs boson was discovered, she is certainly justified in denouncing the novice's claim as mistaken.

<sup>28</sup> And, possibly, religious discourse. But I will set religious discourse aside for now, as it comes with its own set of questions that I cannot discuss here. I am inclined however to construe disagreements about religious matters in analogy to disagreements in the representational domain. Religious claims are aimed to be true of the world and are put forward as true of the world. One could therefore take them to be either demonstrably true or false, or akin to highly complex scientific questions where the facts are not yet in, and where we should therefore suspend judgment.

Jane: “This wine is excellent.”

John: “This wine is not excellent.”

It is widely held that when the issue at stake involves gustatory or aesthetic properties, there is no point in trying to settle disagreements. “De gustibus non est disputandum”, as the Latin proverb has it—we should simply agree to disagree. I take it that this is tantamount to the recommendation that in such situations we ought to adopt an attitude of non-interference, that we are not justified in criticizing our opponent’s position as mistaken. But this appears to be inappropriate in the case that is now under consideration: Jane is *prima facie* warranted not only in persisting in her assessment, but also in taking John’s claim to be a manifestation of inferior tasting abilities.

Jane is an expert, and experts are called experts, because, owing to knowledge and training, they are particularly good at *something*. A sommelier is particularly good at discerning the characteristics of wine: she notices when a wine exceeds a certain level of alcohol or acidity, she can identify its origin and grape variety, and she can attend to a large range of aromas and flavors. In order to reach such a level of expertise, to have such a highly developed sense of taste and smell, one must not only practice specific tasting techniques, but one must also gather information—say, about the various steps involved in winemaking. The kind of knowledge that is thereby acquired informs subsequent tasting experiences in various ways.<sup>29</sup>

In other words, Jane seems justified in persisting in her assessment of the wine and in criticizing John’s view, because she can back up her evaluation with various non-

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<sup>29</sup> Smith (2007).

evaluative facts. By invoking the wine's degree of sweetness and acidity, its blend of flavors and aromas, the length or persistence of these flavors in the finish, and the like, she can demonstrate why this or that bottle of wine is excellent.

To be sure, there might be all sorts of reasons why John would remain unconvinced, especially, if he were to disagree with the very standards of taste that Jane presupposes (in which case, as we will see below, the disagreement is likely to be faultless). My point is simply that in a situation in which Jane is plausibly taken to know more about wines and be better trained in tasting them, she is *prima facie* justified in "interfering" in some form—for example, by trying to show John where he has gone wrong, by expressing disapproval of his assessment, and the like.

To mention a different example, consider a disagreement between Harry, an expert in orchestral music, and Sally, who is for the first time exposed to classical music. Assume that they disagree about the quality of a given performance of Rachmaninoff's third piano concerto:

Harry: "This is an excellent performance."

Sally: "This is not an excellent performance."

Again, intuitively, it seems that Harry is justified in dismissing Sally's assessment as mistaken. Experts in orchestral music are experts, because they are particularly good at assessing the qualities of performances: they can make comparative assessments of the precision and intonational purity of an ensemble; they pay attention to the harmony in the interplay between instruments of different timbers and can identify a great variety of tones;

they place the choice of phrasing and pace into a regional and historical context, whereby they establish the degree to which the composition or performance breaks with conventions and traditions. And the more discerning they become through instruction and practice, the more discriminatingly they use their sensations to make increasingly refined judgments.

As far as licensing intolerance is concerned, it seems therefore that in certain cases, disagreement about predicates of taste resembles disagreement about ordinary empirical matters. Just as an expert in particle physics is justified in rejecting your claim that there is no reason to think that the Higgs boson was discovered, an expert in wine tasting or music is warranted in rejecting a given novice's contradictory position as mistaken.

The point of these considerations is not to establish when exactly intolerance is called for or how we can identify genuine expertise in matters of gustatory or aesthetic taste. I merely wish to provide a rationale for the intuition that sometimes a given expression of gustatory or aesthetic taste is legitimately criticized. My main goal is to determine in which situations of disagreement intolerance is *not* legitimate. And the kinds of cases I have just discussed serve to sharpen the contrast between situations in which it seems *prima facie* justified to call someone else's position misguided, and those in which it is not only adequate, but rationally required, to adopt an attitude of non-interference and refrain from such denouncements. The cases reveal that key factors in licensing tolerance are not only the topic of the disagreement, but also the status of the opponents themselves.

Let us therefore reconsider the case in which Jane and John disagree about the quality of a given bottle of Clos de la Coulée de Serrant. But now let us suppose that there is no



reason to believe that Jane is more of a wine expert than John and that there is an underlying agreement about the relevant non-gustatory facts—as mentioned above, such things as the particular flavors and aromas of the wine, the way in which its age affects the structure, and so on. That is, assume that they concur with respect to the discernible properties of the wine.

It is certainly imaginable that while Jane considers it to be delicious, John remains unmoved. Not being fond of white wine in general, this particular wine does not strike him as particularly enjoyable either. Would Jane be justified in dismissing John's claim that this wine is not delicious as mistaken?

Compare this to the kinds of situations of disagreement discussed earlier, where some form of intolerance appeared to be justified. If I look outside the window and conclude that it is raining, I have a variety of methods at my disposal by means of which I could corroborate what I say and try to prove that your contradictory claim is wrong: I could make you go outside or drag you to the window so that you can see the rain from close up; I could show you a radar image, or point to a barometer. Similarly, the wine expert could get the novice to realize that the wine is excellent by making him compare it to other wines, by teaching him tasting techniques and making him smell certain objects so that the flavors contained in the wine would become manifest. And Harry could try to prove to Sally that the performance was indeed masterly by making her listen to the same concerto performed by an amateur pianist or orchestra, by comparing the diversity in phrasing and tempo, and by pointing out how both soloist and orchestra are capable of great nuance in timber, and so on.

But how should Jane proceed in the situation currently under consideration? It seems impossible for her to *demonstrate* that she has gotten it right, that John ought to take greater pleasure in the wine. To be sure, it is not that she literally has no method of proceeding. We can proceed in any number of ways in such cases: we can engage each others' emotions and desires, invoke authorities, and the like.<sup>30</sup> But even if there *are* ways to proceed, they are different in kind and scope. They are not plausibly understood as a matter of evidence giving or some other form of rational influence.<sup>31</sup> In other words, they are unlikely to amount to mutually acknowledged methods of demonstration.

We get the same result if we modify the second example a similar way. Thus, assume that Harry and Sally attend a performance of Rachmaninoff's third piano concerto, but that this time they agree that the skills of the pianist are exceptional and the interplay between the soloist and the orchestra flawless.<sup>32</sup> They both admire the speed and accuracy of the pianists' rendition of the concerto as well as the capacity of the orchestra to take up the soloist's ideas and develop them further. Nonetheless, while Harry is deeply moved by such virtuosity, Sally remains unaffected. In fact, she is disturbed by the very features that he enjoys: in her view, virtuosity *per se* is not attractive. Again, it is unclear how either Harry or Sally could proceed in trying to change each other's evaluations.

Such situations of intractable controversy are familiar. Indeed, they are a characteristic

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<sup>30</sup> Enoch (2009), p. 36.

<sup>31</sup> Recall the central stipulation made earlier: that Jane and John agree on all pertinent non-gustatory facts. This is not an unfair stipulation to make. In fact, it seems to me that disagreements about matters of taste and value frequently exhibit such underlying agreement.

<sup>32</sup> The assumption is not that the evaluation of discernible features is always rock bottom fact. I merely wish to point out what seems to me to be the clearest case of faultless disagreement: when there is agreement about underlying features of a given wine or performance, but where there can still be disagreement due to the kinds of factors described below.

feature of the evaluative domain of discourse. Situations in which two sides affirm contradictory evaluations, but where they have access to all relevant non-evaluative facts and where the disagreement cannot be attributed to some kind of mistake are familiar phenomena—in the literature they are oftentimes referred to as “faultless disagreements.”<sup>33</sup> As we have seen, they are characterized by an absence of established methods to settle the disagreements in a determinate manner. But what accounts for this difference? In what way is the disagreement between an expert and a novice about “This wine is delicious” different from a disagreement between opponents that are *prima facie* equally likely to get things right?

Let me make the following proposal. The latter types of disagreements between Jane and John or Harry and Sally are rationally irresolvable, not because they hold diverging views about what the wine or the performance is *like*—as stipulated, they concur in this regard. Rather, I want to suggest, their disagreement is due to diverging ways in which they are *affected* by the relevant wine or performance. Their evaluations conflict, because they are a matter of disparate individual sensibilities—which is what I presume Hume has in mind when he speaks of “internal frames” that give rise to disagreements that are “blameless on both sides”:

[N]otwithstanding all our endeavors to fix a standard of taste, and reconcile the discordant apprehensions of men, there still remain two sources of variation, which are not sufficient indeed to confound all the boundaries of beauty and deformity, but will often serve to produce a difference in the degrees of our approbation or blame. The one is the different humors of

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<sup>33</sup> See, for example, Kölbel (2004) or Wright (2006).

particular men; the other, the particular manners and opinions of our age and country. [...] But where there is such a diversity in the internal frame or external situation as is entirely blameless on both sides, and leaves no room to give one the preference above the other; in that case a certain degree of diversity in judgment is unavoidable, and we seek in vain for a standard, by which we can reconcile the contrary sentiments.<sup>34</sup>

Diverging sensibilities —as Hume puts it, the “different humors of particular men”—and diverging systems of norms and values—the “manners and opinions of our age or country”—give rise to various pre-theoretical attitudes of approval and disapproval. Judgments that are based on such types of attitudes are not susceptible to rational influence. They are, in some sense, more basic, or more immediate, than those concerning the technical merits of a given performance or the actual flavors of a particular bottle of wine. And when it comes to such basic evaluations we have no way of showing which of two opposing sides has made a mistake, why a given attitude of approval or disapproval is the right one to have. This is why they are indeed faultless.

This line of reasoning provides the basis for this chapter’s main argument: when it comes to disagreements that are ultimately about basic evaluations, it is indefensible, from an epistemic point of view, to denounce a given contradictory position as mistaken. With respect to such cases there is no way to demonstrate that someone has gotten things wrong. In these cases an attitude of non-interference seems rationally required.

Within discourse about matters of gustatory and aesthetic taste we therefore ought to distinguish between those types of disagreements that concern issues with respect to which

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<sup>34</sup> Hume (1757), pp. 232-233.

it is possible to get something right,<sup>35</sup> and those that are ultimately grounded in diverging personal tastes and preferences, and are for that reason not susceptible to rational influence.<sup>36</sup> In his defense of the objectivity of taste, Smith draws a similar distinction:

A wine may not be very interesting or very well made but some people may prefer drinking it to drinking something more complex and interesting. Titian is a better painter than Jack Vettriano but that does not prevent some people from preferring the latter to the former. Bach is better than Barry Manilow but some people will prefer to listen to the lesser musician. These personal preferences cannot be criticized, people have the right to choose what they wish: it is up to them. But it is not up to them, or a mere matter of personal inclination, to determine who is the better painter or musician, or which is the better wine. There are standards by which we can judge a wine, or musical score, or painting to be better than another, and these reflect discernible properties of those objects, properties that it may take practice and experience to recognize and which we need experts to direct our attention to.<sup>37</sup>

Now, one might object that disputes that stem from diverging personal tastes and preferences only *appear* to involve genuinely incompatible attitudes. In fact, the argument

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<sup>35</sup> Even where there is a way to get things right in matters of taste there is a distance between valuation and reason for action. One might acknowledge that a given wine or performance is excellent, but prefer to drink/listen to/watch something else, because one is not in the right mood, because one is generally indifferent towards wines or artistic performances, etc. For the sake of argument, the cases that I discuss presuppose that there is no such contrast.

<sup>36</sup> It is of course possible to influence individual sensibilities over time and in an indirect manner—for example, by way of repeated exposure to a specific type of food, art, or music. Trying to influence someone's internal frame by nurturing particular tastes and preferences is thus not an absurd enterprise in itself.

But even such a temporally extended project does not amount to rational form of influence—one that is based on reasoning or evidence giving. It is rather a matter of reforming someone's disposition to respond in certain ways. In other words, the point about epistemic impossibility, the impossibility to effect a change in someone's basic evaluations, still applies.

<sup>37</sup> Smith (2007), pp. 68-69.

goes, the contents that are expressed are elliptical. If two parties disagree about the degree of approbation that is due to a given performance or bottle of Clos de la Coulée de Serrant, what they are actually arguing about is the following:

This performance is beautiful *relative to my personal taste/set of preferences*.

or

This bottle of Clos de la Coulée de Serrant is delicious *by my standards*.

In other words, given proper disambiguation of all context-sensitive terms, the statements are nothing but descriptions of subjective personal preferences and are thus perfectly compatible. As a result, toleration is uncalled for.

Such a proposal comes at the cost of distorting what we normally take such cases to involve. Jane certainly takes herself to be disagreeing with John. In particular, she takes the argument to be about the adequacy of attributing deliciousness to Clos de la Coulée de Serrant—and so does any third party who observes or reports the disagreement. It strikes me as implausible and rather ad hoc to suggest that speakers are systematically wrong when it comes to the content of some of their own judgments. Moreover, we frequently resort to the explicit formulation as a way to clarify the elliptical claim. This would be an odd phenomenon if they both meant the same thing.<sup>38</sup>

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<sup>38</sup> It is equally problematic to suggest that what we refer to as beautiful or delicious are actually certain chemical properties that interact with individual systems of gustatory receptors. This is not what we normally take such types of judgments to be about.

But even if we were to accept such an interpretation of the meaning of these terms, it need not change anything in my argument. As long as individual differences in systems of gustatory receptors are responsible for diverging judgments, and as long as we have no principled way of showing that some of these systems are better than others, the relevant judgments remain faultless.

To be sure, sometimes – maybe even oftentimes - expressions of gustatory or aesthetic taste are adequately put or spelled out in such explicitly subjective terms. And in such cases the opposing parties are evidently talking past each other. With respect to such judgments it is indeed redundant to be tolerant. Where there is no genuine disagreement, there can be no toleration either. But my point is simply that not every disagreement can be understood along these lines. If, as I believe, toleration is conceptually linked to disagreement, the kind of contextualism that postulates ellipsis or unarticulated constituents is forced to relegate a significant part of our linguistic practices to bad faith.<sup>39</sup>

Now, turning next to moral discourse, I want to suggest that we can draw the boundaries of toleration in a similar way. As in the case of gustatory or aesthetic taste, persistent disagreement in the moral domain calls for toleration when it is the result of diverging basic evaluations that are not resolvable in anything like the ways in which disagreements in the representational domain normally are.<sup>40</sup>

Consider the debate in the United States about the moral permissibility of abortion. Imagine a situation in which John, a member of the “pro-choice” faction, thinks that it is permissible, and Mary, who identifies herself as “pro-life”, thinks that it is not. Let me assume again that they agree on and have access to all pertinent non-moral facts (when exactly life starts, which degree of sentience and awareness a fetus has at which stage of its development, and the like). I take this to be frequently the case in actual disagreement not

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<sup>39</sup> Chapter 5 provides a more detailed discussion of the difficulties encountered by contextualist accounts of faultless disagreements.

<sup>40</sup> The question arises of course whether there are situations analogous to the ones discussed above, where a moral expert is *prima facie* justified in denouncing a given contradictory position as mistaken. It is unclear whether we can make sense of a notion of moral expertise and how far it extends. I will set such issues aside for now, as they would go beyond my current purposes.

only about this issue, but also about many other contested moral questions. To accentuate the features of the kind of situation that I'm after, suppose furthermore that they also concur with respect to the kinds of values or principles, which, as I will suggest below, might be taken to constitute universally valid moral norms—in particular, the value of life and the value of individual autonomy.

Despite such a degree of underlying agreement, and regardless of how much more facts are identified and how much more detail is filled in, their disagreement is likely to persist. For disagreements about the permissibility of abortion are more often than not due to a difference over the relative weight that is assigned to the moral principle to protect others from harm and the competing principle to safeguard an individual's autonomy.<sup>41</sup> Both John and Mary resolve the conflict by letting one of the principles trump the other—as the labels of their respective affiliations suggest, John assigns greater value to autonomy, Mary to the protection of life.

In a similar vein, clashes over the question whether torture is permissible, if this leads to the location of a bomb, or whether it is acceptable to lie, if this prevents hurting someone's feelings oftentimes boil down to the degree to which one is impressed by utilitarian considerations. Some are more concerned about the number of lives that can be saved by torturing an alleged terrorist, or about the harm that can be prevented by resorting to a lie, than about honesty or the Kantian thought never to treat persons only as means.

In other words, rather than taking moral disagreements to disappear as soon as we get the facts right, I believe that many particularly intractable controversies are more plausibly

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<sup>41</sup> To be sure, disagreement about the permissibility of abortion may well have different grounds. It might be due to different interpretations of religious doctrines, or a disagreement about the boundaries of the concept of a person, and so on.



understood as stemming from different sets of preferences, from different ways of ordering values in cases of conflict—or from different concerns altogether: not everyone perceives the killing of an animal for the sake of nourishment as equally horrifying as the murdering of another person; but those who became vegetarians or vegans for that reason, might perceive it as such.

It does not matter for my purposes what the sources of such incompatible sensibilities are. They can be cultural, educational, historical, or biological. The central point is the one already made above: disagreements that are rooted in diverging individual sensibilities cannot be taken to be the result of a lack of information, irrational reasoning or a flawed appreciation of the relevant non-moral evidence. Hence, it cannot be demonstrated in a conclusive manner which side has gotten it right. There is no evidence that John could invoke such that Mary would revise and alter her priorities. And it is equally improbable that the Kantian could prove to the Utilitarian that respect for persons matters more than the consequences of a given action or that the carnivore could demonstrate to the vegetarian that she ought not be affected by the killing of animals. This, it seems to me, accounts for the impression that also in the moral domain there are no-fault disagreements.

The immediate objection is of course that even if there are currently no mechanisms available by means of which disagreements can be settled in a determinate manner, this does not entail that the relevant mechanisms might not be identified at *some* point.<sup>42</sup> Indeed, based on the considerations put forward so far it does not follow that there is no

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<sup>42</sup> See Enoch (2009) for such a line of reasoning. I respond to the objection in greater detail in the next chapter.

fact of the matter as to which types of considerations ought to affect us, or which values ought be weighed in which way.

As we will see in the next chapter, I do believe that such considerations establish at least the presumption against a realist account of the claims in question. But this is a different line of reasoning from the one I am pursuing here. The point I want to make is an *epistemic* one: if there is no way of deciding a given disagreement in a determinate manner, and if the disagreement is not plausibly attributed to diverging access to pertinent non-moral facts, but rather to divergent moral sensibilities, it is not justified to denounce the position of one's opponent as *mistaken*. There is no basis for claiming that one side has gotten it wrong, if, as I have argued, there is absolutely no story to tell about what "getting things wrong" in this these types of cases involves.<sup>43</sup>

#### IV.

In the preceding section I proposed to delineate the boundaries of toleration in terms of faultless disagreement: situations in which we have no ways of establishing who has gotten things right and where we are therefore not warranted in denouncing a particular judgment as mistaken. In some sense, such situations can be understood as what Nagel calls a "bare confrontation between incompatible personal points of view."<sup>44</sup>As we have seen however, not all disagreements about matters of taste and value can be understood along these lines. The possibility of faultless disagreement seems limited to what I called basic evaluations.

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<sup>43</sup> See below for why these types of cases differ from disagreements about highly complex scientific questions, where the facts currently surpass our capacity of detection, and where we therefore ought to suspend judgment.

<sup>44</sup> Nagel (1987), p. 232.

To be sure, it is not always straightforward to determine the nature of a particular disagreement—the very question whether it is faultless is likely to be a matter of debate. But if I am right that disagreements that boil down to a confrontation of incompatible personal tastes provide a rationale for the adoption of an attitude of toleration, this is a debate well worth having—in particular, in the public domain. If a society needs to decide in democratic deliberation how to collectively respond to the kinds of conflicts that are generated by an increasingly diverse population, trying to determine where disagreements are indeed faultless is of great importance.

Now, as we have seen at the outset, toleration involves a paradox: it seems to be required only for the kinds of judgments or actions that one considers to be mistaken. Hence, even if the preceding discussion has provided a rationale for the adoption of an attitude of toleration, it still needs to be shown why, if I disagree with you, say, about the moral permissibility of abortion, I should indeed abstain from denouncing your position as mistaken.

As I said earlier, taking toleration to be a non-instrumental virtue, my aim is to provide a way to overcome the paradox that is not similarly restricted as the lines of reasoning that are traditionally put forward. And I want to suggest that the recognition that there is an absence of method to settle a given disagreement does not only provide a rationale for the adoption of an attitude of toleration—it does, in fact, *mandate* it, thereby providing the principled justification that I am after.

To see why, let me assume a use of the term “rational”, according to which rational actions and beliefs are derived from a proper use of the faculty of reason. On such a

normative understanding of rationality, being rational is a way in which our reasoning is good, or worthy of a certain kind of commendation. Good reasoning is a matter of satisfying certain requirements: at the very least, to avoid incoherent combinations of attitudes, and to revise one's beliefs and intentions in a way that maintains coherence in accommodating new information.<sup>45</sup> The requirement to maintain coherence among one's attitudes can be spelled out in terms of more specific requirements, such as the requirement to avoid inconsistency among beliefs, to believe the consequences of one's beliefs, to intend what one takes to be a necessary means to one's ends, and so on.

For the purposes of my argument, I will focus on epistemic rationality, that is, on the requirements for the rationality of beliefs. Thus, imagine that in a given situation of intractable controversy I come to realize that there is no way for us to settle a given question in a determinate manner—for example, whether it is permissible to lie if this prevents hurting someone's feelings. As a result, I form a second order belief about the epistemic status of the first order claim that it is sometimes permissible to lie—namely, that this claim cannot be shown to be true or false. Accepting the line of reasoning put forward above, I therefore come to believe that I am not justified in denouncing the relevant claim as mistaken.

Assume, however, that I also believe that I am justified in denouncing the claim it is sometimes permissible to lie as mistaken. I would hold the following set of beliefs:

I am not justified in denouncing the claim that it is sometimes permissible to lie as mistaken.

I am justified in denouncing the claim that it is sometimes permissible to lie as mistaken.

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<sup>45</sup> Wedgwood (2007), p. 37.

This is clearly inconsistent. On pain of irrationality, I should therefore either abandon the belief that there is no method to decide the disagreement, or abandon the belief that I am justified in denouncing the claim that it is sometimes permissible to lie as mistaken. If the line of reasoning put forward in the preceding section is compelling, I should do the latter: I should abandon the belief that I am justified in denouncing the claim that it is sometimes permissible to lie as mistaken.

Now, as I mentioned at the outset, adopting an attitude of non-interference is only intelligible if there is a tension between what one accepts and what someone else maintains—that is, if there is genuine disagreement. But if I form the second order belief that I am not justified in denouncing your contradictory evaluation as mistaken, in what way do I also *disagree* with you?

One way to accommodate the kind of tension that is required for toleration to make sense is to view the adoption of an attitude of non-interference as the result of a switch of perspectives. When we disagree with the claim that Clos de la Coulée de Serrant is delicious or that lying is morally acceptable if this prevents hurting someone's feelings, we do so from the perspective of a *valuer*, of someone who can appreciate, accept and comply with a variety of norms and values.

As valuers we have a profound interest in the customs and norms that prevail in our society. We want the kind of wine that we enjoy and the kind of music that we appreciate to be widely available so that there will be others with whom we can share our sense of gustatory and aesthetic taste. And we fear the social predominance of the kinds of norms

and values that we find misguided. Given such concerns, it is manifest why it is difficult to refrain from denouncing a given contradictory evaluation as mistaken.

As I have argued, this difficulty cannot be overcome—or only to a limited extent—if we take the adoption of an attitude of non-interference to be a moral good, or if we try to derive it from certain moral premises. Such lines of reasoning depend on contested moral principles or values and are accordingly limited in scope. But it can be overcome if the focus is shifted from moral to epistemic concerns: for when we nevertheless abstain from denouncing such evaluations as false, we do so from the perspective of a *cognizer*, of someone who abides by the requirements of epistemic rationality.

As cognizers, we want our beliefs to be true; we want to have an accurate conception of the way in which things are. To the extent that avoiding inconsistency is a way to ensure the possession of truth, rationality is a means for us to achieve such goals. Hence, if it is a requirement of epistemic rationality to refrain from calling a given claim mistaken, being tolerant is to exhibit epistemic virtue. In other words, I want to suggest that we can overcome the paradox of toleration by taking toleration to be an *epistemic* value.

To be sure, from the perspective of the cognizer, being tolerant is, in some sense, simply to suspend judgment. But this perspective is supplemented by the perspective of the valuer. My proposal is that the kinds of situations that call for toleration should be understood as embodying a transformation of attitudes: given evaluative concerns, they involve genuine disagreement with the first order claim in question,<sup>46</sup> but given epistemic

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<sup>46</sup> One might wonder how there can be genuine disagreement about basic evaluations. If they are simply a matter of disparate individual sensibilities, it is not clear in what way they can be genuinely incompatible. I will argue in Chapter 4 that basic evaluations can be spelled out in non-cognitivist terms, as the expression of the dispositional intention to bring the world into line with what one deems worthy of pursuit and I show in

concerns, that is, given a second order belief about the epistemic status of the claim, they require to refrain from any negative interference. Hence, what is perceived to be paradoxical about toleration is, in fact, the result of looking at a given claim from two different perspectives.

Thus, in a disagreement about the deliciousness of a given wine or the occasional permissibility of lying, I genuinely disagree with you if I assess your claim from the perspective of a valuer. But as soon as I switch perspectives and adopt an epistemic outlook I realize that I am unable to demonstrate that you ought to enjoy this or that wine, or that your ordering of preferences ought to be of this or that kind. I am therefore not justified in denouncing your position as mistaken.

My proposal is a variant of Locke's argument for religious toleration.<sup>47</sup> Just as he argued that it is impossible to coerce religious belief, I hold that evaluative judgments that are a matter of personal tastes and preferences are immune to rational influence— there is no method to decide the correctness of such judgments in a determinate manner. As a result, just as religious persecution is irrational, just as “a ruler is wasting his time forcing his subjects to attend his own religious services,”<sup>48</sup> as Locke puts it, I want to argue that we would be irrational in denouncing such claims as mistaken.

In this way, toleration can be shown to be a universal requirement: one that applies to everyone qua rational being. As I mentioned earlier, it is a separate question if toleration can also be shown to be a moral or political value. I have not attempted to provide such a

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what way such dispositional intentions can be taken to genuinely contradict one another.

<sup>47</sup> Locke (2010).

<sup>48</sup> Locke (2010), p. 21.

justification here. But it is certainly a desirable result if the kind of practice that is widely held to be valuable from a moral or political point of view can also be shown to be rational.



### 3. Disagreement about Matters of Taste and Value: A Special Problem for Realism?

#### I.

In the *Euthyphro* Socrates makes the following point: while disagreements about which number is greater can be resolved by counting, and disagreements about what is larger and what smaller are settled by measuring, “the just and the unjust, the beautiful and the ugly, the good and the bad [...] are subjects about which we are unable to come to a satisfactory decision.” (7b-d)<sup>49</sup> It is an early instance of the argument that starts with the observation that different realms of thought and talk vary significantly when it comes to the scope and nature of the kinds of disagreements to which they give rise, and that aims to explain this difference by taking disagreements about matters of taste and value to lack established methods of resolution.

The line of reasoning is echoed in contemporary attempts to show that in contrast to ordinary representational discourse, where disagreements are presumed to be in principle resolvable, the evaluative domain is characterized by intractable controversy. This is generally taken to reveal that evaluative claims are discontinuous in important ways with ordinary empirical claims. Williams, for example, argues that there is a “genuine and profound difference” between ethical and scientific thought. In his view, “the tradition is right [...] not only in thinking that there is such a distinction, but also in thinking that we

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<sup>49</sup> Grube-Cooper ((trans.) 2002).

can come to understand what it is through understanding disagreement.”<sup>50</sup> Such attempts are part of a broader effort to demonstrate that the extent and depth of evaluative disagreement raises a special problem for realism<sup>51</sup>—or, at the very least, that it justifies skepticism about the truth-evaluability and/or objectivity of evaluative judgments.<sup>52</sup>

My goal is to explore the extent to which such conclusions are warranted—that is, whether the argument from disagreement does indeed pose a serious threat to realism and whether judgments about what is “good” or “beautiful” are more plausibly conceived in antirealist terms.

Unlike standard discussions of the argument from disagreement, however, this chapter is not exclusively concerned with moral disagreement. I will look at the evaluative domain as a whole. For, as we have seen in the preceding chapter, it is a distinctive feature of discourse about matters of taste and value that there may be situations of disagreement in which neither of two opposing sides appears to have made a mistake in upholding their respective positions. Faultless disagreements are disagreements that strike us as rationally irresolvable, and as I will argue below, it is this very feature that provides an initial presumption against realism. I want to suggest that if this presumption is coupled with considerations about the comparative absence of methods available to resolve such

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<sup>50</sup> Williams (1985), p. 135.

<sup>51</sup> As pointed out by Vogt (manuscript), this is, however, not the upshot of the *Euthyphro*, where Socrates reaches skeptical—rather than realist or antirealist—conclusions. As she puts it, Socrates’ point that there are no established methods of resolving disagreements about evaluative matters invites the following reading of the dialogue: matters of value are inherently much more difficult than counting and measuring; they are the hardest questions to engage with, such that it takes extended and highly demanding inquiry to identify what is good and bad for human beings.

<sup>52</sup> Prominent proponents of such a line of reasoning include, for instance, Mackie (1977), or Williams (1985). For a comprehensive survey, see Gowans (2000). For detailed analysis see, for instance, Tersman (2006).

disagreements, and if we take into account what it would mean for us as practical agents to insist on a realist construal of the issues that are at stake in such cases, realism emerges as an implausible position overall.

My claim is not that evaluative disagreements *in general* are faultless. I will treat it as an open question how many of them are. If my opponent maintains that it is permissible to torture others for fun, crediting her with faultlessness seems counter-intuitive—unless, of course, my opponent is Gibbard’s ideally coherent Caligula,<sup>53</sup> who is perfectly consistent and makes no mistakes about non-evaluative matters. In this case the judgment does appear to be faultless, because it follows logically from Caligula’s practical standpoint. But I will set this sort of case aside, in order to focus on what I take to be intuitively plausible cases of faultless disagreement, which may arise regardless of whether the parties involved are ideally coherent. So, for the purposes of this chapter, my claim is merely that at least *some* disagreements—in particular, disagreements about what I called “basic evaluations” in the preceding chapter—seem to be faultless.

I will proceed as follows. In the next section I will provide a rationale for the impression that disagreements about what is tasty, beautiful, or good differ from disagreements about the current weather conditions or the shape of a particular object. Taking everyday linguistic behavior as my starting point, I will argue that this impression stems in part from a striking difference in the kinds of reactions different types of disagreements typically engender. For example, if a given disagreement takes place among epistemic peers, the opposing sides are likely to epistemically downgrade each other when

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<sup>53</sup> Gibbard (1999), p. 145.

they disagree about ordinary empirical matters; but they are less likely to do so when the disagreement concerns matters of taste and value.

In the third section I will try to account for this linguistic evidence. In line with Socrates' observation, I claim that when it comes to certain types of evaluative disagreement there are no mutually acknowledged methods to decide them in a determinate manner. This can in turn be explained by construing the relevant judgments in antirealist terms. If these judgments are not taken to represent facts or properties of a mind-independent reality, but if they are taken to be rooted in, say, individual sensibilities, which are ultimately immune to any cognitive influence, the observed absence of method is unsurprising.

In the fourth section I will show that the realist will rightly reject such a line of reasoning as based on antirealist prejudices. For even if it is true that there are currently no mutually acknowledged methods to settle certain types of evaluative disagreements, we cannot infer that such methods will never become available. Moreover, even if linguistic data suggests that we intuitively differentiate between different domains of discourse, this does not show that we ought to abandon realism. Our linguistic practices might simply be confused.

The remainder of the chapter is devoted to responding to these objections. I will argue that if the realist insists that the kinds of evaluative disagreements that concern me here are nevertheless due to some form of cognitive shortcoming, she is committed to the view that one side has gotten things wrong, although we have absolutely no story to tell about what "getting things wrong" in this particular case involves. As a result, the practical agent will

face an epistemic dilemma: she will either have to acknowledge that she has no access to certain evaluative facts and properties, or she will have to posit obscure faculties through which she gains such access. While the former option is likely to paralyze her and prevent her from proceeding with evaluative reasoning, the latter is equally problematic: it is unclear why we should have any confidence that these faculties track the relevant mind-independent evaluative truths. As long as the realist cannot provide an adequate epistemology, such confidence is unfounded. I will therefore conclude that, all things considered, the domains of discourse that I am interested here are more plausibly construed in antirealist terms.

## II.

Consider the following four scenarios:

- 1) Jane and John open a bottle of Clos de la Coulée de Serrant. Upon tasting the wine they agree about a variety of discernible properties – its flavors and aromas, the level of sweetness and acidity, and so on. But while Jane considers it to be delicious, John remains unmoved. Not being fond of white wine in general, this particular wine does not strike him as particularly enjoyable either.
  
- 2) Jane and John attend the performance of Rachmaninoff's third piano concerto. They agree that the skills of the pianist are exceptional and that the interplay between soloist and orchestra is flawless. Nonetheless, while Jane is deeply moved

by such virtuosity, John remains unaffected. In fact, the very virtuosity which she deems enjoyable disturbs him.

3) Jane and John attend the gallery opening of a friend. Touring the exhibits for a short while, Jane declares that the paintings are awful. She suggests inventing an emergency so that they can leave without offending their friend. John responds that lying is unacceptable. Jane tries to convince John that there is nothing wrong with lying if this prevents hurting someone's feelings, but John insists that it is always reprehensible to do so.

4) Jane and John get ready to go out. As they prepare to leave, John asks Jane if she has an umbrella, observing that it has started to rain heavily. Jane looks outside and responds that it is not raining, not even drizzling. John insists that it is, and drags her to the next window so that she can see better from close up.

Let us assume that in all of these scenarios the relevant context-sensitive terms are properly disambiguated such that the disagreements concern one single proposition. In other words, I will suppose that the claims that are at stake in 1) - 4) are the following:

i): "This wine is delicious."

ii): "This is an excellent performance."

iii): "It is permissible to lie if this prevents hurting someone's feelings."

iv): “It is now raining outside.”

Assume furthermore that Jane and John take each other to be equals with respect to their intellectual abilities. Philosophers have routinely approached the issue of intellectual parity with the help of the notion of an “epistemic peer.”<sup>54</sup> Epistemic peers are generally defined to be equally well-informed and rational, to have access to the same evidence and to be free from bias when evaluating it. In short, epistemic peers are taken to be perfectly symmetrical as far as their situation and epistemic virtues are concerned.

The scenarios in 1) – 4) are supposed to represent actual cases of disagreement, in which it does not make sense to suppose that there is a perfect equality of evidence and epistemic abilities, and so the philosophers’ idealized conception of an epistemic peer may not apply. Let me therefore invoke an ordinary language understanding, on which epistemic peers simply consider each other to be equally likely to assess a given issue in an adequate manner and to get things right. Given this understanding, we may suppose that Jane and John are epistemic peers in the scenarios above, insofar as neither of them take themselves to be *prima facie* justified in discounting each other’s opinion.

In the literature about peer disagreement, it is frequently maintained that once a given peer disagreement comes to light—that is, once the epistemic peers know that there is disagreement and that the disagreement is with a peer—some sort of revision or abandonment of the judgment in question is epistemically required. There are different views as to the kind of revision that is adequate; for the most part however it is held that

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<sup>54</sup> For an overview of recent debates see Feldman, R. and Warfield, T. A. (2010).

considerations of symmetry dictate suspending judgment<sup>55</sup> or “splitting the difference” with one’s opponent.<sup>56</sup>

Given an idealized understanding of the notion of an epistemic peer, it might well be unjustified not to give equal weight to the judgment of one’s opponent. If intellectual abilities are indeed perfectly symmetrical, failure to do so would amount to an indefensible privileging of one’s own position. But since the stipulative sense of “peer” is unlikely to hold in situations of real-world disagreement, such conclusions need not extend to the kinds of situations that concern me here. In fact, if we consider how Jane and John are likely to respond to 1) – 4), neither revision nor abandonment of judgment appear to be suitable options.<sup>57</sup>

Consider scenario 1). In all likelihood, Jane and John will quickly abandon their argument. As we all know, it is normally pointless to try to convince someone to change his or her perception of how good or bad something tastes. But even if the argument is abandoned, Jane and John are unlikely to abandon their respective assessments of i). Jane will continue to consider the wine to be delicious, while John will continue to remain unimpressed.

In a similar vein, when it comes to cases such as 2) the opposing sides do not typically consider the argument to be worth pursuing. There are a number of ways in which Jane and

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<sup>55</sup> See, for instance, Feldman (2006), or Kornblith (2010).

<sup>56</sup> Christensen (2007).

<sup>57</sup> To be sure, questions raised in debates about peer disagreement are usually of a normative kind, that is, asking how awareness of disagreement *should* affect one’s judgments. One might thus defend the use of idealized notions by saying that the answers to the normative questions might constitute regulative ideals, leading us to revise some of our actual practices. But my aim here is of a different, descriptive nature: I want to account for actual linguistic practice and to determine how such awareness does, as a matter of fact, affect our judgments.



John could proceed in trying to change each other's views. Given the stipulation that there is an underlying agreement regarding all non-evaluative aspects of the performance, they might try to exert some form of non-cognitive influence, say, by engaging each other's desires and emotions. But assuming that such efforts remain ineffective, I take it that the most probable outcome in such cases is to agree to disagree

In scenarios such as 3), the debate is likely to last longer and to be more intense given the central role that morality occupies in regulating everyday human interactions. But even here, I submit, Jane and John will ultimately abandon the exchange of arguments without being overly disturbed by the occurrence of the disagreement.

In short, it seems that scenarios 1) – 3) exemplify situations in which controversy is generally tolerable. In such cases the opponents will no doubt attempt to resolve the relevant disagreements—depending on the issue at stake, they will persevere to a greater or lesser degree—but in all of the situations it is conceivable that both sides will eventually reconcile themselves to the fact that the disagreement persists. More importantly, the very occurrence of the disagreement is not necessarily perceived as reason to revoke the presumption of intellectual parity: even after Jane and John have disclosed the grounds for holding their respective views, they are likely to continue to consider each other as epistemic peers (in the non-idealized sense proposed above).

It is not surprising that these types of scenarios are frequently invoked in discussions of rationally irresolvable, or so-called faultless disagreement as local data of linguistic practice.<sup>58</sup> For a situation in which it is mutually acknowledged that there is genuine disagreement, but where both sides may stick to their respective views without losing the

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<sup>58</sup> See, for example, Kölbel (2004), Wright (2006), or MacFarlane (2007).

status of epistemic peers, is likely to be a situation in which neither side is perceived to be at fault in upholding their respective positions. Wright’s analysis of what he calls “disputes of inclination” reflects this close connection between faultlessness and preservation of epistemic status (what he calls “sustainability”). He takes the ordinary understanding of these disputes to involve the following three elements—in what follows I will take them to be individually necessary and jointly sufficient conditions for perceived cases of faultless disagreement:

1. that they involve genuinely incompatible attitudes (*Contradiction*);
2. that nobody need be mistaken or otherwise at fault (*Faultlessness*);
3. that the antagonists may, perfectly rationally, stick to their respective views even after the disagreement comes to light and impresses as intractable (*Sustainability*).<sup>59</sup>

Wright’s concern is to determine whether these three elements can be combined coherently, that is, whether there are any such disputes in the first place. The main problem is of course to couple *Contradiction* with *Faultlessness*, as this would seem to entail that both a given claim and its negation can be true. In other words, if faultless disagreements are genuine phenomena, the predicament is that for some subject matters the law of non-contradiction does not appear to hold.<sup>60</sup>

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<sup>59</sup> Wright (2006), p. 38.

<sup>60</sup> Both the preceding and the subsequent chapter are aimed at addressing different aspects of this problem. Thus, I suggested in Chapter 2 that one way to make sense of what is going on in perceived cases of faultless disagreement is to take them to involve a switch of perspectives: from an epistemic perspective neither side is guilty of a mistake, while from the perspective of a valuer, there is genuine incompatibility of evaluations. In providing an expressivist framework of the content of these evaluations in Chapter 4 I will argue that there is

But even if it is possible to combine the three elements in a coherent manner, this of course does not suffice to show that our linguistic practices are not confused—as we will see, this is precisely line that the normative realist will take in response to alleged cases of faultless disagreement.

It strikes me as implausible and rather ad hoc to suggest that speakers are systematically mistaken when it comes to the content of their own judgments, and I believe that by looking at how language is used and what is typically done in so using it we can gain a perspicuous representation of the central features that the relevant types of discourse exhibit. But I will not further argue the point here. In this chapter my strategy will be to assume that the types of scenarios discussed above do capture actual cases of evaluative disagreement. Taking such linguistic practices seriously, my goal is to determine what kinds of conclusions—if any—this allows us to draw.

Let us next contrast 1) – 3) with a scenario such as 4). It is manifest that in the latter case neither faultlessness nor sustainability applies. On the contrary, the disagreement is likely to cause both Jane and John to call into question the very presupposition that they are epistemic peers. Once John has taken Jane to the window and she continues to maintain that it is not raining, not even drizzling, he might ask her whether she is joking, or whether she has forgotten her glasses, insinuating that there must be something that misleads her. By the same token, Jane might wonder whether John has had too many glasses of wine or whether he is going mad. In other words, they are likely to epistemically downgrade each

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a way to accommodate both the dimension of faultlessness and the dimension of disagreement that does not run into similar difficulties.

other, suspecting that the opponent suffers from some sort of cognitive shortcoming—poor eyesight, tiredness, the influence of drugs, and the like.

I take it that the same holds for any ordinary empirical claim, and thus, for a large part of what is commonly referred to as the “representational” or “descriptive” domain of discourse. If two opponents disagree about whether there are three or four chairs in a given room, or whether the room contains a round or a rectangular table, we presume that at least one of the two sides must have made some sort of mistake.

In such cases a response along the lines proposed by Kelly seems more adequate. As he puts it, the mere fact that an epistemic peer disagrees with me about a given issue need not undermine the rationality of upholding one’s position. Whether a peer disagreement is intellectually threatening or not depends on how rational the dissenters are in so dissenting, which is, in turn, a matter of the strength of the evidence that is available to them.<sup>61</sup> To take Kelly’s example, suppose that you and I disagree in our assessment of a given body of evidence. He argues:

From my perspective this means of course that you have misjudged the probative force of the evidence. The question then is: why shouldn’t I take *this* difference between us as a relevant difference, one which effectively breaks the otherwise perfect symmetry?<sup>62</sup>

By way of conclusion, we may summarize the findings of the preceding discussion as follows: our linguistic practices exhibit a striking difference in the way in which we

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<sup>61</sup> For a similar line of reasoning see Sosa (forthcoming).

<sup>62</sup> Kelly (2005), p. 179.

respond to different types of disagreements. The evaluative domain of discourse seems to allow for the possibility of situations in which neither side is taken to suffer from any cognitive shortcoming despite upholding contradictory positions. When it comes to persistent disagreements about ordinary empirical claims, however, the opposing sides are likely to revoke any presumed epistemic parity.

Since, this is a merely descriptive point, it cannot by itself license the conclusion that there is a fundamental dichotomy in the nature of our thought and talk. Moreover, our linguistic practices are certainly much more complex than the preceding analysis suggests. The data put forward so far should evidently be qualified in various respects.

For example, it is probably not the case that epistemic parity is preserved in every situation of disagreement about evaluative matters. Suppose that Jane and John disagree about the moral status of slavery. Jane maintains that slavery is unjust and therefore unacceptable, while John thinks that it is permissible. Jane is unlikely to continue viewing John as an epistemic peer.<sup>63</sup> In all likelihood she would think that something is seriously wrong with him. If he cannot *see* that slavery is unjust, the assumption that he is equally likely to get things right no longer seems warranted.

Conversely, it is not always the case that epistemic parity is revoked in situations of peer disagreements about representational claims. Suppose that two equally capable scientists disagree about what caused the big bang. They are unlikely to cease to view each other as epistemic peers. And this is probably not uncommon: there is a significant number

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<sup>63</sup> Although, as mentioned at the outset, this will in turn depend on the way in which Jane conceives of her opponent. If it is Gibbard's ideally coherent Caligula, who is perfectly consistent and makes no mistakes about non-evaluative matters, his judgment follows logically from his evaluative perspective. In this case his judgment does appear to be faultless after all.

of complex scientific questions with respect to which there are incompatible theories that are consistent with all available evidence.

There are several reasons why I do not think that this threatens the conclusion drawn above. First, even if disagreements about highly complex scientific matters exhibit some degree of *Sustainability*, it is not clear to what extent they are also adequately characterized as faultless. Upon encountering the disagreement and disclosing their reasons for reaching their contradictory conclusions, the scientists are likely to end up *suspending* judgment regarding the truth-value of the statement or set of statements in question.<sup>64</sup> Precisely because theories about the causes of the big bang are in the business of representing or describing the way in which things are (or were), the presumption is that at least one side must have gotten things wrong.<sup>65</sup>

Second, the precise boundary of the representational or evaluative domain is not particularly relevant for my purposes. Even if the observations made above do not apply to the entire representational domain or to every evaluative disagreement, the comparative point still holds: the *possibility* of situations that are adequately characterized as displaying *Contradiction*, *Faultlessness*, and *Sustainability* remains limited to discourse about matters of taste and value. I take it that this very point is in part responsible for an initial presumption in favor of a fact-value gap—that is, that disagreements about what is tasty,

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<sup>64</sup> Arguably, certain disagreements in mathematics, religion, or even about matters of value resemble complex scientific matters in being at least partly the result of insufficient information. In such cases there are valid arguments on both sides as a result of which suspension of judgment seems equally adequate.

<sup>65</sup> It is not surprising that what is frequently taken to constitute the rationally required response to peer disagreement – suspension of judgment, splitting the difference, and the like – seems more appropriate in such a scenario than in a scenario such as 4). Highly specialized scientists come closer to being epistemic peers in the idealized sense that is generally presupposed in the literature and that I dismissed earlier as inapplicable to the kinds of cases that interest me here.

beautiful, or good contrast with disagreements about the current weather conditions or the shape or number of particular objects, because of a difference in the underlying nature of the facts and properties involved.

### III.

Socrates' line of reasoning in the *Euthyphro* exemplifies a familiar strategy that promises to account for the observation that the evaluative domain of discourse is characterized by particularly deep and wide-ranging disagreement. The thought is that, for the most part, disagreements about matters of taste and value are not resolvable in anything like the ways in which disagreements about ordinary empirical or scientific matters are, because there are no established methods by means of which evaluative disagreements can be resolved. So while in scenarios such as 4) there is an underlying agreement about how disagreements can, at least in principle, be settled,<sup>66</sup> there is no such deeper agreement in situations such as 1) – 3).<sup>67</sup>

Consider a claim such as iv): “It is now raining outside.” We have a variety of methods at our disposal by means of which its truth-value could be corroborated: we could look outside the window, or step outside. Seeing or feeling rain counts as mutually acknowledged evidence for the truth of iv). Alternatively, we could check radar images or a barometer. Both are equally suitable methods to settle the disagreement. As opposed to

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<sup>66</sup> I take it that this holds also for highly complex scientific questions. There seems to be general agreement as to what would, in principle, count as conclusive proof for such questions, regardless of how contentious they are.

<sup>67</sup> For discussion of this line of reasoning see Tersman (2006), especially chapter 3, and Enoch (2009), section 8.

that, it is unclear how we could *demonstrate* that either of i) – iii) is true—especially given the stipulation that Jane and John agree on all pertinent non-evaluative facts that are available to them.

One might object that this very stipulation begs the question against naturalist versions of realism, according to which all evaluative disagreements can, in fact, be attributed to non-evaluative disagreements about natural facts and properties. Now, I do believe—and will argue below—that any version of realism faces serious difficulties when it comes to making sense of the kinds of scenarios that interest me here, but note that at this point I only presuppose that there are situations of disagreement, which, as a matter of fact, cannot be resolved by means of the same, generally accepted mechanisms as those that are used for disagreements about regular empirical or scientific matters. I take it that this is fairly uncontroversial.

To further illustrate the contrast, imagine a disagreement about whether a given object is red (ignoring subtleties such as borderline cases of red or different shades of red). We can demonstrate that a given object is correctly identified as red by examining the surface structure of the object and the fact that such a structure reflects white light at certain wavelengths. Moreover, since the receptive mechanisms whereby we are acquainted with colors are well-known and widely investigated, it is easily determined when and why the mechanism fails. We know that the reflected light hits the retinas of our eyes, triggering complex neurological and cerebral processes, involving optical nerves, the visual cortex and other parts of our brain, all of which ultimately lead to the perception of the object as



red. Consequently, we can explain why someone has made a mistake in identifying the color of a given object—for example, because her retina is damaged.

As opposed to that, there is no comparable story available for properties such as “tasty”, “beautiful” or “good.” There are no equally well-known and widely investigated mechanisms by means of which it can be determined when something is rightly identified as having this or that evaluative property. These properties do not enter comparable causal relations—any attempt to identify a moral, aesthetic or gustatory failure will therefore have to proceed in strikingly dissimilar ways.<sup>68</sup> I do not wish to exclude that this might change one day. But, to reiterate, my point is simply that there are disagreements that *currently* lack established methods of resolution. This is a point that any proponent of any form of realism should be able to grant.

It is therefore not unfair to stipulate that in some of these cases there is underlying agreement about all relevant non-evaluative facts. This allows us to focus on the clearest kinds of cases in which disagreements appear to be faultless—and it is also independently plausible, in particular, when it comes to moral discourse. Consider, for example, the debate about the moral permissibility of abortion. It is not uncommon that the opposing sides persist in their disagreement, despite underlying agreement about such things as

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<sup>68</sup> This reveals that it would not be an ineffective strategy for the realist to try to account for the comparative point that interests me here by construing perception of evaluative properties in analogy to the perception of secondary qualities such as colors (as put forward, for instance, by McDowell (1985), Wiggins (2002), especially chapters 3 and 5). To begin with, there is (or was) still more and more persistent disagreement about issues such as slavery than there is about the color of particular objects. That is, judgments involving evaluative predicates are still more contentious than ordinary representational claims. And given the dissimilarity between the relevant mechanisms outlined above, there is reason to doubt that the analogy between color perception and the perception of evaluative properties holds. For critical discussion see Blackburn (1985), or Wright (1988).

when exactly life starts, which degree of sentience and awareness a fetus has at which stage of its development, and the like.

Now, even if it is granted that disagreements in scenarios such as 1) - 3) cannot be resolved by means of the same mechanisms as those that are used for disagreements about regular empirical or scientific matters, it is of course not the case that there is literally no method of proceeding in cases. There are various ways in which we can try to show that our opponents have gotten things wrong: we can draw analogies, make comparisons, we can reveal contradictions or engage each other's emotions.<sup>69</sup> And we are also often ready to defer judgment to those we take to be superior or more experienced in discriminating what is good or bad, beautiful or ugly, tasty or disgusting.

But the key difference is that whatever methods we employ, they are not forms of evidence-giving that are mutually acknowledged to determine once and for all who is right and who is wrong, or why someone's capacity for discrimination ought to be viewed as superior to someone else's.

How could such a comparative point provide an argument against realism? Note that any such argument will have to be limited in scope. It can only apply to the set of judgments that do, in fact, appear rationally irresolvable. Since my focus is precisely on the kinds of disagreements that seem to exhibit both *Sustainability* and *Faultlessness*, the conclusions that I will draw need not extend to the evaluative domain as a whole.

Furthermore, the argument should not be understood as deductively entailing the denial of realism. The aim is rather to raise an explanatory challenge for the realist and to provide reason to think that antirealism offers a more compelling alternative framework. Adopting

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<sup>69</sup> Enoch (2009), p. 36.

antirealism for the evaluative domain of discourse—or, at the very least, for the subdomain that seems to give rise to no-fault disagreements—is to take this domain to be *discontinuous* in important ways with ordinary empirical or scientific claims.<sup>70</sup> And this is precisely what the comparative observations made in the preceding section, as well as the claim currently under consideration—that there is an absence of established methods to resolve evaluative disagreements—seem to suggest.

Before examining the challenge, let me briefly spell out how I shall conceive of realism and antirealism respectively. Contrary to those who characterize realism and antirealism in terms of truth or some other semantic concept,<sup>71</sup> I will follow Devitt in taking realism to be, in essence, a metaphysical doctrine.<sup>72</sup> On such an understanding, the debate between realists and antirealists turns on the ontological status of the entities and properties thought and talked about.

In Devitt's view, being a realist about a certain area of discourse has two dimensions: it involves "a claim about what entities exist and a claim about their independent nature."<sup>73</sup> Antirealism can therefore take various forms, depending on whether it is the existence dimension or the independence dimension that is rejected. According to moral error-theorists for example, reality is devoid of the kinds of states of affairs that would have to

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<sup>70</sup> Tersman makes the same point (2006), p. 19ff.

<sup>71</sup> Proponents of such a view take the dispute to concern the kind of meaning our statements have. Dummett's realist for example has it that the truth-conditions of a certain class of statements are evidentially unconstrained: their meaning is not tied to the kind of evidence we might have for them. This is precisely what a Dummettian antirealist denies. She takes the relevant class of statements to be true only in virtue of something that counts as evidence for it. Dummett (1978), p. 146.

<sup>72</sup> Devitt (1991), p. 13ff.

<sup>73</sup> Devitt (1991), p. 14.

obtain for our moral claims to be true. Being guilty of some sort of metaphysical illusion, our involvement in moral discourse is thus systematically confused. Since it strikes me as implausible to relegate such a significant part of our linguistic practices to bad faith, I will disregard error-theory in what follows.

I will, instead, presume an understanding of antirealism that focuses on the independence dimension. More specifically, I will construe antirealism as the denial of the thesis that our evaluative opinions reflect an objective, mind-independent reality. On such an account, a realist about, say, moral discourse has it that there are mind-independent moral truths, while for the antirealist there are no moral facts or properties that are independent of us and our attitudes.<sup>74</sup> To put it in terms of the *Euthyphro*'s central question, the point of contention between the realist and the antirealist is whether we value things, because they are valuable, or whether they are valuable because we value them.

It does not matter for my current purposes which specific brand of antirealism is adopted. It can be a form of non-cognitivism—say, an expressivist approach, according to which evaluative claims express attitudes of approval or disapproval, or commitments to a normative framework that permits or forbids a given action—or a variant of subjectivism, such as constructivism, where value is taken to be a “construction” of the attitude of valuing.<sup>75</sup> In metaethics they are usually distinguished in terms of truth-aptness: assuming a robust understanding of the concept of truth, non-cognitivism is taken to reject the view

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<sup>74</sup> As pointed out by Street however, certain antirealists can acknowledge that *some* evaluative judgments hold independently of one's making of those particular judgments. The realist thesis should therefore be understood as the claim that evaluative judgments can hold independently of the *whole* set of one's evaluative attitudes. Street (2006), p. 111.

<sup>75</sup> For such characterization of constructivism, see Street (2010).

that moral claims are capable of being true or false, whereas subjectivism takes a given moral claim to be true if it follows from individual's practical point of view.

But be that as it may. As far as explaining the seeming possibility of no-fault disagreements is concerned, the key feature that renders such an understanding of antirealism attractive is the counterfactual dependence of value on the attitudes of the valuing agent. On this understanding, a given evaluative judgment follows from the agent's practical point of view and her psychological setup: her desires, goals, and preferences. As a result, both *Faultlessness* and *Sustainability* become intelligible. Evaluative attitudes such as desires, goals, and preferences have a mind-to-world direction of fit. They cannot be considered mistaken in any robust sense of the term and are not susceptible to the same kind of rational influence that ordinary beliefs are. It is thus not surprising that there is a difference in the kinds of methods that are available to resolve disagreements about claims such as i) – iii) on the one hand, and claims such as iv) on the other.

To be sure, this is not to say that it is impossible to account for what are intuitively mistakes in an agent's evaluative reasoning. One can identify such mistakes by pointing to inconsistencies or factual errors—although the standards by means of which such mistakes are detected may themselves, in the end, be a matter of one's own evaluative attitudes.<sup>76</sup> But the central point is that on the antirealist picture at hand, if a given evaluative judgment withstands such scrutiny and follows as a matter of logical and instrumental

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<sup>76</sup> To see how this would work for a particular brand of antirealism, consider the kind of constructivism that is defended by Street. As she puts it, the constructivist can allow for a given evaluative judgment to be mistaken, if it that judgment would not be among the agent's evaluative judgments in reflective equilibrium. Street (2006), p. 152.

consistency from a given set of personal tastes or preferences, or if it is a direct expression of such tastes and preferences, it *is* beyond criticism.

This picture corroborates the line of reasoning put forward in the preceding chapter, where I proposed to refer to claims such as i) – iii) as “basic evaluations.” I argued that given an underlying agreement about all pertinent non-evaluative facts, disagreements about i) – iii) are plausibly construed as being a matter of divergent gustatory, aesthetic or moral sensibilities. Given the kind of antirealism considered here, this is precisely how we should construe them. If a particular evaluation follows from a given set of evaluative attitudes, such an evaluation cannot be taken to reflect a mind-independent, objective reality of evaluative facts or properties.

#### IV.

Clearly, however, none of this will convince any proponent of realism. It does not matter for my current purposes whether we presuppose a naturalist or non-naturalist form of realism. According to either position, there are robustly attitude-independent evaluative facts or properties that we represent in our evaluative judgments. Consequently, the realist will insist that even if we sometimes perceive disagreements as faultless, this does not mean that they are, in fact, faultless. And even if we currently have no method to settle them, this does not mean that they are not, in fact, resolvable.

Differently put, from a realist perspective, my attempt to derive an initial presumption against realism from the kinds of comparative observations made above is only compelling, if it is assessed with an antirealist bias. Assuming realism, we have reason to

believe of every disagreement that it involves some sort of cognitive shortcoming, and therefore, that we are just as justified in revoking our opponent's epistemic position as we are when we disagree about current weather conditions or the shape of a particular object.

An objection along these lines is put forward by Enoch. He proposes to consider a situation in which two epistemic peers disagree about whether a given object is rectangular or square-shaped.<sup>77</sup> Given the assumption that none of the opponents lacks any relevant information or evidence, none of them seems tired or drunk, and is not distracted in any other way, this should count as a rationally irresolvable disagreement. And yet, we would clearly not conclude that neither of the opposing sides is at fault.

Enoch argues that this is due to our prior commitments to realism about objects and their shapes. We assess the disagreement with the realist prejudice that at most one of them can be right, and therefore, that one of them is guilty of some sort of cognitive shortcoming. Given such an antecedent commitment to realism, we conclude that the presumed epistemic parity has broken down:

What prevents the transition from a belief in an *apparently* no-fault disagreement to a belief in a no-fault disagreement in this case is, then, your commitment to some version of realism [...].<sup>78</sup>

If this is accurate, why not proceed in an analogous manner when it comes to evaluative disagreements? Enoch describes a scenario in which Dan and Dana disagree

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<sup>77</sup> Enoch (2009), p. 43.

<sup>78</sup> Enoch (2009), p. 42.

about whether the state should legalize drugs. Dana claims it should and Dan that it should not. Enoch asks:

Why should we not take this very disagreement as all the reason we need to believe that at least one of them is guilty of such a shortcoming? In the [...] shape cases, our (roughly speaking) realist commitments seem to justify such an attitude. And this means that the analogous metaethical views would license the analogous attitude in the moral case. Assuming metaethical realism, then, we are perfectly entitled to take this very disagreement as reason to attribute to at least one of them a cognitive shortcoming [...].<sup>79</sup>

In reply, let me grant that unless we are provided with an independent reason to think that the disagreement about shapes differs somehow from the disagreement about the legalization of drugs it does indeed appear to beg the question against the realist to simply assume that the kind of conclusion that seems warranted with respect to the former types of cases is unavailable when it comes to the latter types of cases.

But I take it that the comparative point about the differences in our linguistic behavior and the kinds of methods that are available to resolve disagreements does provide such a reason. As already mentioned, it is true that these considerations do not allow us to deductively infer that the nature of evaluative discourse—or the subset that allows for the possibility of faultless disagreement—is different from ordinary representational discourse.

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<sup>79</sup> Enoch (2009), p. 43.



But they provide *prima facie* evidence, and therefore a *prima facie* reason to think that this might be the case.<sup>80</sup>

This is surely something that the realist can concede. It strikes me as uncontroversial that the evaluative domain of discourse is plagued by intractable disagreement, and that such disagreement is at least sometimes perceived to be rationally irresolvable. Hence, if the realist wants to insist that even in such cases at least one side suffers from some sort of cognitive shortcoming, she must conclude that our intuitions are systematically amiss. And this saddles her with the difficulty of having to explain why this is so—why our linguistic practices are flawed when it comes to discourse about matters of taste and value, but not when it comes to other areas of thought and talk. That is, she has to be able to explain why there is the *appearance* of no-fault disagreements and why this appearance seems to be limited to, or at least characteristic of, the evaluative domain of discourse.<sup>81</sup>

But let us assume for the sake of argument that our linguistic intuitions or practices are indeed flawed and that there are mind-independent evaluative truths that at least one of the opposing sides fails to recognize in a scenario such as 3), just as there are mind-independent empirical truths that at least one of the opposing sides fails to recognize in a scenario such as 4). As I want to argue, such a line of reasoning raises a serious epistemic challenge that is damaging to the overall plausibility of realism.

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<sup>80</sup> Note that Enoch's comments themselves provide further support in favor of such a distinction by drawing our attention to a variation in antecedent commitment to realism. Why would there be such a variation if there is no underlying difference between the relevant domains of discourse?

<sup>81</sup> No doubt there are explanatory routes that the realist could take. Enoch argues for example that a particularly compelling approach is to point to the distorting effects of self-interest. Enoch (2009), p. 24ff.

Let me begin by spelling out what it means to be antecedently committed to realism with respect to a particular domain of discourse. According to Wright it is a basic ingredient in intuitive realist thinking about a discourse that by respecting that discourse's warrant-conferring standards we put ourselves into "representational mode"—that is, in a position "to produce mirrors, in thought and language, of the state of affairs with which the discourse distinctively deals," much in the same way that cameras are presumed to produce images that adequately represent reality.<sup>82</sup>

Imagine that two cameras produce divergent output. Our immediate reaction is to suspect that they have either been presented with divergent input or that one of them is malfunctioning. Hence, by way of analogy, if we are in representational mode with respect to a given domain of discourse, any difference of opinion is presumed to be either due to a difference in input, to adverse conditions under which the judgment in question is assessed, or to some other distorting influence. This is precisely what we saw when we examined the kinds of reactions that a scenario such as 4) is likely to engender. Wright characterizes representational domains of discourse as exhibiting "Cognitive Command":

A discourse exhibits Cognitive Command if and only if it is a priori that differences of opinion arising within it can be satisfactorily explained only in terms of "divergent input", that is, the disputants' working on the basis of different information (and hence guilty of ignorance or error, depending on the status of that information), or "unsuitable conditions" (resulting in inattention or distraction and so in inferential error, or oversight of data and so on), or

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<sup>82</sup> Wright (1994), p. 92.

“malfunction” (for example, prejudicial assessment of data, upwards or downwards, or dogma, or failings in other categories already listed).<sup>83</sup>

Now, assume that some form of realism about moral discourse is accurate and therefore, that moral discourse exhibits Cognitive Command. In Wright’s terms this is tantamount to the presupposition that our moral opinions are the outcome of certain mechanisms, which, if successful, guarantee that we represent things the way in which they are. On such a picture, Enoch’s assessment of the disagreement between Dan and Dana follows in a straightforward manner: any situation of intractable moral disagreement must involve some form of cognitive shortcoming on the part of at least one of the opposing sides.

The problem with such an account comes to light if we couple it with the observation about the absence of established methods to resolve evaluative disagreement. Again, I take it that this is a fairly unproblematic point that the realist should be able to concede. But if she does concede it, she is forced to maintain the following: our opinions are the outcome of certain mechanisms, which, if successful, guarantee that we represent the world as it is—but unfortunately we have no idea what these mechanisms are or when they are successful. And when it comes to persistent disagreement, the realist has to argue that at least one side got things wrong, although we cannot show why—although we have absolutely no story to tell about what “getting things wrong” in this particular case involves.

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<sup>83</sup> Wright (1994), pp. 92-93.

The epistemic situation we face is very different from the one in which two cameras produce diverging images, or where you and I disagree about the color or shape of a given object. As argued above, in these cases we do have methods at our disposal by means of which we can show what went wrong. In trying to determine when a given object is correctly identified as red, we can point to complex causal relations between the object and the relevant perceptual experience. Evaluative judgments do not enter comparable causal relations—or if they do, we are unaware of them.

The situation that the realist is forced to defend seems much more similar to the following admittedly odd scenario: trapped in a cave deep underground, we are handed two pictures that are supposed to represent how things look like above ground at this very moment. Both images show the same surroundings, except that one of them seems to be taken by day, the other one by night. Suppose that we are unfamiliar with the device that produced these pictures. The worry is obvious: on what basis are we going to choose one image rather than the other as the correct representation? If we have no way of telling whether it is night or day, and if we also have no way of knowing which one of the images is the result of some kind of malfunctioning, any choice will be completely arbitrary.

It seems to me that this is precisely the kind of predicament that the realist faces if she insists on cognitive shortcoming in situations of rationally irresolvable disagreement. The problem is one of epistemic access: if we are supposed to put ourselves in representational mode, but if we are ignorant of the conditions under which our evaluative judgments are accurate, it is unclear why we should be confident that they succeed in tracking the relevant mind-independent facts or properties in a reliable manner. Assuming that

knowledge requires justified true belief, the upshot seems to be that knowledge is impossible.

I can think of two routes the realist could take in response to the challenge. One is to acknowledge that with regard to a certain class of facts there is indeed no epistemic access, but that this need not threaten the possibility of knowledge. The second is to argue that we do have epistemic access on account of certain capacities, which put us in effective position to track the relevant evaluative facts or properties.

Opting for the first route, the realist might respond that the scenario I have just described actually illustrates the very possibility of a mind-independent reality that lies beyond detection, but with respect to which it is coherent to insist that in cases of disagreement at least one side must have gotten things wrong. Even if there are no mechanisms available to those trapped in the cave by means of which they could decide which one of the images is the right one, this does not mean that it is not the case that one of them *is* the right one. Is this not precisely the predicament we find ourselves in vis-à-vis highly complex scientific questions, such as the origins of the big bang or the inner workings of the brain? In such cases the facts surpass our capacity of detection, but this does not mean that there is no determinate answer as to what the facts are. That is, knowledge is not in principle impossible.

I have argued above that there is a disanalogy between disagreement about complex scientific questions and disagreement about the moral permissibility of an action or the aesthetic value of a given performance. In the former case, suspension of judgment seems to be an adequate response, while it is less likely to be perceived as an option when it

comes to the latter types of cases. Given a realist outlook, we can of course reject such linguistic evidence as misguided or irrelevant. I want to suggest, however, that they actually reflect the underlying problem with an account that allows for the possibility that evaluative facts and properties may outreach the efforts of an ordinarily receptive agent.

First, let me note that this response is particularly bizarre when the evaluative properties in question are those at stake in scenarios such as 1) and 2). How can a situation can be determinate in aesthetic or gustatory quality, but transcend our capacity of detection?

More importantly, however, it seems to defy the very point and purpose of evaluative discourse to presuppose that we have no epistemic access to its most contentious issues. Contrary to complex scientific matters, evaluative discourse is essential in everyday decision-making and for the regulation of social interactions. Its primary function is to guide us in our attempts to figure out what we ought to do and how we ought to live. To this end, we need to be able to take our opinions seriously. But this is impossible if we must presuppose that evaluative properties are evidence-transcendent. Such a presupposition would undermine our confidence in our opinions, which would ultimately paralyze us and render it impossible to proceed with our practical deliberations.

This is a point that is not only put forward by those who are skeptical of realism;<sup>84</sup> it is also defended by its staunchest proponents. As Nagel puts it:

I do not believe that the truth about how we should live could extend radically beyond any capacity we might have to discover it (apart from its dependence on nonevaluative facts we

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<sup>84</sup> See, for example, Wright (1995), p. 217 or Gibbard (2003), p. 261.

might be unable to discover). The subject matter of ethics *is* how to engage in practical reasoning [...].<sup>85</sup>

According to Nagel, ethical truth must be a possible outcome of practical reasoning. But if we resign ourselves to a lack of epistemic access, we can merely *hope* that our judgments accidentally correctly reflect the relevant mind-independent moral truths. This invites a radical form of skepticism, which is unlikely to be an outcome that the realist would be ready to accept.

Let me turn to the second response and see if it fares any better. It is, roughly speaking, the kind of view that is generally endorsed by proponents of so-called non-naturalist realism.<sup>86</sup> According to this approach, we are equipped with certain faculties that allow us to effectively track mind-independent evaluative facts or properties. Consequently, when it comes to situations of seemingly irresolvable disagreement, we can insist that one side has gotten things wrong by attributing some form of malfunctioning or shortcoming to his or her *sui generis* faculties.

But the problem of epistemic access resurfaces: what is the basis for thinking that these faculties are capable of detecting the relevant evaluative facts and properties in a reliable manner such that there is a correlation between our evaluative opinions and the mind-independent reality that they are supposed to represent? The question is particularly pressing when it comes to the kinds of peer disagreements that concern me here. What could be Jane's reasons for thinking that her moral, aesthetic, or gustatory faculties have

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<sup>85</sup> Nagel (1986), p. 139.

<sup>86</sup> Proponents of non-naturalist realism include Nagel (1986), Dworkin (1996), or Parfit (2011).

landed her on some mind-independent truth that John's faculties are missing? As we have seen, there are no established methods by means of which she could proceed. Examining moral disagreement, Dworkin explains the situation as follows:

We may be forced to concede, in some cases, that those who held different views lacked no information we have, and were subject to no different distorting influences. All that we can say, by way of explanation of the difference, is that they did not "see" or show sufficient "sensitivity" to what we "see" or "sense," and these metaphors may have nothing behind them but the bare and unsubstantiated conviction that our capacity for moral judgment functions better than theirs did.<sup>87</sup>

In other words, the thought seems to be that just as we can come to know about such things as colors or shapes of particular objects by way of direct observation, we can come to know about the moral qualities of a given situation simply by looking at it carefully. As a result, we can draw a distinction between the "morally sighted," as it were—those who are endowed with a superior moral sensibility—and the "morally blind."<sup>88</sup>

As Dworkin himself notes, however, such metaphors are too vague to provide genuine insight. More needs to be said than simply pointing to a metaphorical resemblance to ordinary perception.<sup>89</sup> The realist needs to provide a plausible and sufficiently detailed epistemology to justify the presumption that evaluative discourse exhibits Cognitive

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<sup>87</sup> Dworkin (1996), pp. 121-122.

<sup>88</sup> As Tolhurst puts it (1987), p. 617.

<sup>89</sup> Wright makes a similar point. Wright (1994), p. 153.



Command and therefore, that the presumption of some form of cognitive shortcoming is justified in cases of evaluative disagreement.

Moreover, the realist needs to show that even once we have a clearer grasp of what cognitive shortcoming in this new sense amounts to, the line of reasoning put forward in this chapter cannot be repeated. In other words, it needs to be demonstrated that even if we have an appropriate epistemology, it is not the case that the linguistic data provided above can be explained more plausibly by taking the relevant disagreements to arise between epistemic peers understood in a new sense: opponents that are equals as far as these special, *sui generis* faculties are concerned.

But if Street is right, the prospects for an adequate epistemology are dim.<sup>90</sup> She argues, in my view convincingly, that the realist has no non-trivially-question-begging reason to think that the evolutionary, or more generally speaking, the causal processes that shaped our attitudes have led us to track mind-independent evaluative truths. All that the realist can say by way of argument is that we are simply lucky that the evaluative judgments that are true are precisely those judgments that the causal forces have led us to believe.

Interestingly, this is precisely what Dworkin acknowledges. He asks us to imagine a situation in which you believe that justice requires higher taxes for redistribution to the poor, but that one day you are persuaded by the thesis that you have selfish motives for your opinion, although you are not aware of what they are. One might think that it is therefore unreasonable for you to uphold your belief that justice requires higher taxes. But Dworkin argues that the worry is unfounded:

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<sup>90</sup> Street (2006) and Street (manuscript).

You are now convinced that you wouldn't have seen the justice of a tax increase unless it had been in your own interests to see this. But why shouldn't you count it as a piece of luck—a special example of what Bernard Williams has called moral luck—that your self-interest and justice here coincide?<sup>91</sup>

But if this is how we should conceive of our epistemic situation vis-à-vis mind-independent moral truths, realism is indeed nothing but unreasoned faith.<sup>92</sup> More importantly, it does not address the epistemic challenge raised above. It is a deeply unsatisfactory response to simply insist that there are mind-independent evaluative properties, that we happen to be equipped with the appropriate kinds of faculties to detect them, and that this is why we can safely reject the prima facie evidence against realism—the differences in our linguistic practices, or the comparative absence of established methods to resolve disagreements.

An antirealist account of how there can be a coincidence between true evaluative judgments and the causal forces that led us to make those judgments is significantly less obscure. Here is Street's constructivist version of such a coincidence:

According to the antirealist, the relation between evolutionary influences and evaluative truth works like this. Each of us begins with a vast and complicated set of evaluative attitudes. We take the breaking of our bones to be bad, we take our children's lives to be valuable, we take

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<sup>91</sup> Dworkin (1996), p. 125.

<sup>92</sup> Street (manuscript).

ourselves to have reason to help those who help us, and so on. Our holding of each of these evaluative attitudes is assumed by the antirealist to have some sort of causal explanation, just like anything else in the world. And the antirealist grants without hesitation that one major factor in explaining why human beings tend to hold some evaluative attitudes rather than others is the influence of Darwinian selective pressures. [...] Take the constructivist view I've been mentioning as an example. What exactly is the relation between selective pressures and evaluative truth on this view? It may be put this way: evaluative truth is a function of how all the evaluative judgments that selective pressures (along with all kinds of other causes) have imparted to us stand up to scrutiny in terms of each other; it is a function of what would emerge from those evaluative judgments in reflective equilibrium.<sup>93</sup>

## V.

I conclude that a realist construal of the types of claims that give rise to rationally irresolvable disagreement is an overall implausible position. According to the realist, the differences in our linguistic behavior as well as the comparative absence of established methods to resolve evaluative disagreements fails to provide a reason to think that we ought to distinguish between different domains of discourse. In her view, even in cases of seemingly rationally irresolvable disagreement, at least one of the opposing sides suffers from some sort of cognitive shortcoming.

But as I have argued, this entails various epistemological challenges that render an antirealist account more attractive. According to the antirealist, the kinds of claims that seem to allow for no-fault disagreements do not represent mind-independent entities and

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<sup>93</sup> Street (2006), pp. 153-154.

properties. Instead, we can construe them as expressing some specifiable kind of conative state, such as the approval or disapproval of a certain state of affairs, or we can take them to be a function of what would emerge from one's practical standpoint in reflective equilibrium. The success of the antirealist approach will of course depend on the details of the particular framework that is proposed, but it would not only allow us to make sense of the comparative observations that I put forward, it would also uphold our confidence that some form of evaluative truth is a possible outcome of our practical deliberations.

## 4. Making Sense of Faultless Disagreement

### I.

Recall the scenarios put forward in the preceding chapter:

- 5) Jane and John open a bottle of Clos de la Coulée de Serrant. Upon tasting the wine they agree about a variety of discernible properties—its flavors and aromas, the level of sweetness and acidity, and so on. But while Jane considers it to be delicious, John remains unmoved. Not being fond of white wine in general, this particular wine does not strike him as particularly enjoyable either.
  
- 6) Jane and John attend the performance of Rachmaninoff's third piano concerto. They agree that the skills of the pianist are exceptional and that the interplay between soloist and orchestra is flawless. Nonetheless, while Jane is deeply moved by such virtuosity, John remains unaffected. In fact, the very virtuosity which she deems enjoyable disturbs him.
  
- 7) Jane and John attend the gallery opening of a friend. Touring the exhibits for a short while, Jane declares that the paintings are awful. She suggests inventing an emergency so that they can leave without offending their friend. John responds that lying is unacceptable. Jane tries to convince John that there is nothing wrong with

lying if this prevents hurting someone's feelings, but John insists that it is always reprehensible to do so.

- 8) Jane and John get ready to go out. As they prepare to leave, John asks Jane if she has an umbrella, observing that it has started to rain heavily. Jane looks outside and responds that it is not raining, not even drizzling. John insists that it is, and drags her to the next window so that she can see better from close up.

As we have seen, the first three scenarios are frequently perceived to be cases of so-called faultless disagreement: situations in which it seems that neither side has made a mistake in upholding their respective positions. Presuming that Jane and John are epistemic peers, that is, that they have access to the same evidence and are equally capable of assessing it in an adequate manner, it seems that neither can be rationally criticized for their respective views.

As already mentioned, it is contentious whether faultless disagreements are possible at all. I have acknowledged that it is unclear how far they extend within the evaluative domain of discourse. One might for example argue that conflicting gustatory assessments should not be characterized as genuine disagreements in the first place: the contents that are expressed are elliptical—that is, they describe subjective personal preferences that are actually perfectly compatible. Or one might think that the only way in which a gustatory or aesthetic judgment can entail genuine disagreement is when there is a moral dimension to it, explaining why we are sufficiently involved to agree and disagree in the first place. It is

equally controversial whether and to what extent moral disagreements can be faultless—we would certainly not take disagreements to be faultless that concern such claims as “Slavery is just”, or “Torturing others for fun is permissible.”

As in the preceding chapter, however, I will largely set such issues aside. My starting point is the comparative observation made above: if faultless disagreements are possible, their possibility is restricted to, or at least characteristic of, matters of taste and value.<sup>94</sup> In other words, my concern is to determine if there is a way to make sense of faultless disagreements, assuming that they constitute genuine phenomena of our linguistic practices.

To briefly recap the rationale for the comparative point, consider a scenario such as 4), a disagreement about an ordinary empirical claim. In such cases it is generally presupposed that at least one of the two sides has made some kind of mistake. This is reflected by the way in which we would, at first sight, react to such a disagreement. Once John has taken Jane to the window and she continues to maintain that it is not even drizzling, he might ask her whether she is joking, or whether she has forgotten her glasses, insinuating that there must be something that misleads her. By the same token, Jane might wonder whether John has had too many glasses of wine or whether he is going mad.

In other words, Jane and John are likely to suspect that the other side suffers from some sort of cognitive shortcoming. Such suspicions are not immediate when it comes to 1) - 3). On the contrary, in scenarios such as 1) – 3) the disagreements exhibit what Wright has

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<sup>94</sup> To repeat, one might object that when the issue at stake is a complex scientific question—say, what caused the big bang—disagreements can also be faultless. To this I respond that in such situations the appropriate thing to say is not that the scientists accept both the affirmation and the rejection of an explanation or theory to be true, but that they suspend judgment.

labeled *Sustainability*: that “the antagonists may, perfectly rationally, stick to their respective views even after the disagreement comes to light and impresses as intractable.”<sup>95</sup> And they are faultless: a situation in which it is mutually acknowledged that there is genuine disagreement, but where both sides may stick to their respective views without losing the status of epistemic peers, is a situation in which neither side is perceived to be at fault in upholding their respective positions.

I argued that this difference in our linguistic intuitions and behavior is, in fact, unsurprising. For in contrast to the representational domain, the evaluative domain of discourse is characterized by an absence of mutually acknowledged methods by means of which disagreements can be resolved.

Now, if we assume that truth is the primary dimension of evaluation of a given claim  $P$ , allowing for the possibility of faultless disagreement boils down to saying that sometimes both  $P$  and  $\sim P$  are true—that is, that contradictions are acceptable. An approach that has become increasingly popular as a way to avoid such a predicament is to adopt relativism about truth for local areas of language.

As I will show in the next chapter, it is unclear to what extent there is linguistic evidence that could motivate truth-relativism. Such evidence would have to include co-variation of truth-value with particular perspectives or parameters. When it comes to what Wright calls “fully committed” domains of discourse, however, there can be no manifestation of the required kind of relativistic even-handedness. If any given assessor is committed to a particular view of the truth-value of  $P$ , it is impossible for her to

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<sup>95</sup> Wright (2006), p. 38.



acknowledge that  $P$  and  $\sim P$  are equally adequate.<sup>96</sup> Moreover, on a relativist account it seems exceedingly difficult to make sense of the very point and purpose of engaging in assertoric discourse.

But be that as it may. I will discuss these matters in greater detail later on. For the purposes of this chapter, I will disregard relativism and examine instead whether and to what extent today's predominant non-cognitivist approach, expressivism, provides a more viable explanatory framework. I want to examine whether expressivism has the resources to account for the way in which we intuitively distinguish between different domains of discourse and to elucidate the phenomenon that underlies this distinction.

This is largely motivated by the kinds of challenges that the possibility of faultless disagreement poses for realist and therefore cognitivist frameworks.<sup>97</sup> If there are no mutually acknowledged methods available by means of which cases such as 1) - 3) can be resolved, the realist (and cognitivist) will either have to commit herself to a potentially inaccessible realm of evaluative facts and properties or to provide some form of intuitionistic epistemology, both of which, as we have seen, engender a variety of serious epistemic challenges.<sup>98</sup>

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<sup>96</sup> See Wright (2008).

<sup>97</sup> A brief note about terminology. Recall that I take the debate between realists and antirealists to turn on the question whether moral properties exist, and whether they exist in a mind-independent manner. The distinction between cognitivism and non-cognitivism need not map onto the realist/anti-realist distinction. It has become fairly standard in metaethics to characterize non-cognitivists as claiming that moral statements are not in the business of predicating properties and that they can therefore not be true or false in any robust sense. The cognitivists are most suitably defined as denying non-cognitivism: they take moral judgments to be truth-evaluable and generally presuppose that at least some moral or evaluative claims are true.

On this picture, all realists are therefore also cognitivists, but not all cognitivists are realists. Error-theory, for example, accepts that evaluative claims are truth-apt, but argues that these claims are systematically false because there are no evaluative facts or properties. Subjectivists also allow for moral claims to be true, but they take these claims to be mind-dependent.

Expressivism has of course also come under attack from various sides and for various reasons. In assessing whether the ordinary understanding of faultless disagreements is coherent, Wright, for example, rejects expressivist proposals, because they are incapable of accommodating key features:<sup>99</sup> that the claims involved exhibit the syntactic surface features of ordinary truth-apt sentences, that they embed in more complex sentences, and that they display a certain degree of discipline—that is, that there are mutually acknowledged standards of appropriateness that inform our appraisal of them.

Kölbel also dismisses expressivism as an unsatisfactory explanation of faultless disagreement,<sup>100</sup> albeit for different reasons. In his view, expressivism can be spelled out either along the lines put forward by Ayer,<sup>101</sup> in which case apparent disagreements amount to mere expressions of preference and can therefore not count as genuine disagreements; or expressivism can be spelled out in a more sophisticated manner. In the latter case, the truth-conditional surface of the claims under debate can be accounted for, but then the impression of faultlessness is lost.

In the course of this paper I will respond to these objections and try to determine whether such pessimistic assessments are warranted. I will begin by arguing that an expressivist construal of evaluative content is particularly suited to make sense of the

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<sup>98</sup> For the same reason I will also disregard so-called hybrid theories according to which the relevant sentences can express both beliefs and desire-like attitudes. I take it that such views cannot do away with these difficulties, precisely because they allow for the relevant sentences to have ordinary representational contents. Proponents of such views must still answer what the nature of the relevant properties is, how we can have epistemic access to them, and the like.

<sup>99</sup> Wright (2006), p. 39.

<sup>100</sup> Kölbel (2004), p. 53-54.

<sup>101</sup> Ayer (1952).

dimension of faultlessness. I will then try to show how it can account for inconsistency and thereby for the dimension of disagreement. Inspired by Gibbard's account in *Thinking How to Live*, I will propose to take evaluative statements to express plans to bring the world into line with what one deems worthy of pursuit. I will conclude by providing a pragmatic story as to why such planning-states can stand in relations of disagreement and inconsistency to one another. The approach develops Stalnaker's account of assertion, which is an account of the way in which assertoric content interacts with the conversational context.

## II.

As a metaethical position, expressivism aspires to provide an account of the nature of moral thought and language.<sup>102</sup> Metaethicists ask what moral thoughts and sentences are about, what it is that we say when we utter a given moral claim. Proponents of expressivism approach such questions in an indirect way: the meanings of moral terms are explained by reference to the kinds of non-cognitive mental states that they are used to express. When we utter moral sentences, we do not give voice to beliefs—at least not if “belief” is understood in the standard way: as a mental state that is aimed at matching entities or properties in the world, as having a mind-to-world “direction of fit.” Rather, we express states of mind that have a reversed, world-to-mind direction of fit: attitudes of approval and disapproval, acceptances of systems of norms, plans for action, and the like. In some sense, moral thoughts and sentences are thus not *about* anything at all. This is why any variant of non-cognitivism is frequently taken to imply that moral thought and talk cannot be true or false—at least not in any substantial sense.

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<sup>102</sup> See Chrisman (2007) or Yalcin (2007) for expressivist proposals outside metaethics.

It is also why it is generally considered to be an antirealist position. On the understanding of the realism/antirealism debate that I presuppose,<sup>103</sup> the antirealist about moral discourse is characterized by denying either that there are any moral facts or properties, or if there are, that they exist in a mind-independent manner. Given that most non-cognitivists argue that there is no separate realm of entities that corresponds to our moral concepts, that is, that there is nothing “out there” for our moral thought and talk to represent, it seems natural to subsume non-cognitivism under the heading of antirealism.

In the case of expressivism, the rationale behind this denial is a commitment to naturalism and the resulting disavowal of “queer” entities<sup>104</sup> —entities that are metaphysically and epistemologically mysterious. But of course, neither Blackburn nor Gibbard, both distinguished exponents of expressivism, would accept such a robustly antirealist interpretation of their “quasi-realist” approach. As quasi-realist expressivists, they both aspire to mimic the realist-seeming features of moral discourse, *including* our tendency to speak as if there were objective moral truths or facts.

According to Blackburn, for instance, kicking dogs would be wrong whatever we thought about it. Taking such facts to be mind-independent is “part of our ordinary way of looking at things.”<sup>105</sup> In order to do justice to such intuitions, the quasi-realist move is to take questions of mind-dependence to be *normative* questions about what to do, how to feel, and the like. The idea is that such questions only appear to be asked at the meta-level.

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<sup>103</sup> I follow Devitt here (1991).

<sup>104</sup> Mackie (1977), p. 38ff.

<sup>105</sup> Blackburn (1984), p. 217.

The claim of independence is “internal to normative thinking – though arrayed in sumptuous rhetoric,” as Gibbard puts it.<sup>106</sup>

But with respect to such accounts, Kölbel is right in pointing out that the expressivist is incapable of accounting for the dimension of faultlessness. On a realist picture, it is impossible that both  $P$  or  $\sim P$  are equally adequate. Hence, if the quasi-realist wants to genuinely mimic realism, she is forced to conclude that if something is a disagreement, it cannot be faultless. For the purposes of this paper I will therefore take expressivism to be a *robustly antirealist* position, according to which the appropriateness of evaluative claims is ultimately mind-dependent.<sup>107</sup>

Note that adopting such a robustly antirealist position need not have the admittedly problematic corollary that anyone can truly assert that if she did not disapprove of, say, lying (or did not plan to reject lying, or accept a system of norms that forbids lying, etc.), lying would not be wrong. Taking expressivism to have such subjectivist implications is to fail to realize that the expressivist does not identify the meaning of “ $X$  is wrong” with “I disapprove of  $X$ .”

As Schroeder points out, expressivism ought to be understood as endorsing what he calls the “parity thesis”:<sup>108</sup> that evaluative sentences bear the same relation to non-cognitive attitudes as ordinary representational sentences bear to beliefs. Just as representational sentences express beliefs, expressivists take evaluative sentences to

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<sup>106</sup> Gibbard (2003), p. 186.

<sup>107</sup> Note that abandoning quasi-realist ambitions is also independently recommended. As Street demonstrates, it is the only way to render expressivism coherent. The more realist expressivism gets, the more vulnerable it is to the kinds of objections that are typically leveled against realism – in fact, the very same objections that drove expressivists to adopt an antirealist, non-cognitivist approach in the first place. Street (2011).

<sup>108</sup> Schroeder (2008).

express non-cognitive attitudes. As a result, it no more follows that “If I did not disapprove of lying, lying would not be wrong” can be truly asserted, than “If I did not believe that it is raining (at a given place and time), it would not rain (at that place and time)” can.<sup>109</sup>

Let me turn next to a brief re-examination of the reasons that render antirealism—and therefore the interpretation of expressivism under consideration here—particularly well-equipped to make sense of *Sustainability* and the dimension of faultlessness when it comes to the kinds of disagreement that have concerned me thus far.<sup>110</sup>

In Chapter 2 I hypothesized that the kinds of claims that give rise to no-fault disagreement are “basic” in that they are, in the end, a matter of divergent moral, aesthetic, and gustatory sensibilities. According to the expressivist this is precisely what evaluative judgments are about. Suppose, in line with Blackburn, that in uttering a moral judgment one expresses attitudes of approval and disapproval,<sup>111</sup> or, as Gibbard proposes, individual

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<sup>109</sup> As suggested by Schroeder (2010), the mind-dependence of evaluative language could be interpreted in weaker terms; for instance, as the commitment to material biconditionals of the form “Lying is wrong, iff I disapprove of lying.” Suppose “Lying is wrong” expresses disapproval of lying. It does indeed seem incoherent to maintain either that lying is wrong, but that one does not disapprove of it (that is, to deny the left-to-right material conditional), or that one disapproves of lying, but that it is not wrong (that is, to deny the right-to-left material conditional). As opposed to the modal claim, being committed to such types of biconditionals is not particularly problematic.

Moreover, given the parity thesis, it is not surprising: it is a well-known feature—known as Moore’s Paradox—of the connection between belief and assertion, that it is paradoxical to claim that *P*, but go on to say that one does not believe that *P*.

<sup>110</sup> As mentioned in the preceding chapter, I take Wright’s criteria for what he calls “disputes of inclination” to be individually necessary and jointly sufficient for perceived cases of faultless disagreement. In his view, such disputes involve the following elements:

1. [...] genuinely incompatible attitudes (*Contradiction*);
2. [...] nobody need be mistaken or otherwise at fault (*Faultlessness*);
3. [...] the antagonists may, perfectly rationally, stick to their respective views even after the disagreement comes to light and impresses as intractable (*Sustainability*). Wright (2006), p. 38.

<sup>111</sup> Blackburn (1984), p. 181ff.

attempts to come to a view on what to do in contingent or hypothetical situations.<sup>112</sup> On such an interpretation of the nature of moral judgments it is clear that they depend to a significant degree on the individual's psychological setup. By taking them to express attitudes of approval or disapproval, or individual plans on what should be done, there is an intuitive sense in which such evaluations are a matter of individual desires, goals, and preferences.

This allows the expressivist to make sense of central features of scenarios such as 1) – 3). As we have seen, “getting the facts right” will not make any of the disagreements disappear. In scenario 3), for example, there is no evidence that could change John's judgment that it is wrong to lie. John has access to all pertinent non-evaluative facts and suffers from no cognitive shortcoming. His judgment is more plausibly construed as the result of a moral sensibility that weighs broadly Kantian considerations more than utilitarian ones. Similarly, it cannot be shown that John ought to take greater pleasure in a particular wine or performance. Assuming that he is Jane's epistemic peer in all of these cases, it is impossible for her to *demonstrate* that he has gotten things wrong; there are no mutually acknowledged methods to do so.

The expressivist faces no difficulties in explaining why such judgments seem to be beyond criticism, and therefore, why we have the impression that the relevant kinds of disagreements are faultless. If we take the kinds of evaluations that are at stake in scenarios such as 1) – 3) to express non-cognitive mental states, there is no inter-subjective standard available on the basis of which such disagreements could be settled. It is thus virtually

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<sup>112</sup> Gibbard (2003).

inevitable to concede that opposing sides might rationally stick to their respective positions even after a given disagreement has come to light.<sup>113</sup>

### III.

Can a robustly antirealist variant of expressivism also make sense of the dimension of disagreement? This is likely to depend on the nature of the mental states that are taken to be expressed.

Intention provides a good model for non-cognitivists to focus on. On the one hand, intentions resemble ordinary beliefs in that they entail similar consequences on the intrapersonal level in cases of disagreement: if I were to intend to bring it about that  $P$  and  $\sim P$ , my attitudes would clash in an equally uncomfortable way as if I believed both  $P$  and  $\sim P$ . When it comes to attitudes such as supposing or hoping, for example, there is no comparable rational clash involved. I can suppose or hope that both  $P$  and  $\sim P$  without being guilty of any special sort of mistake. On the other hand, intentions have a world-to-mind direction of fit. They are desire-like—at least under the assumption that they do not involve or reduce to beliefs<sup>114</sup>—in that they have an immediate bearing on motivation and action. Intentions have the kind of to-be-doneness built into them that is a distinctive feature of evaluative language.

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<sup>113</sup> To reiterate a point made in the preceding chapter, this not to say that it is impossible to account for what are intuitively mistakes in an agent's evaluative reasoning. One can identify such mistakes by pointing to inconsistencies or factual errors—although the standards by means of which such mistakes are detected may themselves, in the end, be a matter of one's own evaluative attitudes. The robustly antirealist expressivist is merely committed to the claim that if an evaluative judgment follows from a given set of personal tastes and preferences, and if this judgments does not entail inconsistencies or involve factual errors, it *is* beyond criticism.

<sup>114</sup> In order to grant a best-case scenario for expressivism, I will thus assume that arguments along the lines put forward by Bratman (1991) are successful.



To be sure, the kinds of mental states that are plausibly taken to be expressed in evaluative discourse cannot be *exactly* like intentions. Not every evaluative statement can be translated into an actual intention to act in pertinent ways—consider, for example, evaluations of a given behavior or state of affairs that lies in the past or distant future. And even when action seems in principle possible, there is clearly a gap between judging, say, that something is morally permissible, and the formation of an intention to act in accordance with it.

Nevertheless, there seems to be something right about taking evaluative language to be intimately linked to action; to be not only about the way in which the world *is*, but also, and maybe more importantly, about the way in which we want to shape it. One way to accommodate such a desideratum, while avoiding some of the difficulties that arise when we model the relevant attitudes too closely on intention, is to take evaluative claims to express *dispositional* intentions: intentions or plans to do *X*, if one were to find oneself in circumstance *Y*.

An attractive framework along such lines has been developed by Allan Gibbard in *Thinking How to Live*. He proposes to cash out the kinds of attitudes that I'm after in terms of plans or planning-states.

Gibbard's fundamental hypothesis is that thinking what one ought to do is thinking what to do. His starting point is prudential reasoning, judgments about what to do. He argues that expressivism must be right in such cases: to say that "Packing is the thing to do" is to express the state of mind of having decided to pack.<sup>115</sup> In other words, he takes the relevant judgments to express states of mind that cannot, at least not at the outset, be

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<sup>115</sup> Gibbard (2003), p. 7-8.

explained as expressions of ordinary beliefs. The argumentative strategy is to show first how a language would work that had concepts which fit his expressivist account of “being the thing to do,” and then hypothesize that many of our evaluative concepts can be understood as “plan-laden” along these lines.

“Plans” in Gibbard’s special sense of the term concern both real and hypothetical circumstances. As he maintains, we can plan what to do in circumstances that we can expect to arise, but we can also carry such planning to circumstances that we know we’ll never face and where the relevant kind of contingency planning is entirely hypothetical. For example, we can plan what to do for the case of being someone else, in his or her exact circumstances.<sup>116</sup> We can ask ourselves what to do if in Caesar’s shoes at the Rubicon and in doing so, we form a preference between being Caesar and crossing the Rubicon and being Caesar and staying put. Expressing planning-states is therefore to express something like intentions and something like preferences.

While it is straightforward that on such a picture the relevant attitudes have the wanted world-to-mind direction of fit, it is not clear whether they can also allow for genuine disagreement. The intra-personal case seems unproblematic. Regardless of whether I planned to both to go out and stay at home or believed that it is both raining and not raining at a given place and time, I would be guilty of an equally serious mistake. In both cases the mistake would reflect equally badly on me as an agent.

The parallel between beliefs and planning-states breaks down when it comes to inter-personal disagreement. In the case of beliefs, intra-personal disagreement and inter-personal disagreement go hand in hand: if I maintain that  $P$  and you maintain that  $\sim P$  our

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<sup>116</sup> Gibbard (2003), p. 50ff.

beliefs are inconsistent. When it comes to plans, however, there seem to be many situations in which there can be intra-personal disagreement without inter-personal disagreement. If I decide to go to the cinema and you decide to stay at home, we are not thereby in disagreement on what to do. We simply have different plans for action: you have one plan for what to do tonight; I have another. The situation is analogous to cases in which, looking outside a window in New York, I claim that it is now raining, while you, looking outside a window in Riyadh, argue that it is not. Given that they concern different locations, our beliefs are perfectly compatible.

Gibbard responds that whenever “we put our heads together” and ponder jointly what to do if in each other’s shoes, we can genuinely agree and disagree with one another.<sup>117</sup> By engaging one another on questions of how to live, we put forward judgments about what to do for our joint scrutiny, treating each other’s judgments as advice on what to do, and thus, as judgments that we can accept and reject. The disagreement that we have is a disagreement in conditional attitude: I disagree with you on what to do if I were you, in your exact circumstances - and vice versa for you. Such disagreement is also possible when it comes to a third party:

You and I can also converse as advisers to someone else, thinking with her what to do in her situation. We can do this in make-believe mode as well, working out advice that we don’t expect really to offer.<sup>118</sup>

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<sup>117</sup> Gibbard (2003), p. 274ff.

<sup>118</sup> Gibbard (2003), p. 276.

To sum up, according to Gibbard, to believe that person *A* ought to do *X* is to require it for oneself for the hypothetical situation of being *A* in *A*'s exact circumstances. Hence, if I claim that *A* ought to do *X* and you believe that *A* ought to do  $\sim X$ , we disagree, because we adopt incompatible plans for the exact same contingency.

Before turning to the question whether such an account of disagreement in plan can indeed be *genuine* disagreement, note that this picture faces the following additional difficulties. First, it is not clear whether the kind of make-believe planning that Gibbard envisages is intelligible. For the sake of argument, let us grant, with Lewis,<sup>119</sup> that we can hypothetically self-attribute the property of being someone else. Now, consider the case in which you and I disagree about what to do if in each other's shoes. It seems impossible to *really* plan for the situation of being you, as long as my planning leads to different conclusions. Precisely because I adopt a different plan than you, it cannot be a plan that is made for the situation of being you in your *exact* circumstances. Why would I reach a different conclusion unless I would assess your circumstances not as they really are, but as I can envision them to be, given *my* set of beliefs and preferences? If I could really plan for *all* of your plight, as Gibbard puts it, I would maintain that you ought to stay at home.

Furthermore, it is questionable whether and to what extent it is legitimate to presuppose that when we debate questions about how to live we have embarked upon a joint enterprise of working out what to do if in each other's shoes, such that we can treat each other's planning thoughts as thoughts that are apt for agreement and disagreement.

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<sup>119</sup> Lewis (1979).

Gibbard acknowledges that the practice of thinking and discussing how to live is hostage to our having sufficiently congruent reactions to the issues that arise.<sup>120</sup> Whenever such conditions are not satisfied, there is no point in putting forward planning thoughts as thoughts that we can accept and reject:

Our reactions may be congruent enough in some areas and not in others. In that case, treating how to live as a subject matter, as a topic for agreement and disagreement, may have sufficient point in some realms and not in others.<sup>121</sup>

In other words, in order for disagreement to be possible, we need to take a particular stance in sharing our planning thoughts: putting our heads together and figuring out what we are to do.<sup>122</sup> But do I really need to presume that you and I are partners in an inquiry on how to live in order to feel that there is something that needs to be resolved? This might be a prerequisite for discourse about what to do, but insofar as the model is intended to apply to evaluative (or, as Gibbard calls it “normative”) thought and talk in general, this seems implausible.

The kinds of intractable disagreements that arise in the moral domain, for example, need not take place among people who adopt a stance of shared planning on what to do. Imagine that you, a strict Catholic, and I, a liberal atheist, disagree on the permissibility of

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<sup>120</sup> Gibbard (2003), p. 280ff.

<sup>121</sup> Gibbard (2003), p. 281.

<sup>122</sup> Note that this is not the requirement that we share the same “thick” concepts. We can share thick concepts without taking the kind of stance that Gibbard describes as required for the possibility of genuine disagreement.

abortion: you claim that abortion is sometimes permissible; I believe that it never is. We certainly take ourselves to disagree. But it is unclear to what extent we can take ourselves to engage in a joint inquiry on what to do if I were you, or you were me, given that we embrace such fundamentally different worldviews and conceptual schemes.

One might object that in cases where we do not carve up the world in the same way, there is nothing for us to disagree about. We might well engage in seemingly endless disputes, but this is simply due to the failure to realize that we talk about different things, that we confuse different concepts whose proper application is, in fact, uncontroversial.

To be sure, in some situations we might indeed be mistaken about the content of our disputes, but it cannot be presumed that whenever there is a striking difference between ways of life and points of view, disagreements are merely verbal in nature. Not only do we typically take ourselves to have genuine disagreements when we express conflicting views on fundamental evaluative questions, regardless of how different our normative and conceptual backgrounds are, we also tend to presume that there is a lot at stake in such cases<sup>123</sup>—the abortion debate in the US being a case in point.

This prompts a general misgiving about extending Gibbard's framework to the evaluative domain as a whole: taking the content of evaluative claims to be a matter of make-believe planning about what to do if in someone else's shoes seems to misrepresent what is generally at stake in evaluative discourse. When it comes to ordinary prudential reasoning engaging in the game of make-believe planning might well be a "rehearsal for

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<sup>123</sup> See Gallie (1956) for an argument to the effect that when it comes to "essentially contested" concepts—concepts with respect to which there is widespread and persistent disagreement about their proper application and where there are no mutually acknowledged methods to decide who has gotten things right—disagreements are not only genuine, they can also be sustained by arguments and evidence.

life,” as Gibbard puts it, an activity that helps us prepare for situations that we might face some day. But the purpose of evaluative discourse is not, or at least not essentially, to help us become better deciders and cope with uncertainties.

Instead, one of the central functions of evaluative discourse is to achieve a consensus about what kinds of things are worthy of pursuit, about the way in which we want to shape our society. In exchanging views about what is right and wrong, for example, we attempt to ensure that the prevailing customs and practices of our society evolve in what we consider to be the right direction and that they are protected from certain forms of change.

Moral claims can of course concern merely particular courses of action; my point is simply that this is not invariably the case. In a similar vein, when we engage in discourse about what is beautiful or tasty, we do not exclusively engage in hypothetical planning about what concert to attend or wine to buy if in someone else’s shoes. We also aim for the kind of music and food that we enjoy to become or remain widely available so that we are able to share our sense of value with others.

In conclusion, the prospects for taking our evaluative concepts to be plan-laden along the lines proposed by Gibbard are dim: thinking what one ought to do does not generally appear to be a matter of thinking what to do.

But the expressivist need not abandon the attempt to construe a framework that is based on plans or other intention-like attitudes. As an alternative way of cashing out the relevant kinds of mental states, let me propose to take evaluative judgments to express plans or dispositional intentions to *bring the world into line with what one deems worthy of pursuit*.

I will take these plans to have a broad range and include any type of action in both actual and counterfactual circumstances, that contributes in a direct or subordinate way to the realization of the way in which one wants the world to be—or that would contribute to such a realization, if one had the power to do anything about it. In other words, the idea is that if I claim, say, that it is permissible to lie if this prevents hurting someone's feelings, I am thereby committed to acting in corresponding ways: to lie or to encourage others to lie if this would prevent hurting someone's feelings, to argue in favor of doing so, and the like. And insofar as any given interlocutor is part of the world that I aim to bring into line, I also try to encroach on her intentions by advising or proposing that she do the same.<sup>124</sup>

There is an intuitive sense in which there can be inter-personal disagreement on such a picture. If I affirm and you reject the claim that it is sometimes permissible to lie, we disagree about the way in which we want to shape our society, about the way in which we want the world to match our preferences in matters of taste and value.

But the worry that I set aside earlier resurfaces. Intuitive as it is that we disagree if I plan to bring the world into line with the occasional permissibility of lying and you plan to bring the world into line with the impermissibility of lying, one might insist that it remains unclear to what extent such planning-states are genuinely incompatible. Why is this not simply a case in which I have one plan and you have another - in other words, how does this differ from a situation in which I plan to go to the cinema and you plan to stay at home?

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<sup>124</sup> There is an obvious connection between what I say here and the kind of account that have been proposed by Stevenson (1937) or Hare (1952).



#### IV.

In order to tackle this question, let me make a brief detour and discuss Gibbard's response to the "Frege-Geach" or "embedding" problem—first raised by Geach (who attributed it to Frege),<sup>125</sup> and independently by Searle<sup>126</sup>— which was considered to be fatal to early expressivist proposals such as emotivism.<sup>127</sup> In short, the objection states that any non-cognitivist account of the meaning of moral thought and talk is incomplete, as it provides only a partial understanding of moral language. It explains the meaning of moral terms when they occur in simple sentences that form ordinary assertions, but not when they are embedded in complex sentences or constitute different kinds of speech acts.

Consider a sentence such as "Lying is wrong." This sentence can be negated ("Lying is not wrong"), it can occur as the antecedent of a conditional ("If lying is wrong, getting your little brother to lie is wrong."), it can form a question ("Is lying wrong?"), and the like. Now, assume a simple expressivist view, according to which "wrong" is used to express the mental state of disapproval. The trouble is that in none of these sentences it is used to express disapproval of lying. Hence, if the expressivist account of "wrong" were correct, "lying is wrong" would have to differ in meaning depending on whether it is embedded or not, whether it is used to make an assertion or perform a different type of speech act.

But clearly this is not the case. "Lying is wrong" has a uniform semantic content in all of these sentences. Otherwise it would not be intelligible why "Lying is wrong" is the

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<sup>125</sup> Geach (1960) and (1965).

<sup>126</sup> Searle (1969).

<sup>127</sup> Hare (1952).

answer to “Is lying wrong?”, why it is inconsistent with “Lying is not wrong,” and why it can be used in a way that makes the following instance of *modus ponens* a valid argument:

- 1) Lying is wrong
  - 2) If lying is wrong, getting your little brother to lie is wrong.
- ∴ Getting your little brother to lie is wrong.

As Geach points out, the conclusion would not follow from the premises if in 1) and 2) “Lying is wrong” had different meanings. The argument would be guilty of equivocation, which it is clearly not.

The challenge for the expressivist is therefore to explain why the meaning of a given moral sentence is the same when it is embedded as unembedded. The standard response is to provide a compositional semantics for the relevant linguistic expressions, that is, to provide a theory of linguistic content that demonstrates how the meaning of complex sentences depends on the meaning of its parts.

But as pointed out by Schroeder, this is only one side to the Frege-Geach objection.<sup>128</sup> As the relationship between the meanings of different sentences has revealed, an adequate theory of linguistic content must also generate the *right* kinds of results: it must explain and predict, for instance, why *modus ponens* is always a valid rule of inference, and why sentences are inconsistent with their negations. This is not to say that the expressivist cannot satisfy these requirements, but simply that the Frege-Geach problem ought to be

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<sup>128</sup> Schroeder (2008). p.21ff.

understood as imposing certain constraints on what can count as an adequate theory of moral thought and talk.

The relevance of this for our current purposes is manifest. Disagreement is ordinarily understood to be a matter of affirming or believing inconsistent contents. And inconsistency is normally spelled out in terms of truth: inconsistent contents cannot both be true. It cannot be the case that it is both raining and not raining (at the same time and place). This explanation relies on a substantial notion of truth: truth could not be invoked to *explain* anything, if, as the deflationist argues, its entire conceptual and theoretical role were given by our inclination to accept any instance of the Equivalence Schema.

Hence, if the expressivist succeeds in accounting for inconsistency, she has thereby succeeded in making sense of disagreement. The problem is that since the kind of mental states that the expressivist takes to be expressed in evaluative language cannot be true or false in any substantial sense, she has to account for the inconsistency of evaluative contents in a different manner. A natural route to take is to appeal to the way in which mental states relate to one another and to spell out the inconsistency of a pair of evaluative sentences in terms of the inconsistency of the attitudes that they express.

Gibbard's "logic of plans" that he puts forward in *Thinking How to Live* is an attempt to do precisely that. It is an account of linguistic content that is fashioned after possible worlds semantics, where the central device is the notion of a "hyperplan." Hyperplans are complete and consistent plans for action for every conceivable contingency, and "hyperstates" are the kinds of states that one would be in if one were to adopt a

hyperplan.<sup>129</sup> Hyperplans are thus analogous to possible worlds, completely specific ways in which the world might be.

The other key notion in Gibbard's semantics is the mental operation of "ruling out." He defines it as the commitment to reject a given act or plan. And to reject an act or plan is, according to Gibbard, to *disagree* with it. "Disagreement" is thus treated as a primitive notion. Gibbard explains the move as follows:

We cannot informatively reduce disagreeing with a fragment of planning to other terms, such as commitment, or planning how to plan. [...] What we can do is recognize this mental operation as one we can perform. We can say what its marks are, we can recognize by these marks when a person is disagreeing with a fragment of planning, and we can find ourselves to be doing this.<sup>130</sup>

Now, just as the content of a belief can be represented by the set of possible worlds at which it is true, Gibbard argues that the content of a planning-state is "given by the hyperstates that it allows and the ones it rules out."<sup>131</sup> Since hyperplans intertwine how things are with what to do, an alternative way of spelling this out is in terms of "fact-plan

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<sup>129</sup> Note that according to Gibbard, hyperplans are *complete*: every act that is not forbidden is permitted. In order to be able to distinguish between actions that are done out of indifference and actions that are done out of preference, Gibbard adds the following refinement: "to permit an alternative for a situation, rather, is to *reject rejecting* it (where "rejecting" an action means rejecting it from preference). [...] To *permit* an alternative, then, as I am using the term, is not just to "allow" it in the sense I used that term. For a judgment to *allow* a decided state, in my technical sense, is just for it not *by itself* to rule that state out, not for it to *preclude* ruling it out." Gibbard (2003), p. 56.

<sup>130</sup> Gibbard (2003), p. 75.

<sup>131</sup> Gibbard (2003), p. 57.

worlds.” the content of a planning-state is given by the combinations of facts and plans that it allows and the ones that it rules out.

“Fact-plan worlds” represent the way in which evaluative language mixes fact with plan, allowing Gibbard to keep track of the logical relations between evaluative and non-evaluative judgments—and thereby, of the way in which the meaning of complex sentences depends on the meaning of its parts:

A piece of planning  $P$ , which permits or rejects an alternative on a subjectively characterized occasion, *allows* fact-plan world  $\langle w, p \rangle$  only if  $P$  is included in hyperplan  $p$ . A factual statement  $Q$  *allows* a fact-plan world  $\langle w, p \rangle$  only if  $Q$  holds in  $w$ . A negation  $\sim P$  *allows* all and only those fact-plan worlds that  $P$  does not allow. A conjunction  $P \& Q$  *allows* all and only those fact-plan worlds that both  $P$  and  $Q$  allow. A statement *rules out* all and only those fact-plan worlds it does not allow.<sup>132</sup>

Given such an apparatus, Gibbard can show that *modus ponens* is always a valid rule of inference:

A set of judgments is *consistent* if there is a hyperstate that every judgment in the set allows. It is *inconsistent* otherwise: it is inconsistent if every possible hyperstate is ruled out by one or another of the judgments in the set.<sup>133</sup>

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<sup>132</sup> Gibbard (2003), p. 58.

<sup>133</sup> Gibbard (2003), p. 59.

If I were to accept both  $P$  and *If  $P$ , then  $Q$* , but rejected  $Q$ , “there is no way I could become opinionated factually and fully decided on a plan for living—no way that I haven’t, with my judgments, already ruled out,” as Gibbard puts it.<sup>134</sup>

It is thus straightforward to see how according to this framework sentences are inconsistent with their negations. Accepting  $P$  is simply to rule out  $\sim P$ . Differently put,  $P$  and  $\sim P$  are inconsistent by definition.

Does this provide a satisfactory response to the worry raised above? Precisely because what needs to be established is *genuine* incompatibility, that is, that diverging plans are inconsistent much in the same way as believing that  $P$  and  $\sim P$  is inconsistent, one might worry about taking disagreement as primitive. In line with Schroeder, one might, for example, complain that by stipulating that a given piece of planning  $P$  disagrees with  $\sim P$  Gibbard “is essentially helping himself to the very thing that [...] expressivists need to explain.”<sup>135</sup>

Schroeder concedes that on an ordinary understanding of disagreement we also need to be able to explain in why believing that  $P$  and  $\sim P$  is incompatible. But what needs to be explained in such cases is what he calls “A-type inconsistency”: situations of bearing the same attitude towards inconsistent contents. But since Gibbard maintains that mental states are inconsistent if they bear a primitive relation of disagreement with one another and not when their contents are inconsistent, there can be no A-type inconsistency in Gibbard’s framework.

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<sup>134</sup> Gibbard (2003), p. 59.

<sup>135</sup> Schroeder (2008) p. 52.

The problem is, according to Schroeder, that we cannot take it for granted that an expressivist account of inconsistency is indeed a case of inconsistency. As opposed to A-type inconsistency, which we are all familiar with, “there are no good examples for it,” as puts it.<sup>136</sup> We cannot simply stipulate that attitudes bear primitive relations of consistency and inconsistency, but must provide a rationale as to why they do so. When it comes to A-type inconsistency, the requirement is easily met. For there is a relatively unproblematic explanation available as to why believing that  $P$  and  $\sim P$  is inconsistent: they cannot both be true.

In other words, the thought seems to be that the expressivist has no equally familiar and unproblematic model at her disposal, which could explain why planning-states are amenable to disagreement. And absent such an explanation, one might suspect, for example, that they do so because of features that conflict with basic expressivist tenets.

None of this demonstrates however that it is indeed more “respectable,” as Schroeder says, to appeal to A-type inconsistency. Schroeder’s complaint does not only beg the question against the expressivist; it clearly *also* helps himself to a starting point that remains unexplained. While Gibbard takes disagreement as primitive, Schroeder relies upon substantial truth. Contrary to Schroeder however, Gibbard is well aware of the predicament:

Now, I wish, of course, that I could offer a deeper explanation of disagreement and negation.

Expressivists like me, though, are not alone in such a plight. Orthodoxy starts with substantial,

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<sup>136</sup> Schroeder (2008), p. 48.

unexplained truth [...]. I start with agreeing and disagreeing with pieces of content, some of which are plans. It's a thieving world, and I'm no worse than the others.<sup>137</sup>

## V.

In the remainder of this paper I hope to contribute at least to some extent to the deeper explanation that Gibbard is looking for by providing a pragmatic story of the conditions under which planning-states stand in relations of inconsistency and disagreement to one another. My proposal develops Stalnaker's account of the way in which assertoric content interacts with the conversational context.

Stalnaker's fundamental hypothesis is that conversation is a rational activity that we engage in with the purpose of updating the common ground—the common ground being the set of propositions that are presupposed by all the participants to the conversation:

To engage in conversation is, essentially, to distinguish among alternative possible ways that things may be. The purpose of expressing propositions is to make such distinctions.<sup>138</sup>

Since Stalnaker takes propositions to be functions from possible worlds to truth-values, the set of presuppositions can be represented as the set of possible worlds that is compatible with what is presupposed. This is what Stalnaker refers to as the “context set.”

Each participant in the conversation has his or her context set. If all participants share the same context set, the context of a given conversation is “nondefective.” If they do not,

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<sup>137</sup> Gibbard (2003), p. 74.

<sup>138</sup> Stalnaker (1999), p. 85.



the context set is defective, and, as Stalnaker argues, unstable. When context sets are unstable, the participants to the conversation will tend to adjust to the equilibrium position of a nondefective context.

Now, by way of spelling out the claim that the role of assertion is to update the common ground, Stalnaker famously argues that the “essential effect” of an assertion is “to change the presuppositions of the participants to the conversation by adding the content of what is asserted to what is presupposed”<sup>139</sup> Differently put, to make an assertion is to reduce the context set by eliminating all of the possible situations incompatible with what is said. The purpose of an assertion can therefore be understood as

a proposal to alter the context by adding the information that is the content of the assertion to the body of information that defines the context [...].<sup>140</sup>

If a given assertion is accepted, the context sets of the participants to the conversation are therefore altered. The content of what is asserted is added to what is presupposed and becomes part of the new body of shared information. If an assertion is rejected, the effect is avoided.

Rejecting the assertion of a given proposition  $P$  need not involve assenting to  $\sim P$ . One might simply refuse to alter one’s context set in pertinent ways. In other words, rejecting an assertion is not necessarily to disagree with it. But I want to suggest that the Stalnakerian approach allows us to explain from a pragmatic point of view when exactly

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<sup>139</sup> Stalnaker (1999), p. 86.

<sup>140</sup> Stalnaker (1999), p. 99.

two opposing sides are adequately described as not merely rejecting each other's claims, but as genuinely disagreeing with one another.

My suggestion is the following. In a situation of persistent inter-personal disagreement the conversational context set is defective and cannot be adjusted to become nondefective.<sup>141</sup> That is, the idea is that the participants to a conversation disagree, if they do not share the same presuppositions, and if it is impossible to update the relevant context sets without at least some of the participants being guilty of irrationality.

Suppose that my context set includes the proposition  $\sim P$ , and I do not eliminate it in response to your assertion of  $P$ . I cannot but reject to add  $P$  to my context set. Otherwise my context set would include both  $P$  and  $\sim P$  and I would end up in disagreement with myself. Assuming that a minimal requirement of rationality is to maintain coherence among one's attitudes, avoiding intra-personal disagreement is thus to abide by the basic norms of rationality.

But in order for this to amount to the kind of deeper explanation of disagreement that we were looking for, we now need to explain what is "bad" about intra-personal disagreement in a way that does not invoke inconsistency of contents. Why would I commit a particularly serious kind of mistake, if I were to uphold both  $P$  and  $\sim P$ ?

Suppose that I believed that it is now both raining and not raining outside. This is likely to involve some form of behavioral paralysis. For I would not know whether I should take an umbrella or not, whether it would make more sense to stay at home or not, and so on. I would either feel unable to decide on a given course of action, or I would experience my

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<sup>141</sup> To be sure, precisely because the aim is to arrive at shared presuppositions, one still feels that there is something that needs to be resolved.

own actions as chaotic and random. In short, what is bad about intra-personal disagreement is that it would become virtually impossible for me to act, let alone plan how to act.

Can we make use of the Stalnakerian framework to tell a similar story about the conditions under which evaluative statements disagree? This might seem unlikely, given Stalnaker's limited conception of the point and purpose of communication. As we have seen, he takes the essential purpose of conversation to consist in distinguishing among alternative possible ways that things may be and to try to reach a common ground with respect to these distinctions. Hence, if I am right that the content of evaluative judgments is not adequately captured in terms of sets of possible worlds, we cannot apply Stalnaker's framework to evaluative discourse unless we broaden his understanding of the nature of assertoric content and of the notion of a common ground.

Let me begin by following the quasi-realist in taking evaluative claims to be true or false in a minimalist or deflationary sense—that is, in a way that carries no ontological commitments. In this way, we can do justice to our ordinary linguistic practices, where we commonly describe evaluative sentences as true and false. The expressivist would be unable to accommodate this aspect of moral language, if she were to interpret the concept of truth in heavy-duty metaphysical terms. Given her view that there are no mind-independent moral facts or properties, she would have to charge speakers with sweeping error. In adopting a minimalist conception of truth, even the robustly antirealist expressivist can therefore account for the fact that evaluative claims exhibit at least the surface features of ordinary truth-apt sentences, and thereby of what is commonly perceived to be characteristic of assertoric discourse.

Once we have gone minimalist about truth, minimalism about assertion presents itself as a natural next step. If the entire conceptual and theoretical role of truth is given by our inclination to accept any instance of the Equivalence Schema, it is no longer obvious that assertoric discourse must necessarily be understood in cognitivist terms. If we allow for the possibility of non-representational assertions, we can take assertoric discourse to form a higher-order category that comprises different communicative purposes.<sup>142</sup> Let me therefore propose to take every utterance of a declarative sentence to count as an assertion, but allowing for its nature to vary from case to case.

Gibbard's semantics is naturally suited to such a proposal. As he argues, we can represent the content of any mental state in terms of the set of fact-plan worlds  $\langle w, p \rangle$  at which it obtains. Since mental states that are purely representational obtain at a given fact-plan world only if they obtain in  $w$ , their content boils down to sets of possible worlds. We can thus easily distinguish between different types of assertoric content: judgments that express mental states which represent the world as being a certain way, i.e. ordinary empirical claims such as the one that is at stake in scenario 4), and judgments that express planning states, i.e. evaluative judgments of the kind that are at stake in scenarios 1) – 3). As we have seen, a piece of planning  $P$  allows fact-plan world  $\langle w, p \rangle$  only if  $P$  is included in hyperplan  $p$ .

Let us now modify Stalnaker's notion of a context set in a way that reflects such a broader understanding of the contents of assertoric discourse. Thus, let us take the context set to represent the set of possible *fact-plan worlds* that are compatible with what is presupposed. On such an amended Stalnakerian picture the common ground will include

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<sup>142</sup> For a similar proposal, see Price (1994).

presuppositions about the way in which one takes the world to be as well as presuppositions about the way in which one plans to bring it into line with what one deems worthy of pursuit. Accordingly, the effect of a given successful assertion is to reduce the sets of fact-plan worlds that are incompatible with what is presupposed.

The nature of this effect can be spelled out differently for different domains of discourse. When it comes to purely representational judgments, Stalnaker's original account can be upheld. If the assertion of such a judgment is accepted, its import is adequately described as altering the body of shared information by adding what is said to what is presupposed, thereby eliminating all of the possible situations incompatible with what is said. The trouble is of course that in Gibbard's semantics incompatibility is accounted for in terms of disagreement between mental states. Since disagreement is precisely what we are trying to make sense of, this line of reasoning looks unpromising.

But the pragmatic story that I have outlined earlier offers a way out. Regardless of whether we take the body of shared presuppositions to be a matter of sets of possible world or a matter of sets of fact-plan worlds, we can spell out situations of disagreement along the lines proposed above: mental states are incompatible with one another when it is impossible to add them to the common ground without leading at least one of the parties to the conversation to land in intra-personal disagreement.

Consider first ordinary representational claims. As we have seen, we do not have to invoke inconsistency of contents in order to explain what is bad about intra-personal disagreement—that is, why believing that it is both raining and not raining is a particularly serious mistake that ought to be avoided. Believing both  $P$  and  $\sim P$  is likely to result in

behavioral paralysis, it would prevent us from being able to plan and adjust our behavior in the relevant ways.

Let us see next if we can extend this pragmatic account to make sense of evaluative disagreement. I proposed to spell out the content of evaluative judgments in terms of dispositional intentions or plans to bring the world into line with what one deems worthy of pursuit. We can therefore take the effect of an evaluative assertion to consist in reducing all the possible plans to act that are incompatible with what is said. In order to see in what way can plans be genuinely incompatible with one another, consider the claim that is at stake in scenario 3): “It is not permissible to lie.” According to the account that I propose, maintaining that it is sometimes required to lie if this prevents hurting someone’s feelings, I do not only express the plan to lie or to encourage others to lie given certain circumstances, to argue in favor of doing so, and the like; I also try to encroach on my interlocutor’s intentions by advising or proposing that she do the same. Differently put, in asserting that it is sometimes required to lie I propose to alter the context set by putting forward what is, in effect, a *common* plan for action. It is in this sense that asserting “One ought to lie if this prevents hurting someone’s feelings” is not *just* to express diverging plans for action.

This reveals how expressions of planning-states can stand in relations of agreement and disagreement. If I assert: “One ought to lie if this prevents hurting someone’s feelings” and you maintain that it is morally blameworthy to do so, our context set is defective and cannot be adjusted to become nondefective. If I accepted your proposal to alter the common ground in line with what you say, I would land in disagreement with myself. My

attitudes would clash, paralyzing me in similar ways as if I were to accept that it is both raining and not raining. I would accept to plan to bring the world into line with the occasional permissibility to lie and to plan to bring the world into line with the impermissibility to lie. I would be moved in different behavioral directions and could not become decided on any kind of plan for action that I would not have already ruled out.

In other words, what is “bad” about situations in which planning-states disagree with one another mirrors what is bad about situations in which one believes both  $P$  and  $\sim P$ . This is therefore the sense in which we can account for the genuine incompatibility of judgments that express plans to bring the world into line with what one deems worthy of pursuit.

## VI.

Given the assumption that faultless disagreements are genuine phenomena, my aim in this chapter was to see if the expressivist has the resources to make sense of the features that characterize these phenomena.

I argued that if we construe the kinds of evaluative judgments that are at stake in scenarios such as 1) - 3) in robustly anti-realist and non-cognitivist terms—for example, as expressions of dispositional intentions or plans to bring the world into line with what one deems worthy of pursuit— we can make sense of their apparent faultlessness. Expressions of such planning-states do not aim at representing mind-independent evaluative facts or properties, but are ultimately a matter of personal desires, goals, and preferences.

I then provided a pragmatic story of the conditions under which expressions of planning-states are adequately described as standing in relations of consistency and inconsistency to one another. By modifying Stalnaker's account of the effect of assertoric discourse to incorporate assertions of planning-states, I argued that the expressivist is cable of making sense of the dimension of disagreement.



## 5. Asserting Relative Truths

### I.

An examination of faultless disagreement cannot be concluded without an examination of relativism. Ever since Plato's *Theaetetus*, relativism has been put forward as a strategy to make sense of disagreements where neither of the opposing sides seems to have made a mistake in upholding their respective positions. It is therefore a natural alternative framework to consider for the phenomena that have concerned me thus far.

In the *Theaetetus*, the Protagorean doctrine that “man is the measure of all things: of those things which are, that they are, and of things which are not, that they are not” (152a)<sup>143</sup> is illustrated in terms of two people's beliefs about the wind: one of them thinks that it is cold, the other one thinks that it is not. According to Protagoras, both sides are right, because the wind *is* cold for the one who feels cold and is not cold for the other. Relativism is thus introduced as an explanation of situations in which there are conflicting judgments about the perceptual qualities of a given object, but where it is assumed that perception is *unerring*—where every perceptual experience is an experience of the way in which things *are* for the perceiver.<sup>144</sup>

Protagorean relativism is ultimately said to apply to all judgments, whether they concern the perceptible world or not. This contrasts with contemporary accounts of truth-

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<sup>143</sup> Levett-Burnyeat ((trans.) 1992).

<sup>144</sup> Burnyeat (1990), p. 11.

relativism that shall concern me here, which are local in their aspirations and thereby avoid the kind of criticism that has been traditionally leveled against global versions of the doctrine. The proposals vary in their formal details, but they all purport to explain how particular areas of language actually work by putting forward a thesis about the way in which truth-values are assigned to utterances.

Drawing largely on a semantic apparatus in the Lewis-Kaplan tradition, the proponents of such forms of truth-relativism argue that the contents expressed by the relevant utterances are not true *simpliciter*, but relative to a standard, a perspective, or some other extra parameter. Such an approach is thought to provide a superior account of the salient linguistic data manifest in discourse about epistemic modals, knowledge-attributions, future contingents, and matters of taste and value.<sup>145</sup>

In short, aside from being a local doctrine, contemporary truth-relativism differs from Protagorean relativism in that it draws on established semantic frameworks and is grounded in linguistic evidence rather than antecedent metaphysics (although, as I shall argue, this latter point needs to be qualified). But the underlying motivation is the same: to account for situations of disagreement about a shared content, where there is no apparent flaw in evidence or reasoning on the part of the opponents.<sup>146</sup> “The intuitive relativistic

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<sup>145</sup> For truth-relativism about epistemic modals, see, for example Egan (2007); about knowledge-attributions MacFarlane (2005a); about future contingents MacFarlane (2003); about vagueness Richard (2004); about predicates of taste and value, Kölbel (2004), Lasersohn (2005), or MacFarlane (2007).

<sup>146</sup> As Rovane points out, however, the possibility of disagreement in which both sides are right in upholding their respective positions is only one among several intuitions about the content of relativism. In her view, it is the Alternatives Intuition, which should be taken as basis for a coherent formulation of the doctrine of relativism. Rovane (forthcoming).

tendency is a willingness to take seriously the idea of faultless disagreement,” as Wright puts it.<sup>147</sup>

This is particularly evident if we consider the kinds of scenarios that are invoked in the literature to justify truth-relativism about matters of taste and value: disagreement about whether roller coasters are fun or a given chili is tasty (Lasersohn),<sup>148</sup> disagreement about the claim that Matisse is better than Picasso or that Grace Kelly is prettier than Mai Zetterling (Kölbel),<sup>149</sup> and disagreement about what is funny or delicious (MacFarlane).<sup>150</sup> In all of these cases, it is presumed that there is genuine contradiction, but that neither of the opposing sides is demonstrably wrong in upholding their respective views. Here is how Kölbel characterizes the relevant situations:

A faultless disagreement is a situation where there is a thinker *A*, a thinker *B*, and a proposition (content of judgment) *p*, such that:

- (a) *A* believes (judges) that *p* and *B* believes (judges) that *not-p*
- (b) Neither *A* nor *B* has made a mistake (is at fault).

I believe that most people have a healthy pre-theoretical intuition that there can be and are faultless disagreements in this sense. For example, imagine that Olivia believes that Matisse is better than Picasso while Felicity believes that Picasso is better. Suppose that both have had

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<sup>147</sup> Wright (2008), p. 158.

<sup>148</sup> Lasersohn (2005).

<sup>149</sup> Kölbel, (2004).

<sup>150</sup> MacFarlane (2007).

sufficient opportunity to sample the works of both artists and have given the matter enough consideration. Then it may well be that Olivia and Felicity each have exactly the view they ought to have on the question of whether Matisse is better than Picasso, and that for both of them changing their belief would constitute a mistake.<sup>151</sup>

As we have seen, Wright provides another characterization of these types of cases—what he calls “disputes of inclination.” He takes them to involve the following three elements:

1. [...] genuinely incompatible attitudes (*Contradiction*);
2. [...] nobody need be mistaken or otherwise at fault (*Faultlessness*);
3. [...] the antagonists may, perfectly rationally, stick to their respective views even after the disagreement comes to light and impresses as intractable (*Sustainability*).<sup>152</sup>

The primary goals of this chapter are to determine whether truth-relativism can provide a compelling account of such intuitions—that is, that there are domains of discourse that allow for the possibility of faultless disagreement—and whether the pertinent linguistic data is evidence for the co-variation of truth-value with the values of some non-standard parameter.

My starting point is the comparative observation put forward in preceding chapters: we intuitively restrict the possibility of disputes that exhibit *Sustainability* and *Faultlessness* to

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<sup>151</sup> Kölbel (2004), pp. 53-54.

<sup>152</sup> Wright (2006), p. 38.

discourse about matters of taste and value. As I have done above, I will leave it open how far the possibility of faultless disagreement extends, and will simply assume that if faultless disagreements are possible, they are possible with respect to what I called “basic evaluations” such as the following:

i): “This wine is delicious.”

ii): “This is an excellent performance.”

iii): “It is permissible to lie if this prevents hurting someone’s feelings.”

My focus will largely be on MacFarlane’s version of relativism, according to which truth-values vary with individual contexts of assessment. I will proceed as follows. In the next section I provide an outline of the way in which indexical and nonindexical versions of contextualism claim to make sense of faultless disagreement and of how assessment-relativism is supposed to improve upon both accounts. I will then raise two challenges.

First, I will argue (in section III) that it is unclear to what extent truth-relativism can be based on patterns of linguistic practice. For example, when it comes to certain moral questions, it is hard to see how there could be any evidence for the kind of relativistic even-handedness that is needed to license relativism about truth. The required data is only available when it is possible to occupy a context of assessment that does not itself mandate a particular verdict concerning the truth-value of the judgment in question. But even if it is possible to make sense of such an uncommitted context of assessment, the relativist needs to show that the possibility of uncommitted contexts does not betray the deficiency of such

contexts—that is, that they do not prevent the assessor from recognizing the one correct evaluation. But if this is what the relativist needs to show, the view cannot be motivated by empirico-linguistic considerations alone.

Second, I want to argue (in section IV) that the truth-relativist faces significant difficulties in trying to account for the purpose of engaging in evaluative discourse. On a plausible picture of communication, assertoric discourse serves the purpose of updating the set of propositions that are presupposed by the participants to a given conversation. This picture is unavailable if truth is a relational notion: propositions that are not absolutely true or false, but only relative to a context of assessment, cannot be expected to become part of a common ground. The relativist must therefore provide an alternative explanation of what we are up to when we put forward evaluative judgments.

MacFarlane characterizes assertion as the undertaking of particular commitments and takes the purpose of assertoric discourse to consist in the attempt to achieve a coordination of contexts. By considering what is at stake in evaluative discourse, however, I will argue that a commitment-based account of evaluative assertions provides an implausible account of what we are up to when we engage in evaluative discourse. The relativist cannot escape the problem by trying to make sense of such an engagement in terms of a coordination of contexts. Given a relativist account of the kinds of propositions that are expressed in evaluative discourse, it is mysterious how such coordination is supposed to be achieved.

## II.

In line with most proponents of contemporary truth-relativism, MacFarlane develops his position in response to the failure of contextualism to account for certain aspects of our linguistic behavior—in particular, the way contextualism entails an unwanted variability in semantic content. In discourse involving epistemic modals and knowledge attributions, stock examples include so-called eavesdropping cases, where a given utterance is assessed by a third party,<sup>153</sup> situations in which one retracts a previous assertion,<sup>154</sup> or situations in which one reports what someone else said.<sup>155</sup>

Another set of data comes from situations of inter-personal disagreement. Here the standard objection is that, on a contextualist picture, we lose the sense in which the opposing sides genuinely disagree. This is also the line that MacFarlane takes in his discussion of disagreements about what he calls “subjective matters”— areas of discourse, where, as he argues, it is implausible to suppose that our capacities are defective in detecting evaluative properties, but where we cannot offer grounds for thinking that our point of view is the “right” one:

[C]ontextualism [...] fails to account for the possibility of *disagreement* in subjective discourse—for our sense that when I say that carrots are delicious and you deny this, we are

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<sup>153</sup> See, for example, Egan (2007) or MacFarlane (2011).

<sup>154</sup> MacFarlane (2005a) and (2011).

<sup>155</sup> Richard (2004).

genuinely *disagreeing* with each other, and not making compatible claims about our respective tastes.<sup>156</sup>

According to the contextualist, disagreement about the deliciousness of carrots only appears to involve genuinely contradictory claims. Predicates such as “is delicious” or “is funny” are covertly about the speaker: when Jane utters “Carrots are delicious” what she actually says is “Carrots are delicious *to Jane*,” and when John maintains that apples are not delicious, what he actually says is “Apples are not delicious *to John*.”

Hence, although the contextualist approach would allow us to assimilate situations of faultless disagreement to the well-understood phenomenon of indexicality, it comes at the cost of distorting what we take such cases to involve. On a contextualist interpretation, their disagreement is of a merely verbal nature: they affirm only seemingly contradictory sentences. But Jane and John certainly take themselves to be genuinely disagreeing with one another—an assessment that is shared by any third party that witnesses or reports their exchange.

Genuine disagreement requires that there be a shared content that the disagreement is about. Taking propositions to be the contents of beliefs or sentences in a context, it is therefore natural to assume that if one side affirms, and the other side rejects, a particular proposition *P*, genuine disagreement is secured. But this is not a sufficient condition for disagreement. To mention one of MacFarlane’s examples, consider a situation in which Jane, who inhabits this world, asserts that Mars has two moons, while June, her counterpart

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<sup>156</sup> MacFarlane (2007), p. 18.



in another possible world, denies this very proposition.<sup>157</sup> They do not disagree in any real way, because their claims concern different worlds.

In other words, genuine disagreement requires not only that it be about a shared content, it must also concern the same circumstance of evaluation. In standard semantics, circumstances of evaluation are simply possible worlds. It seems therefore that genuine disagreement requires, at the very least, that it be about one single thing (a specific content or concept), which is evaluated with respect to one single world.<sup>158</sup>

Now, some theorists envision circumstances of evaluations as more fine-grained, allowing for the truth of a given propositions to be determined relative to other parameters, such as a time, or a person.<sup>159</sup> This reveals a route that one could take in trying to overcome the shortcomings of contextualism. For one might take circumstances of evaluations to be *even more* fine-grained—to include, for instance, standards of gustatory or aesthetic taste. These extra parameters would not affect what is said, but play a role in the circumstance with respect to which the relevant proposition is evaluated. Such an approach could accommodate the subjective dimension of evaluative disagreements in a way that does not abandon uniformity of semantic content.

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<sup>157</sup> Cappelen and Hawthorne (2009) seem to have contrary intuitions: “[...] if June under the imagined circumstance were to endorse the proposition *that it is not the case that Mars has two moons*, would she be in disagreement with what Jane actually said? Well, what Jane actually said is *that Mars has two moons*. So it seems to us entirely obvious that the answer is ‘yes.’ If June were to endorse the proposition *that it is not the case that Mars has two moons* she is in disagreement with the proposition *that Mars has two moons*.”

<sup>158</sup> As MacFarlane (2007) points out, this is actually still not a sufficient condition for genuine disagreement. But my goal here is not to provide an account of disagreement. In what follows, I will therefore disregard the relevant complications.

<sup>159</sup> As Kaplan (1989) puts it: “A circumstance will usually include a possible state or history of the world, a time, and perhaps other features as well.”

This is the basic maneuver that underlies MacFarlane’s variant of truth-relativism. The thought is that what determines the truth-values of claims such as “Apples are delicious,” or “Grace Kelly is prettier than Mai Zetterling” involves additional relational complexity—over and above a world (and possibly time). When Jane asserts that Grace Kelly is prettier than Mai Zetterling, the proposition *that Grace Kelly is prettier than Mai Zetterling* is not true or false *simpliciter*, but relative to the aesthetic standard operative at Jane’s circumstance of evaluation. If John disagrees with her, it is because the very same proposition is false relative to the aesthetic standard operative at his circumstance of evaluation.

It is important to note, however, that such a framework does not invariably yield genuine relativism. Depending on how it is fleshed out, the view is more aptly described as a form of non-standard—or “nonindexical”<sup>160</sup>—concontextualism. To see why, consider Kaplan’s definition of when the occurrence (utterance) of a sentence is true:

If *c* is a context, then an occurrence of  $\varphi$  in *c* is true iff the content expressed by  $\varphi$  in this context is true when evaluated with respect to the circumstance of the context.<sup>161</sup>

On such a picture, the context plays two distinct roles: it determines the proposition that a given sentence expresses, and it fixes the circumstance with respect to which the

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<sup>160</sup> As it is called, for example, by Greenough (2010), MacFarlane (2009), or Weatherson (2009).

<sup>161</sup> Kaplan (1989), p. 522.

proposition is evaluated.<sup>162</sup> A sentence and its context of use therefore determine the truth-value of the proposition in an absolute manner.

Now, when it comes to the extra parameters mentioned above, they can be determined either by the context of use or by factors lying outside anything required to settle the semantic value of the sentence in question. In the former case the context of use fixes the world, time, speaker, location, and the like, all of which is taken to be sufficient to determine which circumstance of evaluation to look at—say, which aesthetic standard is relevant in assessing the truth-value of Jane’s claim. In the latter case, the relevant circumstance of evaluation is determined independently of such factors. That is, after everything that is normally conceived as sufficient to fix the content of a given utterance is fixed, truth and falsity are relative to an extra parameter.

According to both accounts—the account according to which the extra parameter is fixed by the context of use, and the account according to which it is fixed by factors that are independent of the context of use—Jane and John disagree about a uniform semantic content when they argue about whether Grace Kelly is prettier than Mai Zetterling. And both accounts involve a form of relativism with respect to propositional truth: in both cases the truth-values are relative to some non-standard parameter. But in the former case, a sentence and its context of use still determine the truth-value of the relevant proposition in an *absolute* manner. Relative to the context of Jane’s utterance, there is a determinate answer as to whether her utterance is true. This is why such an account is not aptly

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<sup>162</sup> MacFarlane distinguishes between the “content-determinative,” and the “circumstance-determinative” role.

described as a form of relativism, but rather as nonindexical or non-standard contextualism.<sup>163</sup>

Note that nonindexical contextualism has a somewhat odd consequence.<sup>164</sup> Suppose that relative to my aesthetic standard, Grace Kelly is not prettier than Mai Zetterling. Given my aesthetic standard, *what you said* in uttering “Grace Kelly is prettier than Mai Zetterling” is false. But I am also forced to acknowledge that you speak truly when you say that Grace Kelly is prettier than Mai Zetterling—your *utterance* of the sentence “Grace Kelly is prettier than Mai Zetterling” is true given the context of its use. In other words, nonindexical contextualism entails that the following schema of utterance truth fails:

[i]f an utterance *u* says that *p* then *u* is true if and only if *p* is true.<sup>165</sup>

MacFarlane raises a related worry, namely, that nonindexical contextualism yields merely “faux disagreement.” He asks us to imagine a situation in which Abe accepts the proposition that apples are delicious, while Ben rejects it. On a nonindexical contextualist picture, Abe can accurately reject what Ben says, although he can acknowledge that the utterance was accurate. MacFarlane complains that this does not show that there is any real disagreement between them, “any more than the fact that I can now (accurately) assert that

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<sup>163</sup> Kölbel’s variant of truth-relativism is spelled out along these lines.

<sup>164</sup> As MacFarlane also acknowledges in proposing non-indexical contextualism for knowledge-attributions (2009).

<sup>165</sup> Greenough (2010), p. 201.

that the tensed proposition *that it is night* is false shows that there is any real disagreement between me and someone who asserted this proposition eight hours ago.”<sup>166</sup>

But be that as it may. My aim here is to examine genuine truth-relativism. Let me therefore turn to MacFarlane’s proposal. His central device is the notion of a “context of assessment:” a concrete situation in which the use of a given sentence is assessed.<sup>167</sup> According to MacFarlane, evaluative sentences and their context of use do not determine the truth-value of the relevant propositions in an absolute manner, because the extra parameters are determined by the properties of the context of assessment. That is, the truth-value of a claim involving predicates of taste and value depends not just on its content and the circumstance of evaluation determined by the context of use, but on *who* judges it. Here is how he defines truth-relativism for a sentence *S* that involves aesthetic predicates:

*S* is true at a context of use  $C_U$  and context of assessment  $C_A$  iff there is a proposition  $p$  such that

- (a) *S* expresses  $p$  at  $C_U$ , and
- (b)  $p$  is true at the world of  $C_U$  and the aesthetic standards of the assessor at  $C_A$ .

On such a picture Jane and John have a genuine disagreement when they argue about the claim that Grace Kelly is prettier than Mai Zetterling. They affirm and reject the same proposition: the proposition that the sentence “Grace Kelly is prettier than Mai Zetterling”

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<sup>166</sup> MacFarlane (2007), p. 26.

<sup>167</sup> MacFarlane (2005b).

expresses at their shared context of use. But neither of them makes a mistake in upholding their respective views, because they are true relative to different contexts of assessment.

The schema of utterance truth does not fail in such a framework. A sentence is true at a context if and only if the proposition expressed is true relative to the circumstance of evaluation determined *both* by the context of use and the context of assessment. So, from Jane's perspective, both the content of "Grace Kelly is not prettier than Mai Zetterling" and the utterance of this sentence are inaccurate.

MacFarlane's assessment-relativism is therefore a clear improvement upon indexical and nonindexical contextualism when it comes to making sense of the type of rationally irresolvable disagreement that characterizes the evaluative domain of discourse. But as I want to show next, the improvement is limited in important respects.

### III.

As the preceding discussion demonstrates, truth-relativism is taken to be well motivated by linguistic evidence. With respect to evaluative discourse, the rationale behind abandoning both indexical and nonindexical contextualism and adopting truth-relativism is that the latter seems better equipped to account for specific patterns of linguistic behavior: situations of disagreement with respect to which it is implausible to assume that one of the opposing sides has made a mistake.

I want to argue however that it is unclear how MacFarlane's account can make sense of the dimension of faultlessness, unless other broadly antirealist considerations are invoked.

In other words, I want to suggest that contrary to the way in which MacFarlane presents the view, assessment-relativism cannot be motivated by linguistic evidence alone.

Let me begin by restating the kinds of claims that seem to be paradigmatic of faultless disagreement:

i): This wine is delicious.

ii): This is an excellent performance.

iii): It is permissible to lie if this prevents hurting someone's feelings.

In order for disagreement about i) – iii) to warrant the claim that truth is a relational notion, we need evidence to the effect that, genuine incompatibility notwithstanding, both the affirmation and rejection of these claims is perfectly proper—and not just in the sense that both sides are justified (but possibly wrong) in holding their respective views. There must be a manifestation of some form of relativistic even-handedness: that different contexts of assessment can yield equally correct evaluations. In other words, what is needed is evidence of co-variation of truth-value with some extra parameter: standards of gustatory or aesthetic taste, normative frameworks, or the like.

Suppose that Jane and John attend a performance of Rachmaninoff's third piano concerto and disagree about ii). Jane thinks that it is an excellent performance, while John takes it to be unimpressive and dull. From neither perspective can there be a manifestation of even-handedness of the kind that is required to warrant truth-relativism: for Jane it is false to deny ii), while for John it is false to affirm it. As we have seen, this is precisely

what assessment-relativism predicts. Given the utterance schema, ii) is true if and only if the proposition that it expresses is true relative to the circumstance of evaluation determined by both context of use and context of assessment.

This raises the question whether the same holds for any third party who is in a position to assess the claim that a given performance is excellent. That is, one might wonder whether everyone is inevitably stuck with an opinion of their own, such that either Jane or John's claim appears determinately true and the opposite view determinately false. If so, the dimension of faultlessness is lost, and it is unclear how the disagreement data can provide the kind of evidence that is needed to motivate relativism.

Wright argues that this is exactly what follows if we adopt assessment-relativism for claims involving epistemic modals, knowledge attributions, or future contingents.<sup>168</sup> Consider MacFarlane's retraction data concerning epistemic possibility:

*Sally*: "Joe might be in Boston."

*George*: "No, he can't be in Boston. I just saw him an hour ago in Berkeley."

*Sally*: "Ok, then scratch that. I was wrong."<sup>169</sup>

MacFarlane holds that it would be odd for Sally not to retract her claim upon learning that Joe is not in Boston. But according to indexical contextualism claims such as "Joe might be in Boston" are covertly about the epistemic situation of speaker: "Joe might be in Boston" is true just in case what the speaker knows does not rule out that Joe is in Boston.

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<sup>168</sup> Wright (2008), p. 177ff.

<sup>169</sup> MacFarlane (2011), p. 148.



On such a contextualist interpretation however, what Sally said prior to George's utterance must still be true after she made the claim: for what she said was that *at the time* she did not know that Joe was not in Boston. But then, the exchange that MacFarlane presents becomes unintelligible: why would Sally retract her claim if what she said is perfectly compatible with her current position?

The problem is avoided if claims such as "Joe might be in Boston" are interpreted as taking their truth-values relative to the state of information at the context of assessment. Sally's context of assessment has changed after learning that Joe is not in Boston, so she has no option but to regard her original claim as false. As Wright points out, however

no other assessor of her claim is going to be able to do any better. Anyone in a position to judge that she spoke correctly on the basis of the information originally available to her will be mandated in an opinion of their own about Joe's possible whereabouts at the time.<sup>170</sup>

According to Wright, discourse involving epistemic modals is fully committed, because whoever assesses a claim of the form "It might be that *P*" is him- or herself in a particular epistemic situation. This epistemic situation mandates a verdict about the epistemic possibility of *P*.

With a view to our current purposes, the central question is therefore the following: is discourse about matters of taste and value also fully committed such that every context of assessment settles the truth-value of a given evaluative judgment in a determinate manner? Or is evaluative discourse *uncommitted*, such that contexts of assessment do not

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<sup>170</sup> Wright (2008), p. 181.

themselves mandate particular opinions about what is tasty, beautiful, funny, or morally permissible? The possibility of such an uncommitted perspective is essential, if truth-relativism is supposed to be based on linguistic evidence alone: it is only from such a perspective that there can be evidence of a co-variation of truth-value with extra parameters that are operative at contexts of assessment.

To start with, note that the sense in which a neutral third party assessor is not committed to a particular verdict cannot be cashed out as occupying a context of assessment that mandates a *suspension* of judgment with regard to the truth-value of the claim in question. Although suspending judgment involves, in some sense, the recognition that  $P$  is not superior to  $\sim P$ , it does not involve the recognition that both  $P$  and  $\sim P$  are *true*, albeit relative to different contexts of assessment. But the latter is precisely what needs to be possible in order for a given evaluative disagreement to amount to evidence for the even-handedness of  $P$  and  $\sim P$ —and thus, for the claim that a relativistic conception of truth operates in evaluative domain discourse.

Maybe the possibility of an impartial perspective is more adequately construed as a form of *indifference*, where the third party assessor lacks the gustatory, aesthetic, or moral sensibility necessary to come to a conclusion regarding the issue at stake. Suppose that I am unable to detect certain tastes. In assessing disagreements about the quality of a given dish or wine I might still come to think, on the basis of other pertinent evidence, that neither side has made any kind of mistake in upholding their respective positions. Or suppose that I witness a disagreement about the quality of a given concert. If I am unfamiliar with the type of music that was performed (suppose it was a concert in Indian

classical music), I might judge that neither of the two positions is superior in any respect assessable by me.

The problem with such a proposal is that it is unclear why such indifference does not betray some kind of limitation on my part—a limitation that prevents me from realizing that there is *one* correct evaluation in such cases. Contexts of assessment from which a particular gustatory or aesthetic evaluation is not mandated might be contexts that are deficient for that very reason. In the examples above I have, after all, described myself as being “unable” to detect tastes, or as “unfamiliar” with a relevant type of music. A realist of the sort considered in the preceding chapters might for example complain that it is not obvious why such indifference is not akin to some kind of blindness or other form of cognitive shortcoming.

The point is particularly forceful if we consider faultless disagreements in the moral realm. Imagine a situation in which I assess a disagreement about iii)—that it is permissible to lie if this prevents hurting someone’s feelings. If I am indifferent, because I lack the moral sensibility that allows me to reach an opinion of my own, there seems to be something wrong with me.

Again, we are not considering scenarios in which I cannot decide whether one ought or ought not lie and therefore suspend judgment. We are considering a situation in which the third party assessor is *amoral* and decides on the basis of purely non-moral considerations that both the affirmation and the negation of a given claim are adequate. It is hard to see how the inability to discern the morally relevant features of a given action or situation does not amount to a form of moral failure.

The relativist needs to *show* why this is not the case—that is, how it is possible for two opponents to reach conflicting verdicts without either of them suffering from any form of cognitive shortcoming, and thus, why a realist approach is a misguided account of the domains of discourse that allow for faultless disagreement.<sup>171</sup>

In conclusion, it is unclear whether the kind of data that MacFarlane relies upon is available at all, and how it is supposed to license relativism about truth in a way that does not presuppose that a realist account of relevant types of disagreements is misguided. In other words, truth-relativism does not appear to be grounded on linguistic data *alone*. It must be motivated, at least in part, by antirealist intuitions. But if this is the case, the relativist needs to clarify what is gained by adopting truth-relativism as opposed to an antirealist/non-cognitivist framework that invokes a minimalist or deflationary account of truth.<sup>172</sup>

#### IV.

Let me now move on to the second challenge. It is very attractive to think of the nature of communication in Stalnakerian terms: as a rational activity that we engage in to

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<sup>171</sup> The kind of realist that I have in mind here is also an absolutist. As Rovane shows, realism and relativism need not be mutually opposed doctrines. Rovane (forthcoming).

<sup>172</sup> The lines of reasoning that motivate relativism preclude a deflationist conception of truth. According to the deflationist, truth has no underlying nature. Instances of the following schema offer a complete explanation of the nature and purpose of the truth predicate:

(ES) The proposition *that P* is true if and only if *P*.

Hence, the possibility of a situation in which both *P* and  $\sim P$  are true does not represent a special problem. For the deflationist, the possibility of faultless disagreement shows simply that there are conflicts that cannot be settled in a determinate manner. There is therefore no need to jump to the conclusion that there is no absolute truth in such cases. Such a line of thought presupposes an *inflationary* conception of truth—as Horwich argues, it reveals that truth is associated with stable consensus. Horwich (2010).

distinguish among alternative possible ways in which things may be and to update what we take to be the common ground among the participants to a conversation.

As we have seen, Stalnaker takes the “essential effect” of an assertion to be “to change the presuppositions of the participants to the conversation by adding the content of what is asserted to what is presupposed.”<sup>173</sup> The set of possible worlds compatible with what is presupposed is what Stalnaker refers to as the context set: “the set of possible worlds recognized by the speaker to be the ‘live options’ relevant to the conversation.”<sup>174</sup> The content of an assertion has the effect of reducing the context set by eliminating all of the possible ways in which things might be that are incompatible with what is said.

Such an account of the purpose of assertoric discourse, and thereby of the purpose of evaluative discourse,<sup>175</sup> is not available to the truth-relativist. If evaluative claims take their truth-values relative to parameters that are settled independently of the context of use—that is, independently, of the kinds of factors that are usually taken to be sufficient to fix their content—it is unclear how we could expect to add them to a common ground, and therefore, just what purpose would be served by assertions of this kind. Richard puts the worry as follows:

Relative truth strikes many as puzzling. To make a claim, it is said, is to represent the world as being a certain way: it is to select a set of worlds and “locate” one’s self and one’s audience as inhabiting one of them. To make a claim is also to invite one’s audience to accept that claim as

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<sup>173</sup> Stalnaker (1999), p. 86.

<sup>174</sup> Stalnaker (1999), pp. 85-86.

<sup>175</sup> I assume here that every utterance of a declarative sentence counts as an assertion.

correct, as true in the actual world. Such an invitation makes sense only if the truth conditions of a claim when I make it are the same as they are when you accept it.<sup>176</sup>

Let me try to spell out the problem in respect to MacFarlane's proposal. As we have seen, he takes the truth-values of evaluative claims to depend not just on the content that they express and the world determined by the context of use, but by a circumstance of evaluation determined by both context of use and context of assessment. By asserting a given evaluative claim—that apples are delicious, a given performance beautiful, or a particular action morally permissible—we are therefore not distinguishing among alternative ways in which the world may be. What we seem to be doing instead is ascribing subjective properties to objects: subjective deliciousness, subjective beauty, or subjective moral permissibility

In other words, when we assert a claim with ordinary representational content, say, that Mars has two moons, the obtaining of a given state of affairs is sufficient for its truth.<sup>177</sup> In contrast, alternative ways in which the world may be are neutral on the question of the truth of the kinds of propositions that we express in evaluative discourse (if they are understood as taking their truth-values relative to contexts of assessment). The assertion of evaluative claims can therefore no longer be taken to exhibit Stalnaker's "essential effect" of adding information to the common ground. Putting forward this type of claims does not reduce the context set in any way.<sup>178</sup> But then we cannot take the *purpose* of evaluative

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<sup>176</sup> Richard (2004), pp. 225-226.

<sup>177</sup> The problem does therefore not arise for nonindexical contextualism, where a sentence plus context of use fix the truth-value of a given claim in an absolute manner.

discourse to consist in trying to update the common ground by getting others to accept what we assert.

In short, the relativist is saddled with having to explain what we are up to when we engage in evaluative discourse. What is the point of ascribing subjective properties to objects, if we cannot expect that our interlocutors can converge with us in this respect?

MacFarlane tackles this question on various occasions. In his view, we can render relativism about truth intelligible by describing its role in an account of assertion, that is, by explaining what it is to assert relative propositions. Rejecting Stalnaker's picture,<sup>179</sup> he proposes to spell out the essential effect of an assertion as “the alteration of a normative status—the acquisition of new commitments or obligations.”<sup>180</sup> More precisely, he suggests the following:

I propose we focus on the normative *consequences* of making an assertion. An assertion (even an insincere one) is a *commitment to the truth* of the proposition asserted.<sup>181</sup>

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<sup>178</sup> What we express can evidently also not be construed as the proposition *that relative to my standard of taste apples are delicious*. This is how the indexical contextualist would have it.

<sup>179</sup> MacFarlane ((2011), p. 88ff.) rejects Stalnaker's account mainly because he thinks that the speech act of assertion cannot be defined in terms of the “essential effect” of adding information to the common ground.

Assertions can be performed without anyone listening or in disjoint conversations. In such cases there is no common ground to add information to. Moreover, there are assertions such as epistemic modal claims that seem to be aimed at increasing, rather than reducing the set of open possibilities. Finally, there are other speech acts such as guesses or conjectures, as well as other nonlinguistic means that have the same intended effect.

Note however that this last point is a point that Stalnaker actually concedes. He does not take the “essential effect” to be a sufficient condition for assertion. He describes it as merely *one* effect which assertions have. But he does seem to think that it is a necessary condition. See Stalnaker (1999) p. 86ff.

<sup>180</sup> MacFarlane (2011), p. 91.

<sup>181</sup> MacFarlane (2005b), p. 317.

He takes such a commitment to the truth of a proposition to involve the following three elements:

- (W) Commitment to withdraw the assertion if and when it is shown to have been untrue.
- (J) Commitment to justify the assertion (provide grounds for its truth) if and when it is appropriately challenged.
- (R) Commitment to be held responsible if someone else acts on or reasons from what is asserted and it proves to have been untrue.<sup>182</sup>

Let us assume, for the sake of argument, that this captures what we do when we perform an assertion in cases where truth is absolute. The question arises how these criteria should be understood if truth is assessment-relative.

Suppose that Jane challenges John's claim that Mai Zetterling is prettier than Grace Kelly. MacFarlane argues that the context of assessment with respect to which John has undertaken commitments (W), (J), and (R) is the context in which John is evaluating the putative refutation.<sup>183</sup> In other words, John has undertaken the commitment to withdraw the assertion if, at a future time, it is shown to be false relative to *his* context of assessment that Mai Zetterling is prettier than Grace Kelly, and to justify it if, at a future time, it is challenged in a way that seems appropriate relative to *his* context of assessment, and so on.<sup>184</sup>

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<sup>182</sup> MacFarlane (2005b), p. 318.

<sup>183</sup> MacFarlane (2005b), p. 320.

<sup>184</sup> MacFarlane (2005b), p. 319ff.



Let us examine whether this can provide a compelling account of what we are up to when we engage in evaluative discourse. Thus, let us assume that truth is relative when it comes to evaluative matters and that the kinds of commitments that we undertake in uttering evaluative claims should be spelled out along the lines MacFarlane proposes. That is, suppose that when we assert claims such as i) – iii)— that a given wine is delicious, a performance excellent or lying morally permissible—we undertake the commitment to justify or withdraw such claims if, at a later point, they are shown to be untrue, or if they are appropriately challenged relative to our contexts of assessment. Considering what is at stake in evaluative discourse, this seems a strange account of what it is what we do when we assert evaluative claims.

Evaluative language allows us to express what we deem valuable in order to get others to appreciate the same things. We prefer our society to be one in which a significant number of people share our tastes and preferences. As already mentioned, we want the kind of wine that we enjoy and the kind of music that we appreciate to be widely available so that there will be others with whom we can share our sense of what is delicious and what is beautiful. Achieving a common ground regarding such matters is therefore an important factor in our motivation to express claims that involve predicates of gustatory and aesthetic taste.

The point is particularly clear when it comes to moral discourse. We have a profound interest in the way in which our society develops, in the customs and norms that prevail in it, and we fear the social predominance of the kinds of norms and values that we find misguided. Discourse about what is morally right and wrong allows us to draw the relevant

distinctions and to ensure that we come to share our views on how to live and shape our society.

A key aspect of our engagement in evaluative discourse is therefore to achieve a common ground about what we deem worthy of pursuit. Stalnaker's framework is naturally suited to account for such a purpose. On MacFarlane's picture, however, it is not only unintelligible what the point of a given evaluative assertion is, assertions will not help participants achieve the aim of engaging in the relevant domain of discourse. Undertaking the commitment to justify a claim if it is appropriately challenged, but only relative to one's *own* context of assessment (or to withdraw it if it shown to be false, or to be held responsible if others act on it) is an odd motivation for an assertion as it stands. But it is particularly bizarre as an account of what we do when we engage in discourse about matters of taste and value. We do not, or at least do not primarily, engage in discourse about what is right and wrong, beautiful and ugly, and the like in order to make commitments of that sort. If we did, such assertions would not amount to much more than mere self-expression.

Note furthermore that the very expression of disagreement becomes a rather absurd enterprise if evaluative assertions are cashed out as MacFarlane proposes. Why would Jane want to challenge John's view, if he is committed to withdraw or justify his assertion only if it is shown to be untrue relative to his context of assessment? Her challenge is accurate relative to a different circumstance of evaluation than John's evaluation of it, so she cannot expect her challenge to be met. Her challenge can only be met if he changes his context of assessment. MacFarlane seems to accept such an outcome:

The challenger thinks (rightly) that he has absolutely compelling grounds for thinking that the assertion was not accurate. But the original asserter thinks (also rightly, from her point of view) that the challenger's grounds do nothing to call in question the accuracy of the assertion. The asserter's vindication will seem to the challenger not to show that the assertion was accurate, and the challenger will continue to press his claim. (Until the game gets boring.) Thus we have all the normative trappings of real disagreement, but without the possibility of resolution except by a relevant change in one or both parties' contexts of assessment.<sup>185</sup>

This does indeed reflect the kind of stalemate that is typical of persistent disagreement about matters of taste and value. But it also renders the behavior of the challenger somewhat irrational. If her challenge cannot be met unless the asserter changes her context of assessment, it unclear why one would want to raise it in the first place.

Consider a disagreement about ordinary empirical claims. As we have seen, such claims can be understood as distinguishing among alternative ways in which things may be. They take their truth-values in an absolute manner and can therefore be taken to express mutually accessible evidence. In challenging a given assertion by way of ordinary representational claims it is therefore not irrational to expect that our opponents could come to change their minds on the basis of our utterances, regardless of whether this will actually happen or not. In contrast, the kinds of propositions that we put forward in evaluative discourse cannot be taken to have such effects. As we have seen, alternative ways in which the world may be are neutral on the question of the truth of claims that

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<sup>185</sup> MacFarlane (2007), p. 29.

express ascriptions of subjective evaluative properties to objects. It is thus puzzling why we would engage in a back-and-forth when such types of claims are involved.

To escape the appearances of playing a “silly game,” as he puts it, MacFarlane suggests that we can make sense of our motivation to engage in evaluative disagreement as the attempt to have our interlocutors occupy different contexts of assessment.<sup>186</sup>

If you say “skiing is fun” and I contradict you, it is not because I think that the proposition you asserted is false as assessed by you in your current situation, with the affective attitudes you now have, but because I hope to change these attitudes. Perhaps, then, the point of using controversy-inducing assessment-sensitive vocabulary is to foster coordination of contexts.<sup>187</sup>

But again, it is unclear how such a coordination of contexts can be achieved. Since the opponents are presumed to be faultless, there is no non-evaluative fact that either side is missing. And given that the kinds of propositions that are put forward cannot be understood as proposals to add information to a common ground, engaging in evaluative disputes cannot be explained as attempts to put forward any form of evidence. In short, it is unclear how evaluative disagreements can be taken to change “affective attitudes,” and thereby achieve a coordination of contexts, unless evaluative claims are *themselves* understood as expressing particular affective attitudes.

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<sup>186</sup> Richard makes a somewhat similar suggestion. Proposing relativism for vague predicates such as “rich,” he argues that we can make sense of the relevant assertions as follows: “My statement, that Mary is rich, is as much an invitation to look at things in a certain way, as it is a representation of how things are. In saying that Mary is rich, I am inviting you to think of being rich in such a way that Mary counts as rich. If you accept my invitation – that is, if you don’t demur, and carry on the conversation – that sets the standards for wealth, for the purposes of the conversation, so as to make what I say true.” Richard (2004), p. 226.

<sup>187</sup> MacFarlane (2007), p. 30

But then the truth-relativist faces a version of the challenge already encountered above: if the relevant coordination of contexts must occur via some form of non-cognitive influence, she needs to show what is gained by taking truth to be a relational notion, rather than trying to make sense of the relevant disputes as expressions of conflicting non-cognitive attitudes.

## V.

The goal of this chapter has been to examine whether MacFarlane's version of truth-relativism can provide a compelling account of faultless disagreement. I argued that although it provides significant improvement over both indexical and nonindexical variants of contextualism, it faces significant limitations.

First, the kind of data that MacFarlane invokes to justify the adoption of relativism about truth does not license the conclusion that there is co-variation of truth-value with a context of assessment. Such data could only be available from a neutral third party perspective that does not itself mandate a particular assessment of the claim under consideration. But the relativist lacks an argument to the effect that such a neutral perspective does not betray some kind of deficiency on the part of the assessor.

Second, on an assessment-relativist approach it is exceedingly difficult to make sense of the point and purpose of evaluative discourse. Although MacFarlane claims to follow Brandom in taking assertion to be fundamentally a move in the "game of giving and asking

for reasons,”<sup>188</sup> the move becomes unintelligible when a commitment-based account of assertion is modified along the lines MacFarlane proposes.

With respect to both lines of reasoning, the upshot is that the relativist needs to invoke antirealist or non-cognitivist insights in order to be able to respond to these challenges. As a result, antirealist/non-cognitivist accounts seem to be better equipped than relativism when it comes to making sense of domains of discourse that allow for faultless disagreement.

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<sup>188</sup> MacFarlane (2007), p. 28.

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